

Prepared by and  
after recording return to:  
Faggert & Frieden, P.C.  
222 Central Park Avenue  
Suite 1300  
Virginia Beach, Virginia 23462

AMENDMENT TO PRIVATE EASEMENTS FOR THE EXCLUSIVE PROVISION OF  
COMMUNICATIONS SERVICES FOR REMINGTON PARK

This AMENDMENT TO DEED OF EASEMENT (this "**Amendment**") is made as of October 1, 2007 (the "Effective Date"), by and between TATE TERRACE REALTY INVESTORS, INC., a Virginia corporation (along with any successors and assigns, "**Developer**" or "**Grantor**"); and REMINGTON INFRASTRUCTURE MANAGEMENT, L.L.C., a Virginia limited liability company along with any successors and assigns, "**RIM**" or "**Grantee**").

RECITALS

WHEREAS, the Developer and RIM entered into that certain Private Easement for the Exclusive Provision of Communications Services for Remington Park dated January 10, 2007, and recorded July 10, 2007, in the Clerk's Office for the Circuit Court of Suffolk, Virginia as Instrument No. 20070710000126970 (herein, the "Deed of Easement"); and

WHEREAS, the Developer and RIM desire to modify and amend the Agreement as set forth herein to correct for certain scrivener's errors.

NOW, THEREFORE, THIS AMENDMENT TO AGREEMENT TO  
OBTAIN COMMUNICATIONS SERVICES WITNESSETH:

1. In the first "WHEREAS" recital on page 1, the reference to "the City of Virginia Beach, Virginia" is hereby deleted and replaced with "the City of Suffolk, Virginia".
2. The last "WHEREAS" recital on page 2 is deleted in its entirety and replaced as follows:

WHEREAS, Developer is the Declarant under the Declaration of Protective Covenants and Restrictions for Remington Park, as amended from time to time, that encumber the Property (the "**Declaration**"), and as such, intends that the portions of the Property to be conveyed to the Association pursuant to the Declaration will be encumbered by the easements created pursuant to this Easement Deed; and

Tax Account No. 304639800

  
20071015000105080 Pg. 2 OF 6  
City of Suffolk  
10/15/2007 02:34:43 PM AMEND  
W. Randolph Carter, Jr., Clerk

3. In paragraph 2(a), the reference in the fourth sentence to "the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia" is hereby deleted and replaced with "the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia".

4. Except as modified herein, all other terms and provisions of the Agreement remain in full force and effect and unchanged.

5. This Amendment constitutes the entire agreement between the parties hereto with regard to the subject matter addressed herein, and may not be modified or amended except by written instrument executed by the parties hereto.

6. This Amendment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors, heirs, legal representatives and assigns.

7. This Amendment has been executed and delivered in the Commonwealth of Virginia, and shall be construed, performed and enforced in accordance with the laws of the Commonwealth of Virginia.

[SIGNATURES ON FOLLOWING PAGES]



20071015000185000 Pg. 3 OF 6  
City of Suffolk  
10/15/2007 02:34:43 PM AMEND  
W. Randolph Carter, Jr., Clerk

IN WITNESS WHEREOF, the parties have caused this Amendment to Deed of Easement to be executed as of the day and year first above written.

DEVELOPER:

TATE TERRACE REALTY INVESTORS, INC.  
a Virginia corporation

By: [Signature] (SEAL)

Name: R. Gottlieb

Title: ASST. SEC

COMMONWEALTH OF VIRGINIA  
CITY OF Virginia Beach, to-wit:

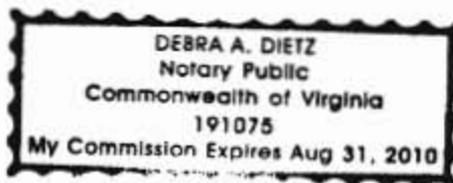
I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that Raymond Gottlieb as Asst. Secretary of Tate Terrace Realty Investors, Inc. a Virginia corporation, whose name as such is signed to the foregoing Amendment to Deed of Easement, appeared before me and personally acknowledged the same in my jurisdiction aforesaid, on behalf of the company.

GIVEN under my hand and seal this 30 day of October, 2007.

Debra A. Dietz  
Notary Public

My commission expires: 8-31-2010

Registration No.: 191075



20071015000185080 Pg. 4 OF 6  
City of Suffolk  
10/15/2007 02:34:43 PM AMEND  
W. Randolph Carter, Jr., Clerk

GRANTEE:

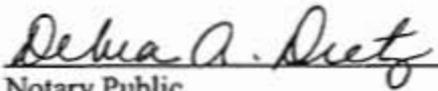
REMINGTON INFRASTRUCTURE  
MANAGEMENT, L.L.C., a Virginia limited  
liability company

By:  (SEAL)  
Name: Raymond L. Gottlieb  
Title: Manager

COMMONWEALTH OF VIRGINIA  
CITY OF Virginia Beach, to-wit:

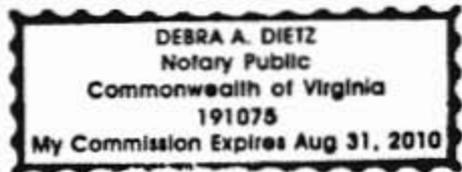
I, the undersigned Notary Public, in and for the jurisdiction aforesaid, do hereby certify that Raymond L. Gottlieb, as Manager of Remington Infrastructure Management, L.L.C., a Virginia limited liability company, whose name as such is signed to the foregoing Amendment to Deed of Easement, appeared before me and personally acknowledged the same in my jurisdiction aforesaid, on behalf of the company.

GIVEN under my hand and seal this 3rd day of October, 2007.

  
Notary Public

My commission expires: 8-31-2010

Registration No.: 191075



  
20071015000105000 Pg. 5 OF 6  
City of Suffolk  
10/15/2007 02:34:43 PM AMEND  
W. Randolph Carter, Jr., Clerk

**EXHIBIT A**

Legal Description of Property

ALL THAT certain lot, piece or parcel of land, with the buildings and improvements thereon and the appurtenances thereunto belonging, lying, situate and being in the Sleepy Hole Borough of the City of Suffolk, Virginia, and being known, numbered and designated as parcel A, as shown on that certain plat entitled "SUBDIVISION PLAT OF THE PROPERTY OF SHOULDERS HILL/DCI PROPERTIES, INC., SLEEPY HOLE BOROUGH, SUFFOLK, VIRGINIA", dated November 6, 1997, by Gary C. Thomas of Sledd & Associates, P.C. and which plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Suffolk, Virginia in Plat Cabinet 2, at Slide 69-C.

IT BEING a part of the same property conveyed to Tate Terrace Realty Investors, Inc., a Virginia corporation, by deed of Shoulders Hill/DCI Properties, Inc., a Virginia corporation, dated December 29, 1997 and recorded in the aforesaid Clerk's Office in Deed Book 564, at Page 693.

  
20071015000105080 Pg. 6 OF 6  
City of Suffolk  
10/15/2007 02:34:43 PM AMEND  
W. Randolph Carter, Jr., Clerk