

FOUNTAIN VIEW SUBDIVISION
DECLARATION OF PROTECTIVE COVENANTS

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This subdivision shall be subject to the following protective covenants, which covenants are to run with the land:

1. The Grantor hereby grants and conveys to the property owners, for their private use forever, all roads and rights-of-way on the attached plat or plan.
2. The Grantor may assess the owners of all tracts a sum not to exceed Twenty-Five Dollars (\$25.00) per year, per deeded tract, for the use, upkeep and maintenance of the private roads providing ingress, egress and regress to said tracts. The rights and responsibilities as created by this paragraph may be delegated by the Grantor to a committee of tract owners, elected by the owners of the above specified tracts, any assessment made pursuant to this paragraph shall constitute a lien on each and every tract within said subdivision until paid, and payment of said assessment and levy shall be payable on or before the 31st day of January, 1981, and on or before the 31st day of January each year thereafter. When more than one tract is owned by a party or parties, in the event of a resale of one or more of said tracts, then the obligation to pay the said Twenty-Five Dollar (\$25.00) assessment shall become the obligation of the new owner(s).
3. The Grantor reserves unto itself, its successors or assigns, the right to erect and maintain telephone and electric light poles, conduits, equipment, sewer, gas and water lines, or to grant easements or rights-of-way therefore, with the right of ingress and egress, for the purpose of erection or maintenance on, over or under a strip land fifteen (15) feet wide at any point along the side, rear or front lines of said lots, or within Forty (40) feet from the center of any right-of-way.
4. Only properly licensed vehicles with licensed drivers are authorized to use the roadways of the subdivision.
5. Sewerage and waste systems, as well as any toilets constructed on said tracts, shall conform to the regulations of the appropriate County and State Health Regulations.
6. 12" diameter culverts must be used in all driveways leading from main subdivision roads.
7. No trucks, buses, old cars, or unsightly vehicles of any type or description may be left or abandoned on said tracts.
8. No lot or tract in said subdivision may be re-subdivided.
9. No building shall be erected closer than Fifteen (15) feet from any bordering or back-line, or closer than Forty (40) feet from center of any road right-of-way.
10. If the parties hereto, or any of them, or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning real estate situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants, either to prevent them or him from doing or to recover damages or other dues for such violation(s).
11. Invalidation of any one of these covenants by judgement or Court Order, shall in nowise affect any of the other provisions which shall remain in full force and effect.

STATE OF WEST VIRGINIA, County of Hampshire, to-wit:

Be it remembered that on the 2nd day of September, 1994, at 3:30 P M., this Deed was presented in the Clerk's Office of the County Commission of said County and with the certificate thereof annexed, admitted to record.

Attest Nancy C. Feller Clerk
County Commission, Hampshire County, W. Va. shl