

PROTECTIVE COVENANTS, CONDITIONS,
LIMITATIONS AND STIPULATIONS

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1. The grantors reserve unto themselves, their heirs and assigns, the right to erect and maintain telephone and electric light poles, conduits, equipment, sewer, gas and water lines, or to grant easement 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 of land fifteen (15) feet wide at any point along either side of the roadways situate in Serenity Heights, and along the real estate herein conveyed.
2. The real estate herein conveyed shall be used for residential purposes only, and no building shall be erected, altered, placed or permitted to remain on said real estate other than one detached single family dwelling not to exceed 2½ stories in height and a private garage for not more than 2 cars, and any garage or other outbuilding must conform generally in appearance and material with any dwelling on said tract.
3. No temporary structures, including mobile homes, campers, trailers and buses shall be allowed on said real estate except during construction of dwellings on said real estate.
4. No trucks, buses, old cars, or unsightly vehicles of any type or description may be left or abandoned on said real estate.
5. No dumping or accumulation of trash shall be allowed on said real estate.
6. Said real estate shall not be subdivided until such time that the grantors herein have conveyed all their right, title and interest in and to all the real estate situate in Serenity Heights and in the further event that a seventy-five percent (75%) majority of owners of real estate in Serenity Heights should agree to subdivision of tracts situate in Serenity Heights.
7. Sewage and waste systems constructed on said real estate shall conform to the regulations of the appropriate county and state health regulations and no outside toilets shall be allowed

on said real estate herein conveyed.

8. No signs, billboard, or advertising of any nature shall be erected, placed or maintained on the real estate herein conveyed, nor upon any building erected thereon, except directional and information signs of the grantees, their heirs and assigns.

9. No dwelling or structure shall be built within forty (40) feet of any roadway or property line within Serenity Heights.

10. No noxious or offensive activity shall be carried on upon the real estate herein conveyed, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood

11. No animals, livestock, or poultry of any kind shall be raised, bred or kept on the real estate herein conveyed, except that dogs, cats or other household pets may be kept provided that they are not kept, bred or maintained for any commercial purpose.

12. The grantors herein may, until the sale of substantially all of the tracts in Serenity Heights, charge, assess and collect from each of the property owners in Serenity Heights a reasonable fee for the purpose of providing funds for the construction, maintenance, repair and reconstruction of all roads and ways in Serenity Heights, and during said period of time the grantors herein shall be responsible for the construction, maintenance, repair and reconstruction of all roads and ways in Serenity Heights.

At such time as substantially all of the tracts in Serenity Heights have been sold, the owners of the various tracts in Serenity Heights shall cause to be incorporated and organized a property owners association which shall henceforth have the responsibility of construction, repairing, maintaining and reconstructing all roads and ways in Serenity Heights, and the grantors herein shall at that time transfer and assign to said property owners association all interest in the roads and ways in Serenity Heights, and all funds held by them are arising out of the collection of the fees

and charges aforesaid. Said property owners association shall henceforth charge and assess the various property owners in Serenity Heights with reasonable fees and charges with which to provide funds for the maintenance and construction of said roads and ways.

13. No dwelling house shall be constructed on the real estate herein conveyed that has a living floor space of less than fourteen hundred feet (1,400) (not including garage) and a cost of less than Thirty-five Thousand Dollars (\$35,000.00), said cost to be based upon the reasonable and fair construction cost in the year of 1976.

14. No motor cycle trails and motor cycle trail riding shall be allowed on the real estate herein conveyed, and no recreational riding of motor cycles shall be allowed upon the roadways in Serenity Heights, however, this does not prohibit owners of real estate in Serenity Heights from using and riding motor cycles over and upon the roadways situate in Serenity Heights to and from their employment.

15. Invalidation of any one of these covenants, conditions, limitations and stipulations by judgment or Court order shall in no wise affect any of the other covenants, conditions, limitations and stipulations which shall remain in full force and effect.

The property herein conveyed shall be subject to the foregoing protective covenants, conditions, limitations and stipulations, which protective covenants, conditions, limitations and stipulations shall run with the land.

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

Be it remembered that on the 6th day of August, 1993, at 3:29 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

CASTO & HARRIS INC., SPENCER, W. VA. RE-ORDER NO 98633A-93

NEYS AT LAW
KOPROMNEY BLDG.
ANEY, W. VA. 26787