

1. All motor vehicles kept and stored on said lot shall be in running condition and be currently licensed and inspected according to State requirements.

1a. Said property is to be used for single family residential uses only and no commercial establishment shall be located thereon.

2. Property shall be maintained in a neat and orderly manner at all times.

3. Electrical lines must be run underground and protected where they extend out of the ground.

4. The drainage ditches and drains on said property shall be kept open at all times and if not done so the grantors reserve the right to come upon said property and keep said ditches open at the expense of grantees.

5. The grantees may have household pets such as cats and dogs but they shall not permit such household pets to run at large and must be kept on grantees' property.

6. Every lot must have at least two trees and five shrubs planted thereon.

7. Building set back will be a minimum of 50 feet from the edge of the street right-of-way, 12 feet side line and 12 feet rear lot line.

8. No more than two (2) persons per bedroom shall be allowed.

9. Garbage cans must be hidden by a screening type structure on the rear of the lot, cans may be set along the road no more than 24 hours before and after pickup.

10. A separate driveway must be provided from the street to the lot, using 15 inch culverts (min. 16 feet long) to provide off street parking.

11. All outbuildings must be constructed of good material and present a neat appearance.

12. Fences on property lines shall not be constructed over 36 inches in height.

13. Mobile homes must be skirted to screen its wheels and undercarriage with materials having an exterior finish and must be kept in good repair. This work is to be completed within 30 days.

14. Mobile homes must be securely anchored when installed and set on concrete footers pured below the top of the ground at a depth necessary to prevent freezing of the footers.

15. If lot owner fails to comply with the covenants other lot owner or owners have the right to take legal action against the negligent owner to force compliance and negligent owner will be responsible for all costs of enforcement and correction, if found in violation.

16. All buildings and dwellings shall be of substantial building construction. All exterior construction shall be completed within (8) months from the date of the beginning of construction. No temporary shacks or basement shall be used as a residence.

17. A lotowners association shall be formed by the land owners within a reasonable period of time and said association shall be responsible for the maintenance of the road(s) and shall have a right to charge all lot owners a reasonable fee for said maintenance and repair.

18. The aforesaid restrictive covenants shall be binding upon the grantee(s) their heirs and assigns; however, the lot owners association shall have the right to amend, modify, rescind or add to the restrictive covenants, and each lot shall represent one vote; a simple majority shall control.

Real estate taxes for tax year 1986 shall be prorated on a calendar year basis as of day of closing.

DECLARATION OF CONSIDERATION OV VALUE

Under the penalties of fine and imprisonments as provided by law, grantors hereby certify that the total value of the property being conveyed by this instrument is valued at \$ 7450.00.

Witness the following signatures and seals.

Charles W. Kohne (Seal)  
Bonnie E. Kohne (Seal)

State of West Virginia,  
County of Hardy, to-wit:

I, Helen M Rudy, a notary public in and for the aforesaid county and state do hereby certify that Charles W. Kohne and Bonnie E. Kohne, his wife, whose names are signed to the writing hereto bearing date the 30<sup>th</sup> day of April, 1986, have each this day acknowledged the same before me in my said county and state.

Given under my hand this the 30<sup>th</sup> day of April, 1986.

My commission expires June 11, 1990.

Helen M Rudy  
Notary Public

This instrument prepared by  
Wm. H. Bean, Attorney,  
Moorefield, W. Va. 26836.

STATE OF WEST VIRGINIA, Hardy County Commission Clerk's Office June 12, 1986

The foregoing Instrument, together with the certificate of its acknowledgment, was this day presented in said office and admitted to record.

Teste Luc R. Hartman Clerk.