

458 "ORCHARD HILL ESTATES"

The real estate conveyed under this subdivision is subject to the following restrictive and protective covenants which shall be construed as covenants running with the land and are made for the benefit of any and all persons who now own, or who may hereafter own property in the Orchard Hill Estates Subdivision, and such persons are specifically given the right to enforce these restrictions and protective covenants.

(1) The lots herein conveyed shall be used for residential purposes only. No lots shall be re-subdivided into small lots.

(2) No dwelling house or any part hereof shall be erected on any lot within thirty (30) feet of the front line of said lot facing the main drive. Nor shall any building be erected on said lot within twenty-five (25) feet of any sign line boundary of this lot.

(3) No Temporary buildings, shacks, or mobile homes shall be located on Section A, B, or C, except during construction, which construction shall be completed within ten (10) months from the date of the beginning of the construction and no temporary trailer, basement, or such trailers are not permitted.

(4) All materials used in and for the facing of the exterior walls of all dwellings shall be of brick, stone, veneer, aluminum, vinyl masonite, redwood, or German siding. No shingle or compositions can be used. No junk cars or unsightly vehicles of any type may be left on said lots.

(5) Residential homes shall have a minimum of 750 square feet of living area on the first floor. Any garages or buildings must conform generally in appearance and material with the dwelling on the lot or built out of decent material.

(6) The grantor reserves unto themselves, their 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 of land 15 feet wide at any point along the side or rear of any of the tracts in said subdivision and at any point within 35 feet of the center of any road. Guy wires, if required, may extend beyond the 35 foot limit, if necessary.

(7) All lot owners shall be responsible for subdivision roads, the amount will be based on prevailing cost each year of maintaining road and shall be equally divided among each lot owner. Culverts must be used in all driveways leading from main subdivision roads.

(8) There shall be no outdoor toilets or open drains or sewage. All water and sewage shall be disposed of by systems which shall be in accordance with the rules and regulations and under the direction of and with the approval of the West Virginia Department of Health.

(9) No livestock of any description, nor poultry or chicken yards shall be maintained on said property.

(10) No noxious nor offensive trade or activity shall be carried on upon the aforesaid lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.

(11) The premises at all times shall be maintained in a neat and orderly manner with no open trash, refuse, or unsightly accumulation or debris exposed.

(12) No signs, billboards, or advertising of any nature shall be erected, placed or maintained on any lots herein designated, nor upon any building erected thereon, except directional and information signs of the Grantor.

(13) All the provisions set forth herein shall be deemed covenants running with the land and shall be expressed in the deed. This declaration may not be amended in any respect except by the execution of an instrument signed by the OWNERS of at least sixty-five percent (65%) of the lots in "ORCHARD HILL ESTATES", which instrument shall be filed for recording among the land records of Hampshire County. Invalidity of any one of these covenants shall in no way 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 July, 1991, at 3:52 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.