

RESERVATIONS, RESTRICTIVE
COVENANTS AND CONDITIONS
RELATING TO
FAIRVIEW SUBDIVISION
SECTION I
WELTON DISTRICT
MINERAL COUNTY, WEST VIRGINIA

The undersigned, Renick C. Williams and Betty P. Williams, his wife, being the owners of Fairview Subdivision, Section I, Welton District, Mineral County, West Virginia, as shown on a Plat of said Section I of said Subdivision, which is being recorded in the Office of the Clerk of the County Commission of Mineral County, West Virginia, do hereby make the following declarations as to reservations, restrictive covenants and conditions to the lots and tracts constituting said Section I, hereby specifying that said reservations, restrictive covenants and conditions shall hereby constitute covenants to run with the land as provided by law, and shall be binding on all parties and all persons claiming under them, and for the benefit of and as -- limitations upon all future owners of land within said Section I, this declaration being for the purpose of providing for and maintaining the character of a neighborhood which is quiet, peaceful, environmentally clean and a desirable residential community.

1) All parcels shall be used for residential purposes only. No business or commercial enterprises of any kind shall be permitted or conducted thereon except those which:

- a. Do not violate intent of these restrictions.
- b. Do not contain more than 400 square feet of space.
- c. Are not a noise nuisance.
- d. Do not contribute to air or water pollution.
- e. Do not create an accumulation of junk, trash or litter.
- f. Do not create a noxious odor.
- g. Do not create excessive traffic.
- h. Do not sell alcoholic beverages.

2) No livestock or large animals shall be allowed on the premises. However, household pets will be permitted but shall be restricted to the owner's premises.

3) All septic tanks, toilets, sewage and waste disposal systems placed on said parcels shall conform to the regulations of the West Virginia State Health Department and the Mineral

*Renick C. Williams
 Morgantown, W.V.
 9-9-1981*

County Health Department.

4) No junk or inoperable cars, trucks or buses, or parts thereof, nor accumulated trash or litter shall be left or abandoned on any parcel or portion thereof.

5) 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 easements or rights of way therefore, with the right of ingress and egress for the purpose of erection, construction or maintenance on, over or under a strip of land 15 feet wide at any point along the side lines.

6) Any mobile home placed on any lot must be underpinned within sixty (60) days of its placement.

7) Nothing herein is to be construed so as to prevent the Grantors from placing further restrictions or conditions on any tract or parcel in any portion of said farm which has not already been conveyed to them, nor from executing minor waivers of said restrictions where such waiver does not materially change the intent of these restrictions, conditions and covenants.

8) After the sale of all parcels, the restrictions and conditions contained herein may be amended at any time by agreement and ratification of two-thirds (2/3) majority vote of existing parcel owners. Each parcel or tract shall be represented by one (1) vote. Agreements and regulations made by a periodic review of parcel owners shall be duly recorded among the Land Records of Mineral County, West Virginia.

9) All users of access roads shall pay their prorated share of the upkeep of same. Lot Owners Association will take over maintenance of roads June 1, 1982. Each lot owner, except owners of Section 1A Lots 1, 2, 5, 7, 8 and 9, is to pay \$30.00 per year, unless changed as provided under Article 8.

10) Any camper must be placed at least 150 feet from the road.

WITNESS the following signatures and seals as of the 26th day of August, 1981.

Renick C. Williams (SEAL)
RENICK C. WILLIAMS

Betty P. Williams (SEAL)
BETTY P. WILLIAMS

STATE OF WEST VIRGINIA,
COUNTY OF HARDY, to-wit:

I, Russell E. Rath Jr., a NOTARY PUBLIC in and for the County and State aforesaid, do certify that RENICK C. WILLIAMS and BETTY P. WILLIAMS, his wife, whose names are signed to the foregoing Writing bearing date the 26th day of August, 1981, have this day acknowledged the same before me in my said County and State.

Given under my hand, this 28th day of August, 1981.

Russell E. Rath Jr.
NOTARY PUBLIC

My Commission Expires:

Feb 14 1984

THIS INSTRUMENT WAS PREPARED BY
JOHN I. ROGERS, II
ROGERS AND MELODY, ATTORNEYS AT LAW
POST OFFICE DRAWER R
KEYSER, WEST VIRGINIA 26726

STATE OF WEST VIRGINIA, MINERAL COUNTY, TO-WIT:

Be it remembered that on, this 28th day of August, 1981 at 1:38 o'clock P. M., the foregoing reservations & restrictive covenants with the certificate thereto annexed, was presented in the Office of the Clerk of the County Commission and admitted to record.

MARSHALL E. NIELD jem
Clerk County Commission