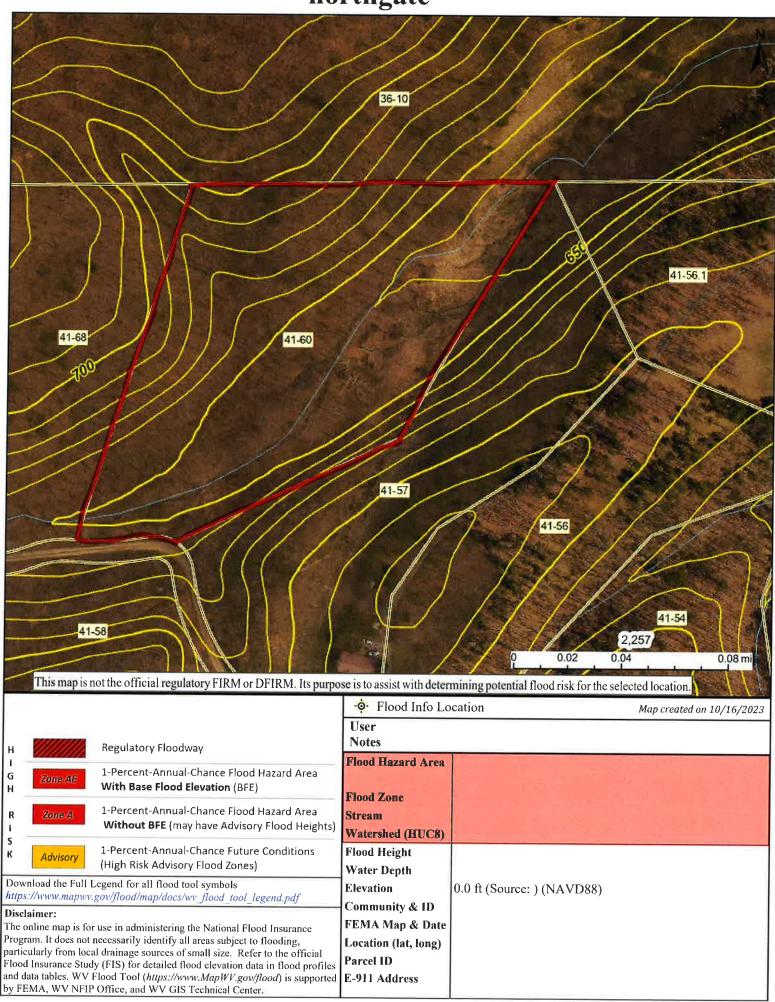
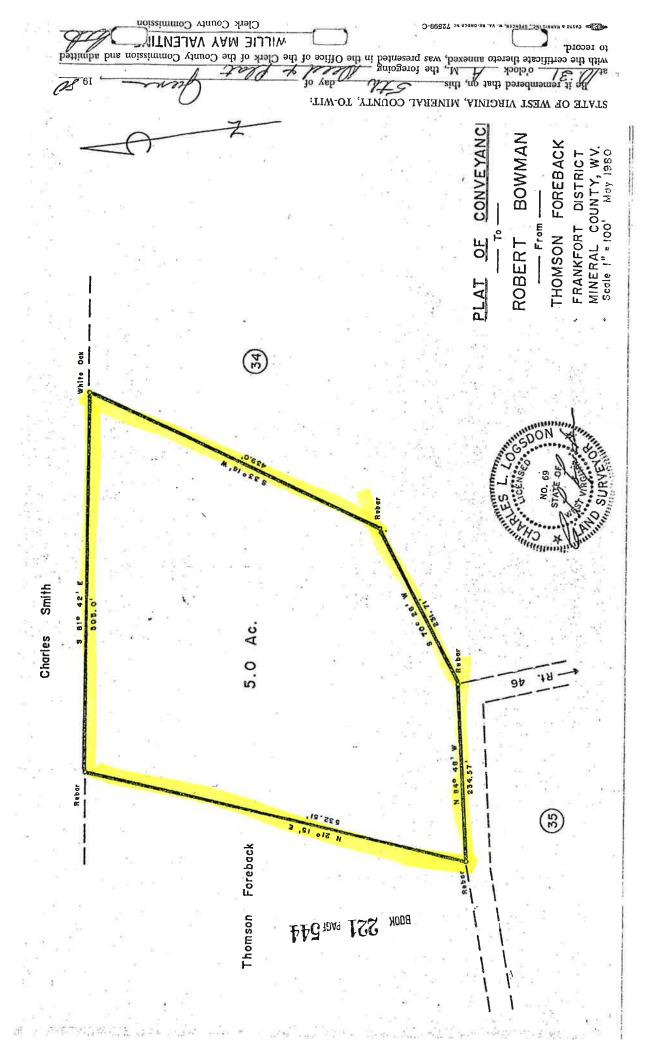
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The above described real estate is a portion of the same real estate which was conveyed unto the said THOMSON V. FOREBACK and PAULINE H. FOREBACK, his wife, from HOMAN L. NELSON and JULIA M. NELSON, his wife, by that certain Deed dated the 28th day of October, 1968, and of record in the Office of the Clerk of the County Commission of Mineral County, West Virginia, in Deed Book No. 166, at page 389.

There is also hereby conveyed unto the Grantees, as joint tenants with the right of survivorship, as a privilege appurtenant to the real estate hereby conveyed, a right of way, in common with others having such right, over and across the roads within the Thomson V. Foreback Subdivision, as needed as a means of ingress to and egress from the real estate conveyed hereby, including the right to the use of that certain road and vehicular bridge across Patterson Creek from said West Virginia Route No. 46 to the Thomson V. Foreback Subdivision. When said bridge is not passable or will not safely support a load being transported to the Grantees' real estate, the Grantees shall have the right to the use of that certain now-existing 20 foot wide road shown on a Plat of record in the aforesaid Clerk's Office in Plat Book No. 4, at page 120, which fords Patterson Creek and intersects with said West Virginia Route No. 46.

As a further privilege appurtenant to the real estate hereby conveyed, the Grantees shall have a right of way over said roads as a means of access to the recreation area shown on the Plat of record in said Clerk's Office in Plat Book No. 4, at page 120, and the right, in common with others having such right, to the use and enjoyment of said recreation area.

The property conveyed hereby shall be subject to the following restrictions which shall be deemed covenants running with the land and binding upon the Grantees, their heirs and assigns, to-wit:

A. The land hereby conveyed is restricted to residential use only, and no commercial, industrial or manufacturing business, building or enterprise shall be erected, maintained or operated upon said land.

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KEYSER, W. VA. 26726
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- B. All buildings and structures erected upon said land shall be on a solid foundation (poured concrete, concrete block or solid stone) and shall be constructed of good finished materials in a workmanlike manner. The permanent installation of a mobile home is not permitted, but the owner of said land may place a mobile home upon said property for his use during construction of his dwelling house, not to exceed one (1) year's duration in time.
- C. The tract of land conveyed hereby shall not be further subdivided and only one (1) dwelling house shall be constructed on the land hereby conveyed.
- D. A doublewide mobile home or modular home may be placed upon the land hereby conveyed provided that such is erected upon a solid foundation in accordance with the provisions of the foregoing Paragraph B hereof.
- E. The roads constructed in said Thomson V. Foreback Subdivision by the Grantors shall initially be covered with stone at the expense of the Grantors, but the maintenance of said roads shall be the responsibility of the owners of the various parcels of land in said Subdivision who shall organize a property owners' association and the roads shall be kept in good condition, and each owner of a parcel of land in said Subdivision agrees to contribute equally to the costs of such maintenance, provided, however, that no owner shall be required to make any contribution for the maintenance of such roads prior to the time he begins construction of his dwelling.

The Grantors hereby declare that the total consideration paid for the property conveyed hereby is \$5,000.00.

TO HAVE AND TO HOLD the above described real estate, together with all and singular the buildings and appurtenances thereunto belonging or in anywise appertaining, unto the said parties of the second part, with full rights of survivorship, subject to the covenants hereinbefore mentioned, and to their heirs and assigns, in fee simple absolute, forever.

WITNESS the following signatures and seals:

ATTORNEYS AT LAW SECTOR, W. VA. 26726