

Del. Royce B. Saville 1-4-85

39051

DECLARATION OF EASEMENTS
AND

PROTECTIVE DEED COVENANTS

NATHANIEL MOUNTAIN HEIGHTS

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1. Each owner of a lot shown on the subdivision plat shall have an easements over and upon the existing roadways running to and through the subdivision for ingress and egress to WV Route 10 and the private parking area adjoining Westvaco timber property, which adjoins Nathaniel Mountain Heights Subdivision.
2. Maintenance and performance to said roadways (including the R.O.W. to and from Route 10) shall be performed on a continuing basis by the Owners Association. Road maintenance fee shall \$35.00 annually - per lot owned. No road fee, however, is payable for unsold lots.
3. The developers reserve unto themselves, their heirs and assigns an easement or right-of-way over, under or through a twenty (20) foot strip of land along every lot line of every lot in the Subdivision for the purpose of facilitating erection and maintenance of utilities, cables, drains, culverts, etc..
4. No commerce or business of any type is allowed within the subdivision. Mobile homes are not allowed on any lot with a "B" shown on the plat. Camping, motor homes and camping trailers are permitted. No trucks, buses, old cars or unsightly conditions will be allowed to exist on any lot if deemed to be left, stored or abandoned. The Owners Associations reserves the right to implement noise, speed and safety regulations from time to time.
5. Sewerage and waste systems shall conform to West Virginia State regulations.
6. No structure of any kind shall be built or erected within twenty-five feet of any property line. No driveway or access may be built across a road ditch without the installation of an appropriate culvert to divert run-off water from the roads.
7. Since private access is afforded to hundreds of acres of hunting lands, the discharge of firearms is prohibited within one hundred fifty (150) yards of any residence, campsite, posted land, or otherwise improved property within the subdivision.
8. Determination by any Court that any provision herein is invalid for any reason whatever, shall not affect the validity of any other provision hereof or regulation of the Property Owners Association.
9. These Covenants - which run with the land - may be amended or modified by a two-thirds vote of the members in good standings, or by the developer, provided that any such change, amendment or modification is duly recorded among the land records of the Hampshire County Supervisors Court, Romney, West Virginia, where these covenants are recorded of record and shall be referenced in each and every deed of conveyance.
10. The Property Owners Association shall be formed in April, 1985

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The organizational meeting shall be called to order by the developer whereupon the owners of lots in Nathaniel Mountain Heights, shall elect officers and make such rules and regulations as they deem appropriate. Each property owner, upon entering into an agreement to purchase, is automatically a member of said Association and agrees to abide by the lawful rules of said Association and to pay the road maintenance fee.



CORPORATE SEAL

INVESTMENT CORPORATION OF THE VIRGINIAS,
a Florida Corporation

BY: Martin Pico (SEAL)
ITS: V.P.

ATTEST:

[Signature]
ITS: SEC. 1 TRS.

STATE OF West Virginia,
COUNTY OF Hampshire, TO WIT:

I, W. Kaye Osterman a Notary Public in and for the County and State aforesaid, do hereby certify that Martin Pico, as Vice President, for the said Investment Corporation of the Virginias, a Florida Corporation, do hereby that the foregoing Declaration of Easements and Protective Deed Covenants were acknowledged before me on this 1st day of November, 1984.

Given under my hand this 1st day of November, 1984.
My commission expires: May 26, 1991.

[Signature]
NOTARY PUBLIC

THIS INSTRUMENT WAS PREPARED BY: ROYCE B. SAVILLE
ATTORNEY AT LAW, ROMNEY, WEST VIRGINIA
26757-2000

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

Be it remembered that on the 21st day of December, 1984, at 2:28 P, this Protective Covenants was presented in the Clerk's Office of the County Commission of said County and with the certificate thereof annexed, admitted to record.

ROYCE
ATTO
ROMN

CASTO & HARRIS INC., SPENCER, W. VA. BY ORDER NO. 81739-B

Attest: Nancy C. Zeller Clerk
County Commission, Hampshire County, W. Va.