

TERRY'S RUN, L. C.

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

THIS DEED OF DEDICATION made and entered into this 12th day of October, 1998, by TERRY'S RUN, L. C., hereinafter referred to as "Owner";

WHEREAS, Terry's Run, L. C. is the owner of a certain tract or parcel of land lying and situated in the Taylor District of Orange County, Virginia, containing 113.24595 acres, more or less, and being described as "Section Number 1 of Terry's Run Estates", on a plat of survey of Stearns L. Coleman, L.S., P.C., dated April 15, 1998, and recorded among the land records of Orange County, Virginia in Plat Cabinet G, Slots 134-A, 135-B and 136-C.

WHEREAS, Owner is desirous of subdividing the land into Lots 1-21 of Section 1, Terry's Run Estates. To further its announced intention to hereinafter make deeds to the real estate or subdivision thereof, to refer to said plat and survey for the purpose of identifying the said real estate intended by said deeds to be granted and conveyed and for the mutual benefit of the present and future lot owners, and in consideration of Orange County, Virginia's approval of the development, the Owner does hereby dedicate said subdivision and sets forth the following terms and restrictions for the development of said subdivision, to-wit:

RESTRICTIVE COVENANTS

1. Lots shall be restricted to residential, agricultural, forestry and green space uses only. No confined livestock feeding operations, swine operations or commercial poultry operations shall be permitted. The Reserved Area of Lots 1 through 21 as shown on the aforesaid plat are reserved for agricultural, forestal and recreational uses only. The aforesaid land shall not be further subdivided or developed, and each lot owner agrees that this reservation is binding upon the owner's heirs, successors and assigns. This reservation shall neither prohibit a lot owner from erecting fencing upon the lot, nor a well and/or drainfield within the reserved area, provided that such said well and/or drainfield services

TURNED
24 1998
TO

Prepared by: Shackelford, Honenberger, Thomas,
Willis and Gregg, P.L.C.
149 West Main Street - P. O. Box 871
Orange, Virginia 22960

ORANGE COUNTY CLERKS OFFICE
PLAT RECORDED IN
PLAT CABINET G SLOT 134-A, 135-B, 136-C

the unrestricted portion of the owner's lot. No lot herein dedicated shall be further subdivided; provided, however, that this restriction shall not prohibit boundary line adjustments between adjoining property owners.

2. Terry's Run, L. C. reserves the right to grant privileges, easements, rights-of-way, and franchises, over and upon Stonesiffer Lane, and across all lots for the access to property both within and outside Section 1 of Terry's Run Estates, and for the construction, maintenance and repair of utilities, in accordance with roadway and easement lines shown upon the plat of dedication.
3. No single-wide mobile homes shall be constructed or maintained on any lot at any time. Double wide mobile homes and wood framed modular homes shall be permitted, provided that they are erected on a permanent foundation constructed of cinder-block and/or concrete-block and, after erection, are taxed as real estate by the Orange County Commissioner of the Revenue. Double wide mobile homes shall be considered new if they have been constructed within two (2) years of the date of erection at Terry's Run Estates and have not been previously erected on a lot. Any home constructed or placed on any lot shall have the following minimum area:
 - a) One Story Single Family Residence - a minimum area of 1,200 square feet of finished living space (excluding basements and/or garages)
 - b) Two Story Single Family Residence - a minimum of 800 square feet of finished living space (excluding basements and/or garages) on the first floor, and 450 square feet of finished living space on the second floor.
 - c) Only single family residences may be erected and no duplex, townhouse, or apartment buildings shall be allowed; provided, however, that outbuildings may include a small apartment of second floor living space.
4. No unlawful, loud, noxious or offensive activity shall be undertaken upon any lot. No lot owner shall undertake any activity which is or may become an annoyance or nuisance. All buildings, fencing, shrubs, trees, yards and pastures shall be maintained in such manner as to prevent their becoming unsightly by reason of disrepair of structures, disrepair of personal property, or the accumulation of rubbish or debris. No building

material shall be stored on any of the said lots for a period greater than four (4) months prior to the starting of construction on such lot. No vehicle of any kind shall be located in the subdivision unless it displays a current license plat and inspection sticker.

5. No lot owner, or any combination of lot owners, shall dedicate any part of his lot(s) as a public street, nor shall any lot or lots be used as a roadway for access to any property lying outside the boundaries of the subdivision without the prior written consent of Terry's Run, L. C.

PRIVATE ROADS

6. The 50' right of way shown on the said plat shall be for the construction and maintenance of a private roadway (Stonesiffer Lane) for use by Lots 1 through 21 and is not hereby dedicated to public use. Each of Lots 1 through 21 shall front upon Stonesiffer Lane and each lot shall use Stonesiffer Lane as the sole access to the lot. Terry's Run, L. C. shall maintain the roadway until the aforesaid lots have been sold. Thereafter, maintenance shall be the responsibility of the lot owners. Each lot owner of Lots 1 through 21 obligates himself and his successors in title to pay an annual fee for road maintenance. Said payments shall begin with the formal organization of a lot owners' association and the amount of such payment may be increased by action of the association taken in accordance with the Virginia Property Owners' Association Act or, in absence thereof, by the action of the lot owners' association duly taken in accordance with its charter and by-laws.
7. Said roadways shall be maintained by Owner initially, and, pursuant to Paragraph 6, by lot owners so as to be "all weather" roadways, passable by two-wheel drive vehicles in all reasonably anticipated weather conditions. Nothing herein shall require the lot owners to upgrade the ditching and/or surface of the road without the unanimous consent of all lot owners.
8. Neither the County of Orange nor the Commonwealth of Virginia shall be responsible for maintenance of the private roads.

MISCELLANEOUS

9. These covenants shall be binding on all of the owners of Lots 1 through 21 at Terry's Run Estates, their heirs, successors and assigns, and shall accrue to the benefit of the lot owners. The foregoing restrictions shall remain in full force and effect for a period of twenty (20) years from the date of this Deed of Dedication, and unless altered, modified or abolished by a recorded writing executed by the owners of two-thirds of the lots herein dedicated, they shall be automatically renewed for five year terms each five years thereafter; provided, however, that there shall be no alteration, modification or abolition of Paragraphs 1, 6, 7 or 8 of this Deed of Dedication without the written approval of the County of Orange, Virginia.

WITNESS the following signature and seal this 12th day of October, 1998.

TERRY'S RUN, L. C.

By: Matthew E. Duke (SEAL)
MATTHEW E. DUKE, Managing Member

STATE OF VIRGINIA
COUNTY OF ORANGE, to-wit:

The foregoing instrument was subscribed and sworn before me this 12th day of October, 1998, Matthew E. Duke, Managing Member, Terry's Run, L. C.

Lynn Hoff (SEAL)
Notary Public

My commission expires: 2/28/2000

duke/terrysrn/deedofded

INSTRUMENT #980008378
RECORDED IN THE CLERK'S OFFICE OF
ORANGE ON
NOVEMBER 12, 1998 AT 11:12AM
LINDA S. TIMMONS, CLERK

BY: Linda S. Timmons (DC)

TERRY'S RUN ESTATES
LOT OWNERS ASSOCIATION

WHEREAS A DEED OF DEDICATION AND RESTRICTIVE COVENANTS was filed among the Land Records of Orange County, Virginia, by TERRY'S RUN, L.C. and notarized on 12 October, 1998 containing the seal of Matthew E. Duke, managing member for Terry's Run, L.C. And the subdivision being more particularly described as containing 113.24595 acres situated in the Taylor District of Orange County, Virginia and described as Section Number 1 of Terry's Run Estate on a plat of survey by Sterns L. Coleman, L.S.P.G., dated April 15th, 1998 and recorded among the land records of Orange County, Virginia in Plat Cabinet G, slots 134-A, 135-B, and 136-C.

WHEREAS, The Lot Owners have joined together and voted in the appropriate number, 14 or more, (2/3%) to abolish Article #3 of the said restrictive Covenants and rewritten as follows:

3. No singlewide or doublewide mobile homes, or manufactured homes shall be permitted. However, wood framed modular homes shall be permitted, provided they are erected on a permanent foundation constructed of poured concrete, concrete blocks, or cinder blocks. And after erected, are taxed as real estate by Commisioner of Revenue for Orange County, Virginia.
Any home constructed on any lot shall have the following minimum area:
 - a) One Story Single Family Residence-a minimum area of 1,200 square feet of finished living space (excluding basements and/or garages)
 - b) Two Story Single Family Residence-a minimum of 800 square feet of finished living space (excluding basements and/or garages) on the first floor, and 450 square feet of finished living space on the second floor.
 - c) Only single family residences may be erected and no duplex, townhouse, or apartment buildings shall be allowed; provided, however, that outbuildings may

include a small apartment of second floor living space.

WHEREAS, the appropriate number of lot owners, 14 or more, representing one (1) vote for each lot, do hereby affix their seals in the presence of witness, on the space following their respective lot numbers.

X	Lot #1	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>
X	Lot #2	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>
	Lot #3	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>
	Lot #4		Date	
	Lot #5	<u>Ernest L. Santora</u>	Date	
	Lot #6	<u>Ernest L. Santora</u>	Date	
	Lot #7	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>
	Lot #8	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>
	Lot #9	<u>Cal Swan Schmitt</u>	Date	<u>4/3/99</u>
	Lot #10		Date	
	Lot #11	<u>Raymond Rivers Jean Klever</u>	Date	<u>3-26-99</u>
	Lot #12	<u>Maatta, D</u>	Date	<u>2-26-99</u>
	Lot #13	<u>Raymond Rivers Jean Klever</u>	Date	<u>3-26-99</u>
	Lot #14	<u>Maatta, D</u>	Date	<u>2-26-99</u>
	Lot #15	<u>Maatta, D</u>	Date	<u>2-26-99</u>
	Lot #16		Date	
	Lot #17	<u>Ernest L. Santora</u>	Date	
	Lot #18		Date	
	Lot #19	<u>Willard Ray Bowler</u>	Date	<u>4-3-99</u>

Lot #20 D. Kent Fyeman Date 4-3-99
Lot #21 with trust for
By J. Wilcher Date 4-3-99

WITNESS the following signatures and seals this 6 day of April, 1999

TERRY'S RUN ESTATES
LOT OWNERS ASSOCIATION

By Carl Schmidtke (SEAL)
CARL SCHMIDTKE, Interium President

I Susan Schmidtke do hereby swear that the lot owners
SUSAN SCHMIDTKE, Interium Secretary
listed above, did place their signatures on this document in my presence.

STATE OF VIRGINIA
COUNTY OF ORANGE, to-wit:

The forgoing instrument was subscribed and sworn before me this 6 day of
April, 1999, Carl Schmidtke, Interium President, Terry's Run Lot Owners Association.

D. Scott F. Wilcher (SEAL)
Notary Public

My commission expires: 8-31-2002