

also To:  
Thelma E. Kellen  
6/17/97

4071

THIS SUPPLEMENTARY DECLARATION OF COVENANTS AND RESTRICTIONS,  
made this 4th day of June, 1997, by WILLIAM M. BENNETT and THELMA E. BENNETT,  
hereinafter called "Developer".

WITNESSETH:

WHEREAS, by Declaration of Covenants and Restrictions for Bentwood Estates dated April 10, 1997, and recorded in the office of the Clerk of the County Commission of Berkeley County, West Virginia in Deed Book 579, at page 213, the Developer subjected certain real property situate in Mill Creek District, Berkeley County, West Virginia, known as Section 1, Bentwood Estates, more particularly described in said Declaration to all of the rights, reservations, restrictions, conditions, liens, charges and assessments more fully set forth in said Declaration; and

WHEREAS, said Declaration provided in Article II thereof that additional lands could be annexed by the Developer to such Declaration without consent; and

WHEREAS, the Developer desires at this time to annex Lot 9 of Bentwood Estates to said Declaration and to extend the scheme of the Covenants, Restrictions, Liens and Assessments of said Declaration to said Lot 9 of Bentwood Estates;

CANTO & HARRIS INC., SPENCER, W. VA. RECORDER NO. 4028-B-96

NOW THEREFORE, the Developer declares that Lot 9 of Bentwood Estates and the "ingress/egress easement" as more particularly shown upon the "Plat of Survey Showing First Offsale Lot 9, Property of William M. & Thelma E. Bennett" prepared by Truman, Yebernetsky & Roberts, Inc., Surveyors & Engineers, dated May 28, 1997, a copy of which said plat is attached to the deed from William M. Bennett and Thelma E. Bennett to Phillip P. Cogar, recorded immediately following this Supplementary Declaration, is and shall be held, transferred, sold, conveyed and occupied subject to the Covenants, Restrictions, Easements, Charges, Assessments and Liens (sometimes referred to as "Covenants and Restrictions") set forth in said Declaration of Covenants and Restrictions for Bentwood Estates, dated April 10, 1997, recorded in the aforesaid Clerk's office in Deed Book 579, at page 213, all of said easements, reservations, restrictions, covenants, conditions, rights, obligations, liens and assessments set forth in said Declaration being hereby incorporated herein by reference as if the same were set forth herein verbatim.

The above-described Covenants, Conditions, Liens and Assessments are for the purpose of protecting the values and amenities of Lot 9, Bentwood Estates and shall run with the real property and be binding on all parties having any right, title or interest in the above-described property or any

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COPY

part thereof, their heirs, successors and assigns and shall inure to the benefit of any owner thereof.

IN WITNESS WHEREOF, the undersigned has caused this Supplementary Declaration of Covenants and Restrictions to be executed on the 4th day of June, 1997.

William M. Bennett  
William M. Bennett

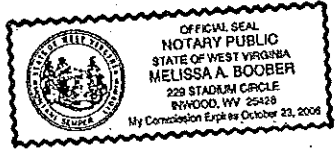
Thelma E. Bennett  
Thelma E. Bennett

STATE OF WEST VIRGINIA,

COUNTY OF BERKELEY, to-wit:

The foregoing instrument was acknowledged before me this 11th day of June, 1997, by William M. Bennett and Thelma E. Bennett, husband and wife.

My commission expires: October 23, 2006



Melissa A. Boober  
Notary Public

This instrument was prepared by Michael B. Keller of the law firm Bowles Rice McDavid Graff & Love, P.L.L.C., P. O. Drawer 1419, Martinsburg, West Virginia 25402.  
45339

STATE OF WEST VIRGINIA, COUNTY OF BERKELEY SS:  
ON JUNE 11, 1997 THE FOREGOING DOCUMENT WAS PRODUCED IN THIS OFFICE & DULY  
ADMITTED TO RECORD AT 9:40 AM  
TESTE: JOHN W. SMALL, JR., CLERK OF SAID COMMISSION.