

and To:
Kellen
12/5/97

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THIS SUPPLEMENTARY DECLARATION OF COVENANTS AND RESTRICTIONS, made this 20th day of November, 1997, by WILLIAM M. BENNETT and THELMA E. BENNETT, hereinafter called "Developer" and by PHILLIP P. COGAR, hereinafter "Successor 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, by Supplementary Declaration of Covenants and Restrictions dated June 4, 1997 recorded in the aforesaid Clerk's Office in Deed Book 582, page 327, the Developer did subject additional property to the scheme of the aforesaid Declarations; 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, by deed dated October 6, 1997 recorded in the aforesaid Clerk's Office in Deed Book 588, at page 274 the Developer did convey to Successor Developer certain real estate containing 39.417 acres, more or less, for subdivision and incorporation into the scheme created for Bentwood Estates pursuant to the aforesaid Declaration; and

WHEREAS, Successor Developer has subdivided the property conveyed to him from Developer into Lots 8 and 10 through 17 of Bentwood Estates, Section 2 by plat prepared by Truman, Yebernetsky & Roberts, Inc. dated October 29, 1997 recorded in the aforesaid Clerk's office in Plat Cabinet 7 at Slide 106, and has requested that Developer incorporate said additional lots into the scheme of the conditions, covenants, restrictions and easements instituted for Bentwood Estates by the aforesaid Declaration.

NOW THEREFORE, the Developer and Successor Developer declare that Lots 8 and 10 through 17 of Bentwood Estates, Section 2, together with all streets, roads and common areas as shown upon the Final Plat Showing Section 2 Bentwood Estates, Property of Phillip P. Cogar, prepared by Truman, Yebernetsky & Roberts, Inc., dated October 29, 1997, which is recorded in the aforesaid Clerk's Office in Plat Cabinet 7, Slide 106 is and shall be held, transferred, sold,

CAFTO & HARRIS INC., SPENCER, W. VA. RECORDER ID 4501-B-97

COPY

conveyed and occupied subject to the conditions, reservations, covenants, restrictions, easements, rights, obligations, charges, assessments and liens (sometimes referred to as "Covenants and Restrictions") set forth in the Declaration all of said Covenants and Restrictions set forth in the Declaration being hereby incorporated herein by reference as if the same were set forth herein verbatim.

The Covenants and Restrictions are for the purpose of protecting the values and amenities of Lot 8 and Lots 10 through 17, Bentwood Estates, Section 2 and shall run with the real property and be binding on all parties having any right, title or interest in said property or any 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 20th day of November, 1997.

DEVELOPER

William M. Bennett
William M. Bennett

Thelma E. Bennett
Thelma E. Bennett

SUCCESSOR DEVELOPER

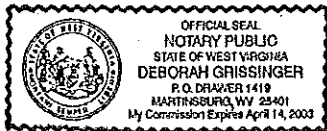
Phillip P. Cogar
Phillip P. Cogar

STATE OF WEST VIRGINIA,

COUNTY OF BERKELEY, to-wit:

The foregoing instrument was acknowledged before me this 24th day of November, 1997, by William M. Bennett and Thelma E. Bennett, husband and wife.

My commission expires: April 14, 2003

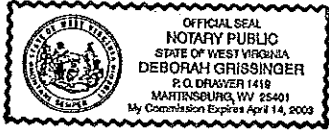


Deborah Grissinger
Notary Public

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

The foregoing instrument was acknowledged before me this 24th day of November, 1997,
by Phillip P. Cogar.

My commission expires: April 14, 2003



Deborah Grissinger
Notary Public

CAVTS & HARRIS INC., SPENCER, W. VA., RECORDING NO. 4553-B-97

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.
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STATE OF WEST VIRGINIA, COUNTY OF BERKELEY SS:
ON NOV. 24, 1997 THE FOREGOING DOCUMENT WAS PRODUCED IN THIS OFFICE & DULY
ADMITTED TO RECORD AT 2:15 PM
TESTE: JOHN W. SMALL, JR., CLERK OF SAID COMMISSION.