

5691

**SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR
BENTWOOD ESTATES**

THIS SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS
FOR BENTWOOD ESTATES made this 17 day of February 2005, by PHILLIP P. COGAR,
hereinafter called "Developer".

WITNESS:

WHEREAS, by a Declaration Covenants and Restrictions for BENTWOOD ESTATES
dated April 10, 1997, 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 known as Lot Nos. 1 thru 7, Section 1, BENTWOOD ESTATES, Mill
Creek District, Berkeley County, West Virginia, to all the rights, reservations, restrictions,
covenants, conditions, easements, rights of way, liens, charges and assessments more fully
set forth in said Declaration of Covenants and Restrictions for BENTWOOD ESTATES; and

WHEREAS, by a 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 described therein as shown on that plat of record in
the aforesaid Clerk's office in Plat Cabinet 7, at Slide 39, as Lots 1 through 7, Bentwood
Estates to all of the rights, reservations, restrictions, covenants, conditions, easements,
rights-of-way, liens, charges, and assessments more fully set forth in the aforesaid
Declaration of Covenants and Restrictions and Easements dated April 10, 1997, of record in
the aforesaid Clerk's Office in Deed Book 579, at page 213; and

WHEREAS, by a Supplemental Declaration of Covenants and Restrictions for
Bentwood Estates dated the 4th day of June 1997, and recorded in the Office of the Clerk of
the County Commission of Berkeley County, West Virginia, in Deed Book 582, at page 327,
the Developer subjected certain real property described therein as shown on that plat of
record in the aforesaid Clerk's office in Deed Book 582, at page 331, as Lot No. 9, Bentwood
Estates to all the rights, reservations, restrictions, covenants, conditions, easements, rights-
of-way, liens, charges and assessments more fully set forth in the aforesaid Declaration of
Covenants, Conditions, Restrictions and Easements dated April 10, 1997, of record in the
aforesaid Clerk's Office in Deed Book 579, at page 213, and

WHEREAS, by a Supplemental Declaration of Covenants and Restrictions for
Bentwood Estates dated the 20th day of November 1997, and recorded in the Office of the

Clerk of the County Commission of Berkeley County, West Virginia, in Deed Book 590, at page 459, the Developer subjected certain real property described therein as shown on that plat of record in the aforesaid Clerk's office in Plat Cabinet 7, Slide 106, as Lot Nos. 8 and 10 through 17, Section 2, Bentwood Estates to all the rights, reservations, restrictions, covenants, conditions, easements, rights-of-way, liens, charges and assessments more fully set forth in the aforesaid Declaration of Covenants, Conditions, Restrictions and Easements dated April 10, 1997, of record in the aforesaid Clerk's Office in Deed Book 579, at page 213, and

WHEREAS, said Declaration of Covenants and Restrictions for BENTWOOD ESTATES provided in said Declaration that additional lands could be annexed by the Developer to such subdivision; and

WHEREAS, the Developer desires at this time to annex lands to the Declaration of Covenants, Restrictions for BENTWOOD ESTATES, recorded in Deed Book 579, at Page 213, and to extend the scheme of the Covenants and Restrictions for BENTWOOD ESTATES to said additional property hereafter described.

NOW, THEREFORE, the Developer declares that all of the real properties known as Lot Nos. 18, 19, 20 21, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 118, Lots Nos. 125 through 157 Section 3, BENTWOOD ESTATES, as more fully shown upon a plat prepared by Greenway Engineering dated January 4, 2005, and recorded in the Office of the Clerk of the County Commission of Berkeley County, West Virginia, in Plat Cabinet 11, at Slides 49 and 50, and is and shall be held, transferred, sold, conveyed, and occupied subject to and together with the covenants, restrictions, easements, charges, assessments, and liens (sometimes referred to as "Covenants and Restrictions") set forth in that certain Declaration of Covenants and Restrictions for BENTWOOD ESTATES, recorded in the Office of the Clerk of the County Commission of Berkeley County, West Virginia, in Deed Book 579, at Page 213, and heretofore executed by Phillip A. Cogar, Developer. All said easements, reservations, restrictions, covenants, conditions, rights, obligations, liens and assessments set forth in said Declaration of Covenants and Restrictions for BENTWOOD ESTATES, being hereby incorporated herein by reference as if the same were set forth herein verbatim.

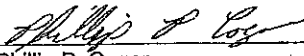
It is not the intention of, and it is hereby declared that nothing set forth in this Supplemental Declaration of Covenants and Restrictions for BENTWOOD ESTATES or nothing set forth in the original Declaration of Covenants and Restrictions shall be construed to prevent or prohibit the Developer or any other builder from building residences on any one or more lots for purposes of sale, or to prohibit or prevent the Developer from installing roads

COPY

or other common amenities within the said subdivision. Further the Developer shall be exempt from payment of owners association dues or fees.

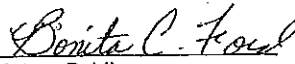
The above described easements, reservations, restrictions, covenants, conditions, rights, obligations, liens, and assessments are for the purposes of protecting the values and amenities in BENTWOOD ESTATES, and shall run with the real property and be binding on all parties having any rights, title, or interest in the above described property or any part thereof, their heirs, successors, and assigns, and shall inure to the benefit of owner thereof.

WITNESS the following signature.


Phillip P. Cogar

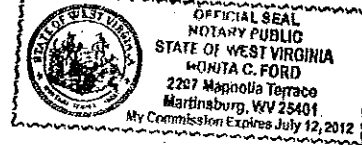
STATE OF WEST VIRGINIA
COUNTY OF BERKELEY, to-wit:

The foregoing instrument was acknowledged before me this 17th day of February 2005, by Phillip A. Cogar, the Developer named herein.


Notary Public

[AFFIX NOTARIAL SEAL]

My Commission Expires: July 12, 2012



THIS DOCUMENT PREPARED BY:
David D. Pill, Esq., PILL & PILL, Attorneys-at-Law
P. O. Box 440, 85 Aikens Center, Martinsburg WV 25401

AFTER RECORDING, PLEASE RETURN TO SAME
File #31479

dsb/BENTWOOD ESTATES/Supplemental Covenants & Restrictions

BERKELEY COUNTY, WV
FILED
February 17, 2005 15:16:52
JOHN W. SMALL JR.
COUNTY CLERK
TRANSACTION NO: 2005005691
BOOK OF DEEDS
Book: 00789 Page: 00390

