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

THIS SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR BENTWOOD ESTATES made this 30 day of June 2006, by PHILLIP P. COGAR, and DAN RYAN BUILDERS, INC., a Maryland corporation, hereinafter called "Developer".

**WITNESS:**

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 being known as all lots and common areas within the 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 4<sup>th</sup> 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, and by that certain Supplemental Declaration dated the 20<sup>th</sup> 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, and by that certain Supplemental Declaration dated the 17<sup>th</sup> day of February 2005, and recorded in the aforesaid Clerk's office in Deed Book 789, at page 390, additional lots and common areas within BENTWOOD ESTATES were subjected to the aforesaid Declaration of Covenants and Restrictions dated April 10, 1997, of record in the aforesaid Clerk's office in Deed Book 579, at page 213; and

WHEREAS, pursuant to Article VII Residential Minimum Area and Use, Section 1, paragraph 2, of the Declaration of Covenants and Restrictions for BENTWOOD ESTATES, dated the 10<sup>th</sup> day of April 1997, and recorded in Deed Book 579, at page 213, the Developer reserved the right to adjust and amend the minimum area of residential home area and use; and

WHEREAS, the Developer desires at this time to amend the square footage of residential dwellings as follows: All residential single-story dwellings to be not less the 1,600.00 square feet total minimum area exclusive of porch, basement and garage.

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Residences with more than one story or level shall contain not less than 1,800 square feet total area, exclusive to porch, basement and garage.

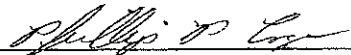
This Supplemental Declaration of Covenants and Restrictions shall apply to homes constructed both before and after the date of this Supplemental Declaration.

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 hereby declared that nothing set forth in this and previous Supplemental Declaration of Covenants and Restrictions for BENTWOOD ESTATES or 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 or other common amenities within the said subdivision. Further the Developer and Builders who own lots on which they are building homes for resale 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.

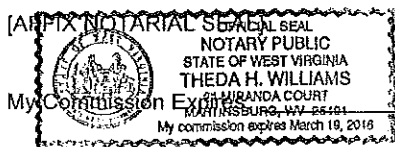
WITNESS the following signature.

  
Phillip P. Cogar

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

The foregoing instrument was acknowledged before me this 30 day of June 2006, by Phillip A. Cogar, the Developer named herein.

  
Notary Public



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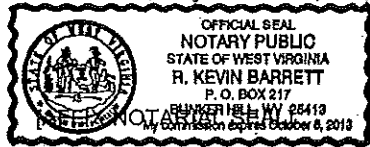
WITNESS the following signature and seal.

Dan Ryan Builders, Inc.

By: Roger A. Riddle  
Its: Vice President

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

Against June 2006, by Roger Riddle, as Vice President who executes this instrument on behalf of Dan Ryan Builders, Inc., a Maryland corporation, the Developer named herein.



R. Kevin Barrett  
Notary Public

My Commission Expires: October 6, 2013

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