

200808002856

Tax Map 36-1-60

DECLARATION

THIS DECLARATION. Made September 1, 2008, by LELAND CORPORATION, a Virginia corporation, hereinafter referred to as "Declarant".

WITNESSETH:

THAT, WHEREAS, Declarant is seised and possessed of 13 lots shown as Lot 1 through Lot 13, on a certain plat of survey entitled, "Division Survey to be known as Harbor Landing Fairfield Magisterial District, Northumberland County, Virginia", dated January 29, 2008, made by Tomlin & Keyser, Certified Land Surveyors, a copy of which plat of survey is recorded in the Clerk's Office of the Circuit Court of Northumberland County, Virginia, in Plat Cabinet 3, Slide 38 and, by this reference, expressly made a part hereof, and

WHEREAS, Declarant desires to impose the following restrictions, conditions, agreements and easements on the subdivision:

NOW, THEREFORE, Declarant states that the hereinabove described real estate shall be held and conveyed subject to the following restrictions, conditions, agreements and easements which shall be appurtenant to and run with the above-described real estate:

RESTRICTIVE COVENANTS

1. The name of the subdivision shall be "Harbor Landing".

2. No lot may be further subdivided provided, however, that adjacent lots may be combined to form one larger lot and adjacent property owners shall be permitted to relocate property lines in accordance or conformity with the Northumberland County Ordinances.

3. The land shall be for residential purposes only and no structure shall be erected, placed or permitted thereon other than one detached single family dwelling and the usual outbuildings, including, without limitation, a garage. All outbuildings shall conform generally in appearance to the principal structure. Provided, however, that outbuildings need not conform in appearance to the principal structure if such outbuildings are screened from view from the road adjoining the property by either a fence or a vegetative buffer. One story stick built or modular homes shall contain no less than 1500 square feet of living area. One and one-half, two story, homes shall contain no less than 1200 square feet of living area on the first floor. The second floor need not be completed prior to habitation; however, the completed dwelling shall contain no less than 1500 square feet of living area. Roof pitch shall be no less than 6/12. All living area square footage requirements shall be exclusive of decks, porches, patios, garages, carports, verandas and basements. All principal structures shall be placed on a solid enclosed foundation consisting of block, brick or poured concrete.

4. All exterior construction must be completed and closed in within 12 months of the issuance of a building permit by Northumberland County. A Northumberland County certificate of occupancy is required prior to occupancy.

5. No house trailers or mobile homes, either single-wide or double-wide manufactured home shall be permitted as a permanent or temporary residence. After a certificate of occupancy has been issued, one travel trailer or motor home may be parked or stored on each lot; provided,

however, so long as lot 13 is owned by the adjoining property owner or owners to the east (*i.e.* the owner of property identified as Tax Map #36-1-59 or Tax Map #36-1-59A on the land records for Northumberland County, Virginia), no certificate of occupancy shall be required before a travel trailer or motor home is parked or stored on lot 13, but the owner of lot 13 must plant leland cypress trees approximately 15 feet apart along the boundary of lots 13 and 12 so to create a buffer between lots 13 and 12 before locating a travel trailer or motor home on lot 13. The right to park or store one travel trailer or motor home on lot 13 so long as lot 13 is owned by the adjoining property owner or owners to the east (*i.e.* the owner of property identified as Tax Map #36-1-59 or Tax Map #36-1-59A on the land records for Northumberland County, Virginia) shall not be subject to the provisions of paragraph #14 of this declaration.

6. No inoperative motor vehicles may be kept on the property at any time.

7. Grass must be kept cut to a maximum height of 10 inches. If the grass is not kept cut in accordance with this covenant, a majority of the lot owners may agree in writing that the lot is in violation and may have the grass cut and bill the lot owner who is in violation for the cutting.

8. Declarant reserves a 15 foot utility easement along all property sidelines and 30 foot utility easements along all roads, and further reserves the right to grant easements to utility companies or construction companies or to the local municipality within the aforesaid utility easement. The Declarant shall not be liable for any private property damage done within the area of these easements.

9. Manufacturing and commercial enterprises are not permitted; however, "In home" occupations and home professional businesses may be conducted on the property in accordance with the Northumberland County Ordinances.

10. Animals other than dogs, cats, or other household pets are not permitted. All doghouses and pen structures must be located behind the residence.

11. Voiding of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect. Failure to enforce any provision herein contained shall in no way be deemed a waiver of the right to do so hereafter. Each owner of a lot in the subdivision, as well as the Declarant, shall have the right to enforce these covenants as aforesaid; and, in addition to all other remedies, any party who obtains a judgment or court order enforcing the covenants shall be entitled to collect court costs and reasonable attorney's fees from the party found to have violated these covenants. After a majority of the lots are sold, the Declarant hereby transfers its rights under this clause to the existing lot owners.

12. These covenants shall run with the land and shall be binding upon and inure to the benefit of the heirs, successors, or assigns.

13. The Declarant, its successors and assigns, reserves the right to assign any and all rights, powers, titles, easements, privileges and estates reserved or given to it.

14. These restrictive covenants may be amended or revoked in whole or in part by a majority vote of the lot owners as evidenced by an instrument duly signed and recorded in the Clerk's Office of the Circuit Court of Northumberland County. A lot owned by multiple owners is entitled to only one vote. The Declarant is entitled to one vote for each lot owned by it.

Witness the following signature and seal:

LELAND CORPORATION

By: H. Lee Self, Jr.
H. Lee Self, Jr., President

COMMONWEALTH OF VIRGINIA,

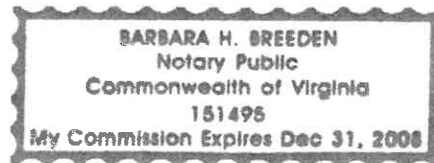
COUNTY OF Lancaster, to-wit:

The foregoing was acknowledged before me by H. Lee Self, Jr., President of Leland Corporation, on October 2, 2008.

My commission expires: 12-31-08

Barbara H. Breedon
Notary Public

RP 4150 Leland bareranting restrictions wpd



VIRGINIA:

In the Clerk's Office of the Circuit Court of Northumberland County 2 Oct 08, the foregoing instrument was this day presented and with certificate annexed, admitted to record at 15:50 P.M. after payment of \$ -0- State Tax and \$ -0- Local Tax and \$ -0- imposed by Section 58-54.1.

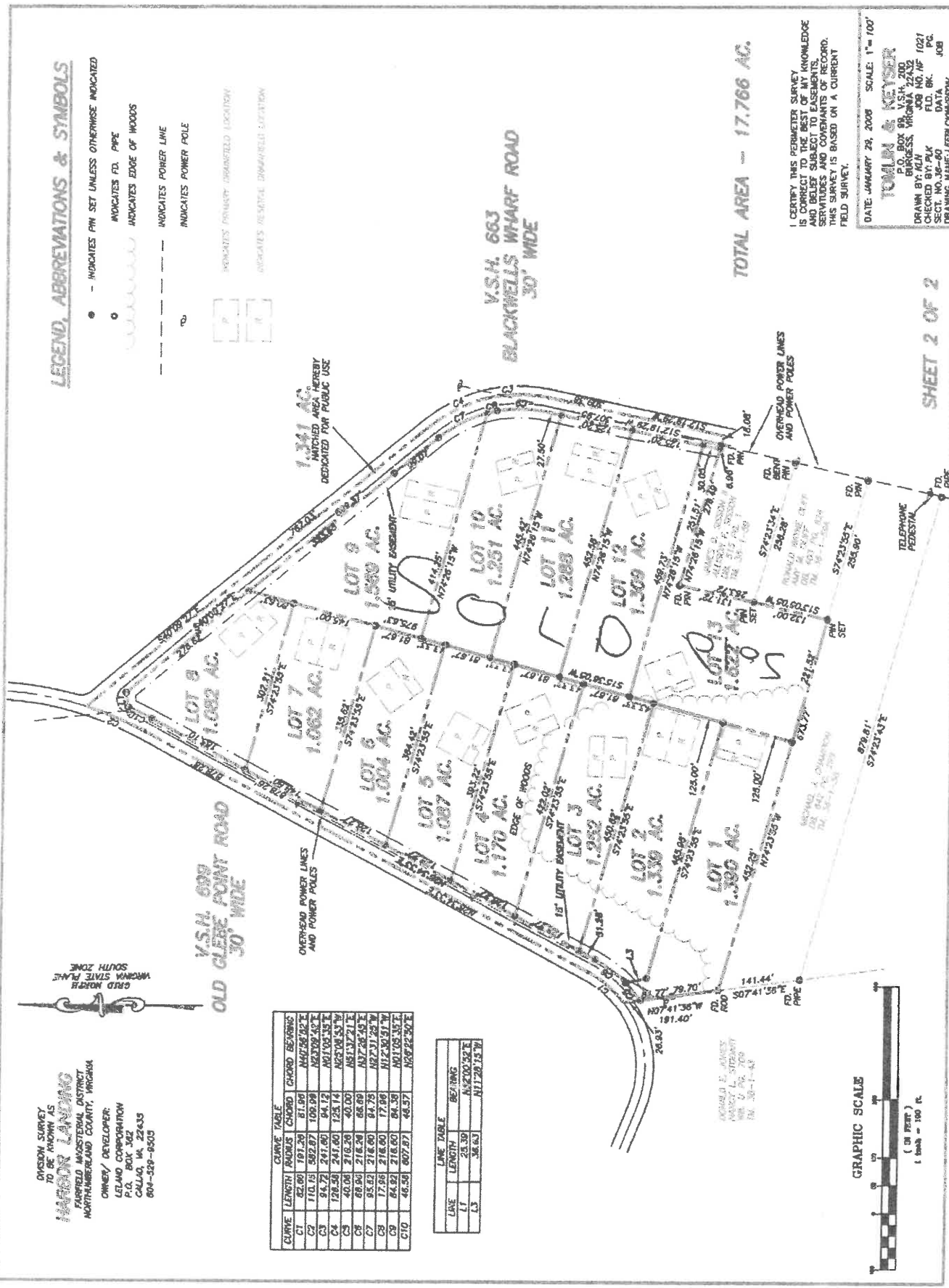
Teste: Kathi Basore, Deputy, Clerk

OFFICE COPY

Plot & Conveyance
443 9302

LEGEND, ABBREVIATIONS & SYMBOLS

- - INDICATES PIN SET UNLESS OTHERWISE INDICATED
- INDICATES F.D. PIPE
- INDICATES EDGE OF WOODS
- INDICATES POWER LINE
- INDICATES POWER POLE
- INDICATES PROPERTY DISCONTINUED LOCATION
- INDICATES REMAINT DISCONTINUED LOCATION



DIVISION SURVEY
TO BE KNOWN AS
WATER LANDING
FARRELL MASTERIAL DISTRICT
NORTHAMPTON COUNTY, VIRGINIA
OWNER/ DEVELOPER:
LELAND CORPORATION
P.O. BOX 302
CALLAO, VA. 22435
804-328-8503

CURVE	LENGTH	RADIUS	CHORD	BEARING
C1	82.00	191.29	81.09	N47°26'32"E
C2	110.15	592.87	109.98	N27°09'42"E
C3	94.72	241.60	94.12	N61°05'35"E
C4	128.50	241.60	123.14	N25°08'53"E
C5	40.00	216.28	40.00	N81°13'21"E
C6	68.94	216.28	68.94	N47°26'32"E
C7	95.62	216.00	84.75	N27°31'29"E
C8	17.96	216.00	17.96	N12°30'51"E
C9	84.82	216.00	84.38	N01°05'35"E
C10	46.50	807.87	46.57	N06°22'20"E

LINE	LENGTH	BEARING
L1	23.39	N62°00'32"E
L3	36.63	N11°20'15"E

GRAPHIC SCALE



TOTAL AREA - 17.766 AC.

I CERTIFY THIS PERMETER SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF SUBJECT TO EASEMENTS, SERVITUDES AND COVENANTS OF RECORD. THIS SURVEY IS BASED ON A CURRENT FIELD SURVEY.

DATE: JANUARY 29, 2008 SCALE: 1"=100'
TOMLIN & KEYSER
 SURVEYORS
 1000 W. 10TH AVE.
 SUITE 200
 BURGESS, VIRGINIA 22013
 DRAWN BY: KJH JOB NO. NF 1021
 CHECKED BY: PLK JOB NO. NF 1021
 SECT. NO. 36-60 DATA
 DRAWING NAME: LEEB.CNV080709

SHEET 2 OF 2