

High Mountain Meadows Property Owners Association

DECLARATION OF EASEMENTS AND PROTECTIVE DEED COVENANTS (as modified October 1993)

1. Each owner of a lot shown on the subdivision plat shall have an easement over and upon the existing roadways running to and through the subdivision for ingress and egress to W.V. Rt. 11 and the private parking area adjoining Short Mountain State hunting and Fishing Area.
2. Maintenance and repairs to said roadways, (including the .9 mile right-of-way from Rt. 29 south) shall be performed on a continuing basis, by the owners association. Road maintenance shall be \$65.00 annually, per lot owned. No road fee, however, is payable for unsold lots.
3. The developers reserve unto themselves, their heirs and assigns, an easement or right-of-way over, under or through a twenty (20) foot strip of land along every lot line of every lot in the subdivision for the purpose of facilitating erection and maintenance of utilities, cables, drains, culverts, etc.
4. No commerce or business of any type is allowed within the subdivision. Mobile homes will be allowed on any lot "B" shown on the plat, as long as they are a permanent structure. Camping, motor homes, and camping trailers are permitted. No trucks, buses, old cars or unsightly conditions will be allowed to exist on any lot if deemed to be left, stored, or abandoned. The owners association reserves the right to implement noise, speed, and safety regulations from time to time.
5. Sewerage and waste systems shall conform to West Virginia State regulations.
6. No structure of any kind shall be built or erected within twenty-five feet of any property line. No driveway or access may be built across a road ditch without the installation of an appropriate culvert to divert run-off water from the roads.
7. Since private access is afforded to 8,000 acres of State hunting lands, the discharge of firearms is prohibited within 150 yards of any residence, campsite, posted land, or otherwise improved property within the subdivision.
8. Determination by any court that any provision herein is invalid for any reason whatever, shall not effect the validity of any other provision hereof or regulation of the Property Owners Association.
9. These Covenants -- which run with the land -- may be amended or modified by a two-thirds vote of the members in good standing, or by the developer, provided that any such change, amendment, or modification is duly recorded among the land records of the Hampshire County Supervisors Court, Romney, West Virginia, where these covenants are recorded of record and shall be referenced in each and every deed of conveyance.
10. The Property Owners Association shall be formed in April 1985. The organizational meeting shall be called to order by the developer, whereupon the owners of lots in High Mountain Meadows shall elect officers and make such rules and regulations as they deem appropriate. Each property owner, upon entering into an agreement to purchase, is automatically a member of said Association and agrees to abide by the lawful rules of said Association and to pay the road maintenance fee.

(original covenants recorded June 6, 1985--452; modified #2 recorded October 18, 1993--541)

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