

**SUPPEMENTAL DECLARATION OF LAND USE COVENANT**

This Supplemental Declaration of Land Use Covenant is made and entered into this 12<sup>th</sup> day of July, 2005 by **HUNTFIELD LC**, a Virginia limited liability company (the "Owner").

WHEREAS, by Land Use Covenant executed as of the 4<sup>th</sup> day of February, 2003, of record in the office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 970, page 352 (the "Land Use Covenant"), the Owner and The Secretary of the Division of Environmental Protection for the State of West Virginia did subject certain properties therein described (the "Property") to the Land Use Covenant; and

WHEREAS, by Supplemental Declaration of Land Use Covenant dated May 13, 2004, of record in the office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 990, page 371, Owner reserved to itself, its successors and assigns, the right to add additional land to the scheme and restrictions of the Land Use Covenant; and

WHEREAS, the Owner desires to incorporate additional land to the scheme and restrictions of the Land Use Covenant.

NOW, THEREFORE, Owner declares that all of the real property, including, but not limited to, all the lots, streets and common areas shown on the "Record Plat Phase 2B, Section 1A-Huntfield, Lots 191, 207, 223-227, 242, 243, & 262 through 265, made by Urban Engineering & Associates, Inc. dated December, 2003, recorded in the aforesaid Clerk's office in Plat Book 20, pages 86-861, which plat is incorporated herein by reference, is and shall be held, transferred, sold, conveyed and occupied subject to the aforesaid Land Use Covenant.

WITNESS the following signature as and for the date first hereinabove appearing.

HUNTFIELD LC,  
a Virginia limited liability company

By: *Paul W. Ulland*  
Its: *Senior Vice President of Land Development*

STATE OF *Virginia*,  
COUNTY OF *Suffolk*, to-wit:

The foregoing instrument was acknowledged before me this *10<sup>th</sup>* day of July, 2005,  
by *David Ulland*, *Senior Vice President* of Huntfield LC, a Virginia  
limited liability company, on behalf of the limited liability company.

*Thomas G. Hoff*  
Notary Public

My commission expires: *March 31, 2007*



*Mail to:*

This instrument was prepared by Michael B. Keller, Esq., Bowles Rice McDavid Graff &  
Love LLP, 101 South Queen Street, Martinsburg, West Virginia, 25401.

1414118 1

JEFFERSON COUNTY, WV  
FILED  
July 19, 2005 12:09:50  
JENNIFER S. MAGHAN  
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TRANSACTION NO: 2005019191  
BOOK OF DEEDS  
Book: 1011 Page: 00694



**SUPPEMENTAL DECLARATION OF LAND USE COVENANT**

This Supplemental Declaration of Land Use Covenant is made and entered into this 12<sup>th</sup> day of July, 2005 by **HUNTFIELD LC**, a Virginia limited liability company (the "Owner").

WHEREAS, by Land Use Covenant executed as of the 4<sup>th</sup> day of February, 2003, of record in the office of the Clerk of the County Commission of Jefferson County, West Virginia, in Deed Book 970, page 352 (the "Land Use Covenant"), the Owner and The Secretary of the Division of Environmental Protection for the State of West Virginia did subject certain properties therein described (the "Property") to the Land Use Covenant; and

WHEREAS, by Supplemental Declaration of Land Use Covenant dated May 13, 2004, of record in the office of the Clerk of the County Commission of Jefferson County, West Virginia in Deed Book 990, page 371, Owner reserved to itself, its successors and assigns, the right to add additional land to the scheme and restrictions of the Land Use Covenant; and

WHEREAS, the Owner desires to incorporate additional land to the scheme and restrictions of the Land Use Covenant.

NOW, THEREFORE, Owner declares that all of the real property, including, but not limited to, all the lots, streets and common areas shown on the "Record Plat Phase 2B, Section 1B-Huntfield, Lots 192-206, 208-222, 228-241, 244-253 & 255-261 made by Urban Engineering & Associates, Inc. dated August 11, 2004, recorded in the aforesaid Clerk's office in Plat Book 21, pages 46-46I, which plat is incorporated herein by reference, is and shall be held, transferred, sold, conveyed and occupied subject to the aforesaid Land Use Covenant.

WITNESS the following signature as and for the date first hereinabove appearing.

HUNTFIELD LC,  
a Virginia limited liability company

By: *Paul Z. Ullrich*  
Its: *Senior Vice President of Land Development*

STATE OF *Virginia*,  
COUNTY OF *Jefferson*, to-wit:

The foregoing instrument was acknowledged before me this *12<sup>th</sup>* day of July, 2005,  
by *David Weirch*, *Senior Vice President* of Huntfield LC, a Virginia  
limited liability company, on behalf of the limited liability company.

*[Signature]*  
Notary Public

My commission expires: *March 31, 2007*



*Mail to:*

This instrument was prepared by Michael B. Keller, Esq., Bowles Rice McDavid Graff &  
Love LLP, 101 South Queen Street, Martinsburg, West Virginia, 25401.

1414101 1

JEFFERSON COUNTY, WV  
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July 19, 2005 12:12:19  
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