

DELIVERED TO: N.D.C.
DATE 6/11/71

#952
LAKE HOLIDAY ESTATE, INC.
DEED OF DEDICATION

BOOK 376 PAGE 130

THIS DEED OF DEDICATION, made and dated this 3rd. day of March, 1971, by Lake Holiday Estates, Inc., a Virginia corporation, which is the owner and proprietor of the land described in Section Two of the subdivision of Lake Holiday Estates, containing 277 lots, dated February 3, 1971, and made by Wesley W. Metheny, Planner, and William R. Hunter, Professional Engineer, and attached hereto and made a part hereof.

WHEREAS, the Board of Directors of Lake Holiday Estates, Inc., in accordance with its Articles of Incorporation and By-laws, has authority to buy, subdivide and sell real estate; and,

WHEREAS, the said Board of Directors on motion duly made, seconded and passed at a regularly called meeting for this purpose, and by its consent and authority, has approved the aforesaid plat for the subdivision of its land contained therein, which land known as Lake Holiday Estates, Inc., lies about 14 miles Northwest of Winchester, in Gainesboro Magisterial District of Frederick County, Virginia, and designated as follows:

277 lots in Section Two together with streets or roadways as shown on said plat or plats and bounding Lake Holiday and the Golf Course and lying West of an adjacent to Section One heretofore recorded, and Section Two is made up of sixteen (16) plats.

This is a part of three tracts or parcels of land that were conveyed to Lake Holiday Estates Golf and Country Club, Inc., now Lake Holiday Estates, Inc., by the following conveyances:

1. From Donald L. Bayliss and Carolyn R. Bayliss, his wife, to

MASIE AND SMARR
ATTORNEYS AT LAW
WINCHESTER, VIRGINIA

see deed PL 504 Pg. 208

Lake Holiday Estates Golf and Country Club, Inc., as Instrument #1845, dated August 26, 1970, known as the Bowers-McDonald land, and of record in the Clerk's Office of the Circuit Court of Frederick County, Virginia, in Deed Book 368, Page 35.

2. From Donald L. Bayliss and Carolyn R. Bayliss, his wife, to Lake Holiday Estates Golf and Country Club, Inc., as Instrument #1847, dated August 26, 1970, known as the Haines land, and of record in the aforesaid Clerk's Office in Deed Book 368, Page 44.

3. From Claire B. Dailey, et al, to Lake Holiday Estates Golf and Country Club, Inc., as Instrument #1864, dated August 26, 1970, and of record in the aforesaid Clerk's Office in Deed Book 368, Page 94. Reference is made to the aforesaid deeds for a more particular description of the land hereby subdivided and dedicated.

WHEREAS, this deed of dedication does not include the dedication of the roadways, streets or rights of way set forth on said plats for the use and benefit of the public, but only as a right of way to and from said lots for the use and benefit of the lot owners and members in good standing of Lake Holiday Estates, Inc. and its assigns and also for the approved guests, agents and invitees of the Grantor and said lot owners; all subject to the provision that they must use said rights of ways, roadways and streets in conformity with the requirements of the laws of Virginia, ordinances of Frederick County, Virginia and the rules and regulations of the Grantor or its successors in title as owner and proprietor of this subdivision.

WHEREAS, it is further resolved by said Board of Directors that the President or Vice President and Secretary of this Corporation be, and they are hereby directed to execute and acknowledge, seal and deliver this instrument for approval by the proper officials of said County and State, and that the same be recorded in the Office of the Clerk of the Circuit Court of Frederick County, Virginia among the land books of said County.

THIS DEED OF DEDICATION for said plats is made subject to all the following restrictions and covenants which shall be deemed to run with the land for the mutual protection and benefit of all lot owners:

(1) No structure or building of any kind, or construction of any sort including fences shall be placed or constructed upon this property unless and until plans and description of same shall have been submitted in duplicate to, and approved in writing by the Architectural Committee appointed by the Board of Directors of Lake Holiday Estates, Inc., or other proprietor.

(2) Except with the written consent of the Architectural Committee, no structure, tent, fence, outside toilet, or other living quarters, temporary or permanent, shall be placed upon any part of the property covered by this deed of dedication. The use of house trailers is not permitted in this subdivision development known as Lake Holiday Estates, Inc.

(3) Buildings may be of a contemporary period or modern design, and may be constructed of wood, logs, stone, masonry or composition, but must be finished or painted in such

a manner as not to detract from, or mar the natural beauty of the surroundings.

(4) All sewer and water lines on said lots must be connected to state approved central sewerage system and central water distribution system; said systems to be constructed by the proprietor or by Lake Holiday Estates Utility Company, a duly incorporated public service corporation or any other similar public service corporation, and the proprietor or said public service corporation constructing the same hereby guarantees that said construction and operation of said sewer and water systems shall be in accordance with the standards of the applicable departments of the Commonwealth of Virginia.

(5) No outhouses shall be permitted on any part of the property. All toilet facilities must be within the main dwelling.

(6) No structure may be placed nearer than thirty-five (35) feet from any front or ten (10) feet from any side or rear line of any abutting property line.

(7) No cabin or dwelling shall be built unless it contains a minimum ground floor area of 800 square feet for a two-story building exclusive of porches and patios, garages, and the side nearest the road is at least 20 feet wide and a minimum of 1000 square feet for single story or split-level dwelling, and no construction of improvements by lot owners shall be made upon the areas reserved for easements.

(8) No more than one dwelling (single family use) may be built on any one lot except on lots designated for multiple units.

(9) Garages, porches and patios, carports or car

shelters, if built, shall be attached to, and a part of the main dwelling, unless otherwise approved by the Architectural Committee.

(10) No lot may be subdivided, or easements granted, without written approval by Lake Holiday Estates, Inc. or other proprietor, except that the proprietor of this subdivision reserves the right to resubdivide any of its unsold lots or land in this subdivision.

(11) No open fires shall be permitted on any part of the property. Outdoor fireplaces, if built, and all chimneys shall be provided with fire screens.

(12) No building shall be used for any other than single family residential purposes (except on lots otherwise designated by Lake Holiday Estates, Inc. or other proprietor) and no offensive trade or other offensive activity shall be carried on, on said lots, nor shall anything be done thereon which may constitute or become an annoyance or a nuisance.

(13) No trees over two inches in diameter shall be cut down without permission of the Architectural Committee.

(14) No signs of any nature whatsoever shall be permitted on the property except one name sign not exceeding six (6) inches in height and thirty-six (36) inches in length.

(15) Garbage must be kept in covered metal or plastic containers, and trash such as tin cans, bottles, paper, etc. shall be kept as garbage or in wire containers and all of it disposed of according to the laws of Virginia and the ordinances of Frederick County, Virginia and the rules and regulations of the owner and proprietor of this subdivision.

(16) No abandoned or inoperable motor vehicles or parts thereof shall remain on any property in this subdivision.

for more than ten (10) days after it is abandoned or becomes inoperable or parts not affixed to a motor vehicle.

(17) No rifles, shotguns or small arms shooting shall be permitted anywhere in Lake Holiday Estates, Inc., except in areas reserved and designated for such use by Lake Holiday Estates, Inc.

(18) All roadways, streets, and rights of way set forth on said plats are for the right of ingress and egress to lots from the public highway for lot owners and the guests, agents and invitees of lot owners who are members in good standing with Lake Holiday Estates, Inc.

(19) Seller reserves a right of way with right of entry upon, over, across and through said lot for the purpose of constructing, operating, maintaining and repairing, pole lines for electrical and telephone service, and other utilities, reserving to the Seller the sole right to convey the rights hereby reserved.

(20) All Membership Applications and Sales Contracts including originals, resales, etc. are subject to the approval of the Board of Directors of Lake Holiday Estates, Inc., or other proprietor and the right of said Board of Directors to refuse said contracts and applications is reserved. Membership in Lake Holiday Estates, Inc. in the subdivision development known as Lake Holiday Estates, Inc. is mandatory for all persons owning property in Lake Holiday Estates, Inc.

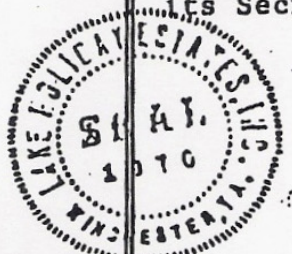
(21) This owner and proprietor and its assigns as owner and proprietor, reserve the right to add to, subtract from and change these restrictions in other subdivisions of its remaining lands or after acquired lands.

(22) The said Corporation does hereby declare that it is the owner of said property and that it desires to dedicate and does hereby make this deed of dedication of said subdivision of its own free will and consent.

WITNESS the following signatures of L. Harold Moss, President of Lake Holiday Estates, Inc. and its Corporate Seal hereto affixed and attested by Harold D. Carter its Secretary, the first date hereinabove written.

LAKE HOLIDAY ESTATES, INC.

By L. Harold Moss (SEAL)
President



ATTEST:

Harold D. Carter Sr.
Asst. Secretary



STATE OF VIRGINIA

COUNTY OF FREDERICK, to-wit:

I, Mrs. Mary Kelly, a Notary Public in and for the State and County aforesaid, do certify that L. Harold Moss, and Harold D. Carter, President and Secretary respectively of Lake Holiday Estates, Inc., whose names are signed to the foregoing deed of dedication bearing date on the 2nd day of March, 1971, have acknowledged the same before me in my State and County aforesaid.

Given under my hand this 2nd day of March, 1971.

My commission expires April 30, 1972.

Mary Kelly
Notary Public