

104.

a Partnership, dated the 20th day of April, 1977, of record in the aforesaid Clerk's Office in Deed Book No. 222 at Page 280.

The Grantees are to pay the taxes upon said real estate from date of settlement, although the same may have already been assessed in the name of the Grantors.

There is conveyed with the property a right of way as shown on the plat of Delray Heights Subdivision, which right of way is Fifty (50) feet wide, with fifty (50) feet thereof being within the bounds of the tract herein conveyed, and there is also reserved the right of way as an open road across part of the tract herein conveyed for the use and benefit of the Grantors and Grantees, their successors and assigns, or other tract owners who have the right to use the same, it being understood that the present roadway is located within the bounds of the 50 foot right of way as shown on said plat.

It is the purpose and intention of this deed, and it is hereby accepted by the Grantees, that this property is conveyed unto them with rights of survivorship, that is, if the said

Michael G. Bailey should die before his wife,

Carol L. Bailey, then the entire estate in fee

simple in and to the said property shall be and become the sole property of the said Carol L. Bailey, and that if the

said Carol L. Bailey should die before her husband, Michael G. Bailey, then the entire estate in and to the said property shall be and become the sole property of the said Michael G. Bailey.

This conveyance is made subject to the following restrictions:

a. The Grantors reserved unto themselves, their successors or assigns, the right to erect and maintain telephone and electric light poles, conduits, equipment, sewer, gas and water lines, or to grant easements or rights of way therefore, with the right of ingress and egress for the purpose of erection or maintenance on, over or under a strip of land fifteen (15) feet wide at any point along the side, rear or front lines of any said lots, or within forty (40) feet from the center of any road right of way. Such a right of way for utility lines may also be

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utilized by the Grantees in the use of their lot.

(2) Lots shall be used for residential purposes only and no dwelling shall be less than 560 square feet; if mobile home is used, it shall be permanent, with sides skirted.

(3) If garage or storage shed is built, it shall conform in general appearance to the dwelling.

(4) No buildings or dwellings shall be constructed within fifty (50) feet from side of lot or road.

(5) Garbage or trash containers must be covered at all times, and premises shall be maintained in a neat and orderly manner.

(6) A road maintenance fee of Thirty Dollars (\$30.00) per year will be charged, payable to the Land Owners Committee.

(7) No timber shall be cut upon the parcel until the tract is fully paid for except for sufficient room to erect a dwelling.

(8) No trucks, buses, old cars, or unsightly vehicles of any type or description may be left abandoned on said tracts.

The Grantors, on behalf of themselves and assigns, as part of the consideration of this conveyance, hereby specifically covenant that they are lawfully seized in fee of the above described real estate and that they have good title and right to convey the same unto the said Grantee, subject, however, to that certain blanket Deed of Trust against said Del Ray Heights Subdivision, of which this tract is a part. It is agreed, however, and the Grantors herein covenant that upon payment in full of the second Deed of Trust which secured the Grantors herein, then the Grantors shall obtain a full release of the tract or parcel of real estate herein conveyed and release the same from the first Deed of Trust encumbrance.

TO HAVE AND TO HOLD the real estate herein conveyed, together with all roadways, rights of way as means of ingress and egress thereto, and appurtenances thereunto belonging, or in anywise appertaining, unto the said Michael G. Bailey

and Carol L. Bailey

his wife, as joint tenants with rights of survivorship, at the death of either, to the survivor of the two of them, in fee

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