

Mailed: 4-15-83
 Potomac Highlands Land Co.
 P. O. Box 389
 Ft. Loudon, Pa 17224
 Attn Judy Uglow

POTOMAC HIGHLANDS LAND CO.,
 TROUT POND
 DECLARATION OF
 COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made this 29th day of March, 1983, by Potomac Highlands Land Co., a West Virginia corporation, hereinafter referred to as "Declarant":

WITNESSETH:

That, whereas Declarant is the owner of certain real property in Hardy County, West Virginia, having acquired the same by deed recorded in Deed Book 174/164 at Page 461, among the land records of Hardy County, West Virginia, which is more particularly described as follows: All that certain tract of land which was conveyed to Potomac Highlands Land Co. by Thomas E. Mutchler, Jr. and Ruth E. Mutchler by the deed mentioned above, and containing 632.891 acres, more or less, as described in said deed, and located and situate in the Lost River District, Hardy County, West Virginia.

WHEREAS, the Declarant will convey the said property subject to certain protective covenants, conditions, restrictions, reservations, liens and charges as hereinafter set forth:

NOW, THEREFORE, Declarant hereby declares that all of the property described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants, reservations and conditions, all of which are for the purpose of enhancing and protecting the value and desirability of real property, and be binding on all parties having any right, title or interest in the above described property or any part hereof, their heirs, successors and assigns, and shall inure to the benefit of each and every owner thereof.

ARTICLE I
 DEFINITIONS

1. "Association" shall mean and refer to the Trout Pond Property Owners Association, its successors and assigns.
2. "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot which is a part of the property, including contract sellers, but excluding those having such interest merely as security for the performance of an obligation.
3. "Property" shall mean and refer to that certain real property described above, and such additions thereto as may hereafter be brought, within the jurisdiction of the Association.
4. "Lot" shall mean and refer to any numbered plot of land shown upon any recorded subdivision plat of the Properties.
5. "Declarant" shall mean and refer to Potomac Highlands Land Co., its successors and assigns, if such successors or assigns should acquire the remaining undeveloped Lots from the Declarant for the purposes of development.
6. "Common Properties" shall mean and refer to those areas of land shown on the subdivision plat, as amended from time to time in accordance herewith, as being intended to be devoted to the common use and enjoyment of all the Owners and any Lots that may be transferred to the Association for use as Common Properties.