

180000633

DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS OF
PEYTON PLACE SUBDIVISION

Lots 1 – 7

Courthouse Magisterial District
Floyd County, Virginia

Tax Map Parcel Number 43-72

April 17, 2018

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, BARBARA W. REED, hereinafter referred to as the DEVELOPER, is the owner of those certain lots designated as Lots 1 through 7, inclusive, on a certain plat of survey dated March 8, 2018, entitled "Plat of Standard Subdivision for Barbara W. Reed", made by John D. Lewis, L.S., of Fork Mountain Surveying & Mapping, Inc., hereinafter referred to as the PLAT, of record in the Clerk's Office of the Circuit Court of Floyd County, Virginia, as Instrument Numbers 18-569 and 18-569A, being the same property conveyed to the DEVELOPER by Deed of Gift from Ethel H. Williams dated October 6, 2000, of record in the Clerk's Office of the Circuit Court of Floyd County, Virginia, as Instrument Number 00-2198. The said Ethel H. Williams, who retained a life estate in said Deed, departed this life on June 2, 2017, at which time her life estate ceased, as set forth in that Real Estate Affidavit dated February 13, 2018, recorded in the aforesaid Clerk's Office as Instrument Number CWF18-29.

Utility Easements

The DEVELOPER reserves for itself and its successors in title 30' wide utility easements along the road frontage of Lots 1-3 along Virginia Secondary Route 615

Delivered 4-20-18
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(Christiansburg Pike NE), and along the road frontage of Lots 4-7 along Virginia Secondary Route 817 (Phlegar Hill Road NE).

Said utility easements shall be for the construction and perpetual maintenance of conduits, poles, wires, and fixtures for electricity, telephones, and other public and quasipublic utilities and to trim any trees which at any time may interfere or threaten to interfere with the maintenance or installation of such utilities.

Restrictive Covenants

Each of the lots shown on the PLAT shall be subject to the following restrictions, which shall run with the land:

(1) Lots 1, 3, and 4-7 are restricted to residential use only. Lot 2 is restricted to residential and agricultural use only. However, these restrictions shall not prohibit an owner of any Lot from maintaining a home occupation or an office in the dwelling on such Lot if such occupation or office generates no significant number of visits by clients, customers, or other persons related to the business and no signs relating to the business are displayed on the property or access roads to the property.

(2) No animals, livestock, swine, or poultry shall be permitted on Lots 1, 3, and 4-7, except for dogs, cats, and other household pets, provided that such pets are not kept or maintained for commercial purposes or for breeding.

(3) No commercial animal kennels or boarding operations, feed lots (high density animals of any kind), or swine shall be permitted on any Lot.

(4) No building shall be erected, altered, placed, or permitted to remain on any lot other than a detached single-family dwelling. Only one dwelling house may be constructed on each lot. However, these restrictions shall not prohibit the construction of

outbuildings normally associated with a dwelling house, including but not limited to detached garages, storage buildings, barns, etc.

(5) No mobile home trailers of any type (singlewides, doublewides, etc.) may be placed on any lot, either temporarily or permanently. However, this restriction shall not prohibit the storing of an unoccupied recreational vehicle or recreational vehicle trailer on any lot.

(6) No dwelling of a temporary nature, tent, shack, garage, recreational vehicle, recreational vehicle trailer, barn, or other outbuilding shall be occupied as a dwelling.

(7) All dwellings must have a minimum enclosed living area of 1,200 square feet, exclusive of open porches or attached garages.

(8) All structures shall be completed on the exterior within twelve (12) months from start of construction.

(9) No structure shall be located on any lot nearer than 60' from the front lot line or 25' feet from side lot lines.

(10) No lot may be subdivided; provided, however, that the boundaries between adjoining lots may be adjusted or changed in accordance with agreements made between adjacent lot owners.

(11) Each lot owner shall keep his lot free of garbage, trash, and all other unsightly matter. Garbage shall be placed in receptacles and all garbage receptacles shall be housed or screened out of view from other lots in the subdivision. All fuel and other tanks, including all cylinders, shall either be placed underground or housed/screened out of view from other lots in the subdivision. No unlicensed or disabled vehicles or industrial or

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construction equipment shall be parked on any Lot, except when housed in a garage with said vehicles or equipment out of view from other lots in the subdivision.

Enforcement of this Instrument

The provisions herein contained shall be enforceable both by action at law for damages and by suit in equity for injunctive or other relief by any person or persons injured or aggrieved by the breach or violation thereof, and neither remedy shall be exclusive of the other.

Invalidation of any one or more of these provisions by judgment or decree of court shall in no wise affect any of the other provision herein contained.

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WITNESS the following signature and seal:

Barbara W Reed (SEAL)
BARBARA W. REED

COMMONWEALTH OF VIRGINIA,

COUNTY OF FLOYD, to-wit:

The foregoing instrument was acknowledged before me this 19th day of
April, 2018, by BARBARA W. REED.



JENNIFER A. VADEN
NOTARY PUBLIC
REG. #7749418
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES
MAY 31, 2021

Jennifer A. Vaden (SEAL)
Notary Public

My Commission Expires: May 31, 2021

My Registration Number: 7749418

INSTRUMENT 180000633
RECORDED IN THE CLERK'S OFFICE OF
FLOYD CIRCUIT COURT ON
April 19, 2018 AT 04:04 PM
RHONDA T. VAUGHN, CLERK
RECORDED BY: JSS