



**COMMUNITY
ASSOCIATION**

THIS DECLARATION OF EASEMENTS, made this 3rd day of April, 1995, by CENTEX REAL ESTATE CORPORATION, a Nevada corporation authorized to transact business in Virginia, (the "Declarant"), GRANTOR for the purposes of indexing. Also index in the name of COURTHOUSE ESTATES COMMUNITY ASSOCIATION, INC., a Virginia non-stock, non-profit corporation, (the "Association"), GRANTOR for the purposes of indexing.

WITNESSETH:

WHEREAS, the Declarant is the owner in fee simple of certain real property situate in the City of Virginia Beach, Virginia, and more particularly described as follows:

ALL THOSE certain lots, pieces or parcels of land, situate, lying and being in the City of Virginia Beach, Virginia, known, numbered and designated as Lots 1, 2, 32, 33, 35, 36, 37 and 38, as shown on that certain plat entitled "SUBDIVISION OF PARCEL 1, COURTHOUSE ESTATES, PHASE 1, SECTION M-2, JULY 15, 1994, PRINCESS ANNE BOROUGH - VIRGINIA BEACH, VIRGINIA", and which said plat is duly recorded in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia in Map Book 239, at Pages 16 through 28, inclusive.

WHEREAS, the Declarant wishes to create perpetual landscape easements for the benefit of the aforesaid lots shown on the subdivision plat referenced above, which easements shall be for the purpose of the installation and maintenance of decorative fencing and landscaping along West Neck Parkway, Currituck Drive and Nansemond Street as said rights-of-way abut the aforesaid lots.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the Declarant and to the future owners of the lots hereinabove described, the Declarant does hereby declare, create and establish perpetual landscape easements six (6) feet in width adjacent to West Neck Parkway, Currituck Drive and Nansemond Street, over and across (i) the rear of Lots 1, 2, 32, 33, 35, 36, 37 and 38, (ii) the east side of Lot 1, and (iii) the west side of Lot 38, for the purposes set forth in this document.

The Declarant and all future owners of the aforesaid lots shall use the rights granted by this instrument with due regard for the rights of the other lot owners and their use of such

easements, shall use the easement areas for decorative fencing and landscaping only, and shall not erect any structures within the easement areas.

The easements hereinabove granted shall run with the land and shall be for the benefit and use of the owners of the aforesaid lots, their heirs, successors and assigns, and to the benefit and use of the Declarant and the Association and the successors and assigns thereof.

The Association joins in this instrument to evidence its consent to the establishment of the easements contained herein. It is the intent of the Declarant and the Association that the Association will maintain the decorative fencing and landscaping within the easement areas in the exercise of its power and authority as set forth in that certain Declaration of Covenants, Conditions and Restrictions for Courthouse Estates dated August 23, 1994 and recorded in said Clerk's Office in Deed Book 3452, at Page 0069.

IN WITNESS WHEREOF, Centex Real Estate Corporation, a Nevada corporation, and Courthouse Estates Community Association, Inc., a Virginia non-stock, non-profit corporation, have caused this instrument to be executed by duly authorized corporate officers.

CENTEX REAL ESTATE CORPORATION

By: [Signature]
Its: Division President

COURTHOUSE ESTATES COMMUNITY ASSOCIATION, INC.

By: [Signature]
Lawrence A. Sancilio, President

COMMONWEALTH OF VIRGINIA
CITY OF Virginia Beach, to-wit:

I, the undersigned, a Notary Public in and for the City and State aforesaid, do hereby certify that John Kirk as Division President of Centex Real Estate Corporation, a Nevada corporation authorized to transact business in Virginia, whose name as such is signed to the foregoing writing, has acknowledged the same before me this 14 day of April, 1995.

Robyn C. Hiesel
Notary Public

My Commission Expires: 7-31-95

COMMONWEALTH OF VIRGINIA
CITY OF VIRGINIA BEACH, to-wit:

I, the undersigned, a Notary Public in and for the City and State, do hereby certify that Lawrence A. Sancilio, as President of Courthouse Estates Community Association, Inc., a Virginia non-stock, non-profit corporation, whose name as such is signed to the foregoing writing, has acknowledged the same before me this 14 day of April, 1995.

Robyn C. Hiesel
Notary Public

My Commission Expires: 7-31-95

RECORDED WITH
CERTIFICATE ANNEXED
95 APR 17 AM 11:21