



**COMMUNITY
ASSOCIATION**

THIS DECLARATION OF EASEMENTS, made this 28th day of September, 1995, by COURTHOUSE ESTATES ASSOCIATES, A JOINT VENTURE, a Virginia joint venture, (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, with the building and improvements thereon and the appurtenances thereunto belonging, situate, lying and being in the City of Virginia Beach, Virginia, and being known, numbered and designated as Lots 1 through 6, both inclusive, and Lots 36 and 37, as shown on that certain plat entitled "SUBDIVISION OF PARCEL 2B, COURTHOUSE ESTATES, PHASE 2, SECTION M-8, MAY 26, 1995, PRINCESS ANNE BOROUGH - VIRGINIA BEACH, VIRGINIA", 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 246, at pages 36 through 40, inclusive.

WHEREAS, the Declarant wishes to create perpetual landscape easements upon 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 Currituck Drive and Livingston Loop as said rights-of-way abut said 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 Currituck Drive and Livingston Loop, over and across the aforesaid Lots in the locations shown on said plat, and 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 others 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,

GPINS: 1493-47-0001, 1493-37-9047, 1493-37-8193, 1493-37-8159, 1493-37-7285, 1493-37-7354,
1493-46-1718, 1493-46-0887

*Conselva Markowitz
& Will*
4580 COLUMBUS LOOP
VIRGINIA BEACH VIRGINIA 23462

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, Courthouse Estates Associates, A Joint Venture, a Virginia joint venture, and Courthouse Estates Community Association, Inc., a Virginia non-stock, non-profit corporation, have caused this instrument to be executed by duly authorized joint venturers and corporate officer.

COURTHOUSE ESTATES ASSOCIATES, A JOINT VENTURE
a Virginia joint venture

By: Virginia Land Investment Associates No. 1,
a Virginia limited partnership, Joint Venturer

By: Larasan Realty Corporation, a Virginia
Corporation, Its General Partner

By: Anthony J. Sancilio
Anthony J. Sancilio, President

By: Baymark Construction Corporation, a
Virginia corporation, Joint Venturer

By: Richard S. Foster
Richard S. Foster, President

COURTHOUSE ESTATES COMMUNITY ASSOCIATION, INC.

By: Lawrence A. Sancilio
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 Anthony J. Sancilio, as President of Larasan Realty Corporation, a Virginia corporation, as General Partner of Virginia Land Investment Associates No. 1, a Virginia limited partnership, Joint Venturer of COURTHOUSE ESTATES ASSOCIATES, A JOINT VENTURE, a Virginia joint venture, whose name as such is signed to the foregoing writing, has acknowledged the same before me this 2nd day of October, 1995.

Robin Chiles
Notary Public

My Commission Expires: 7-31-99

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 Richard S. Foster, as President of Baymark Construction Corporation, a Virginia corporation, as Joint Venturer of COURTHOUSE ESTATES ASSOCIATES, A JOINT VENTURE, a Virginia joint venture, whose name as such is signed to the foregoing writing, has acknowledged the same before me this 2nd day of October, 1995.

Cynthia Sue Byrum
Notary Public

My Commission Expires: June 30, 1999

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 2nd day of October, 1995.

Robin Chiles
Notary Public

My Commission Expires: 7-31-99

Condon, Markowitz
& Webb
4380 COLUMBUS LOOP
VIRGINIA BEACH VIRGINIA 23462

RECORDED WITH
CERTIFICATE ANNEXED
95 OCT -3 PM 1:41

TESTE: [Signature]
NOTARY PUBLIC