



**COMMUNITY  
ASSOCIATION**

THIS DECLARATION OF EASEMENT, made this 1st day of October, 1999, 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 (the "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 and 53, as shown on that certain plat entitled "SUBDIVISION OF PARCEL 3, PROPERTY OF VIRGINIA LAND INVESTMENT ASSOCIATES NO. 1, COURTHOUSE ESTATES, PHASE 5, SECTION L-3, REF: M.B. 235, P. 95-98, APRIL 29, 1999, 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 279, at pages 24 through 31, inclusive.

WHEREAS, the Declarant wishes to create perpetual landscape easements upon the aforesaid Property, which easements shall be for the purpose of the installation and maintenance of decorative fencing and landscaping adjacent to Clarke Drive as shown on said Plat.

NOW, THEREFORE, in consideration of the mutual benefits accruing to the Declarant and to the future owners of the Property hereinabove described, the Declarant does hereby declare, create and establish perpetual landscape easements over and across the easternmost six (6) feet of Lot 1 and the westernmost six (6) feet of Lot 53, adjacent to Clarke Drive, for the purposes set forth in this document.

The Declarant and all future owners of the aforesaid Property 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 Property, 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.

*Consolvo, Markowitz  
& Webb*  
ATTORNEYS AT LAW  
VIRGINIA BEACH, VIRGINIA

GPINs: 1493-13-3544 and 1493-13-5409

Preparation by Consolvo, Markowitz & Webb

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: [Signature]  
Lawrence A. Sancilio, President

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

By: [Signature]  
Richard S. Foster, 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 Lawrence A. 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 5<sup>th</sup> day of October, 1999.

*Concedo, M. Harlowitz*  
2-11-11  
5140 CHERRY LANE  
VIRGINIA BEACH, VIRGINIA 23462

[Signature]  
Notary Public

My Commission Expires: Oct 30, 2002

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 4<sup>th</sup> day of October, 1999.

William A. Workman  
Notary Public

My Commission Expires: January 31, 2003

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 5<sup>th</sup> day of October, 1999.

Sue E. Keitel  
Notary Public

My Commission Expires: October 30, 2002

Conrad, Mankowitz  
& White  
4580 CHIMBURN LANE  
VIRGINIA BEACH, VIRGINIA 23462

RECORDED WITH  
CERTIFICATE ANNEXED  
99 OCT -6 AM 10: 22

SHARON L. ...  
VIRGINIA ...  
TESTE: [Signature]  
CLERK OF COURT