

**SOUTH POTOMAC VALLEY  
DECLARATION OF PROTECTIVE COVENANTS,  
CONDITIONS AND RESTRICTIONS**

**AMENDMENT**

KNOW ALL MEN BY THESE PRESENTS: That Homer L. Feller and Nancy C. Feller set up a subdivision known as South Potomac Valley, being situate in the Springfield District, Hampshire County, West Virginia, and being more fully described on a Plat and Survey that is of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Plat Book No. 4, at Page \_\_\_\_\_, to which reference is now made for a more particular description and the lots are apart of the real estate conveyed unto Homer L. Feller and Nancy C. Feller from William T. Milleson and Avery P. Milleson, by Deed dated May 9, 1977, and of record in the Office of the Clerk of the County Commission of Hampshire County, West Virginia, in Deed Book No. 223, at Page 1.

All lots in the South Potomac Valley Subdivision are subject to protection covenants, conditions, and restrictions by the original set of covenants that is dated May 17, 1985, and of record in the aforesaid Clerk's Office in Deed Book No. 277, at Page 66, and as amended in the aforesaid Clerk's Office in Deed Book No. 540, at Page 465, and any other amendments there may be.

Pursuant to the restrictive covenants a Board of Directors of the property owners associations was established and the Board of Directors recommended to the membership an amendment to Article IV (Use Restrictions), Paragraph 7 (Residence) Short-Term Rentals to the Declaration of Protective Covenants dated May 17, 1985.

A Special Annual Meeting was set up by the Board of Directors for March 21, 2020, and each of the lot owners within the subdivision were given proper notice of the meeting set for March 21, 2020, at 1:00 p.m. at Levels Fire Station or they could vote by mail and return to an address given or send a proxy to an officer of the property owners association at an address given. The membership meeting that was scheduled for March 21, 2020, was cancelled due to the Coronavirus restrictions, however, sufficient votes were received via proxy to warrant moving forward with the approved Amendment. A Board of Directors meeting was held on April 5, 2020, directing the Secretary to have the appropriate amendment to the restrictive covenant prepared.

NOW THEREFORE WITNESSTH: That Article IV, Paragraph 7 is amended and now states as follows:

7. Each lot shall be used for residential purposes only, and any garage or barn must conform generally in appearance and material with any dwelling on said lot.

Notwithstanding the prior paragraph, the following uses are permitted, subject to applicable state and local laws:

(a) Home occupations conducted by occupant.

(aa) South Potomac Valley Covenants was setup primarily as a Community of Residences and not a camping ground open to the public. We have gates and signs restricting access to only Lot Owners, family and friends. SPVPOA Lot Owners voted to restrict short-term rentals. Short term rentals are defined as rentals of "29 days or less".

Additionally we may hold the Renting Lot Owner(s) liable for any abuse, destruction or theft of a neighbor Lot by the Renter. Lot Owners are discouraged from violating this restriction and may be subject to court costs and attorney fees.

(b) Agricultural uses, including incidental uses and the construction of accessory buildings connected with agriculture or the building of a residence, including storage of temporary camping and lawn maintenance equipment. Said accessory building may be constructed before construction of a residence. Said accessory building shall not be used for temporary sleeping or camping quarters.

(c) Not more than one (1) head of livestock per acre shall be permitted per lot, unless otherwise approved by the Board of Directors of the Property Owners Association, provided that no pigs or pig pens are allowed within the Subdivision.

The aforesaid change in the restrictive covenants was properly made with 75 "Yes" votes out of a total of 99 available votes in the South Potomac Valley Property Owners Association. Therefore, the said Protective Covenants, Conditions and Restrictions are now amended to set forth the change set forth herein and in all other respects the said Protective Covenants, Conditions and Restrictions remain in full force and effect, except as otherwise amended.

Witness the following signatures and seals this the 9 day of <sup>JUNE</sup> ~~May~~, 2020.

South Potomac Valley Property Owners Association, Inc.

By: John Magarick  
Its President

ATTEST: Thomas J. Moccia  
Secretary

STATE OF WEST VIRGINIA,

COUNTY OF HAMPSHIRE, to-wit:

On the 9<sup>th</sup> day of <sup>June</sup> ~~May~~, 2020, before me personally appeared John Magarick, President of the South Potomac Valley Property Owners Association, Inc., personally known to me, or proved to me on the basis of satisfactory evidence and acknowledged to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same as his/her voluntary act and deed.

My commission expires 02/28/2023.

(Notary Seal) JYOTI VISHAL UDESHI  
Notary Public  
Commonwealth of Virginia  
Registration No. 7662592  
My Commission Expires Feb 28, 2023

Jyoti Udesi  
NOTARY PUBLIC

This Instrument was prepared by:  
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