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7000 HAMPTON CENTER STE K
MORGANTOWN, WV 26505-1720

CARYE L. BLANEY
MONONGALIA County 03:50:34 PM
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1366-563

**SECOND AMENDMENT TO
HARVEST RIDGE DECLARATION**

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This Second Amendment to Harvest Ridge Declaration ("Second Amendment") is made and entered into this 29th day of May, 2008, by and between **Enrout Properties, LLC**, a West Virginia limited liability company, ("Declarant") **Dan Ryan Builders, Inc.**, a Maryland Corporation ("Dan Ryan") and **Prime Development, LLC**, a West Virginia limited liability company ("Prime").

RECITALS

1. By Harvest Ridge Declaration dated November 12, 2007, of record in the office of the Clerk of the County Commission of Monongalia County, West Virginia, in Deed Book 1355, at Page 190 (the "Declaration"), Declarant created and established Harvest Ridge a planned community (the "Community").
2. By First Amendment to Harvest Ridge Declaration dated December 12, 2007 of record in said Clerk's Office in Deed Book 1357, at Page 001, Declarant amended paragraph numbered 5.01 of the Declaration.
3. By Deed dated November 27, 2007, of record in said Clerk's Office in Deed Book 1355, at Page 699, Declarant conveyed unto Dan Ryan Lot Nos. 79, 138, 140, 142, 144, 146, 148, and 150 of Phase No. 1 of Harvest Ridge.
4. By Deed dated April 8, 2008, of record in said Clerk's Office in Deed Book 1363, at Page 311, Declarant conveyed unto Dan Ryan Lot Nos. 136, 139, 141, 143, 145, 147, and 149 of Phase 1 of Harvest Ridge.
5. By Deed dated March 7, 2008, of record in said Clerk's Office in Deed Book 1360, at Page 807, Declarant conveyed unto Prime Lot No. 184 of Phase 1 Harvest Ridge.

Declarant desires to amend paragraph numbered 7.25 of the Declaration and Dan Ryan and Prime, being all of the Lot owners of Harvest Ridge, join herein for purposes of consenting to the Amendment, and to agree that Dan Ryan and Prime and the Lots previously purchased by Dan Ryan and Prime shall be subject to and encumbered by the amended paragraph 7.25, of the Declaration, as contained herein.

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NOW, THEREFORE, WITNESSETH: That for and in consideration of Ten Dollars (\$10.00), cash in hand paid and other good and valuable consideration, the receipt of which is hereby acknowledged, Declarant hereby amends the Declaration as follows:

1. Paragraph numbered 7.25 of the Declaration shall be amended by deleting the existing paragraph 7.25 in its entirety and replacing it with the following:

7.25 Fences: Fences shall be permitted on a Unit of Harvest Ridge when the following requirements are satisfied:

- a) The design of the fence and location thereof must be approved by ARC;
- b) Fences may be located in the backyard only. Fences may not be toward the street frontage of a Unit beyond the rear corner of the home constructed on a Unit. Where a Unit adjoins a street on two (2) sides, the fence shall not extend toward the street beyond the side of the home constructed on the Unit;
- c) The fence may not violate the setback restrictions stated in Section 7.09 of the Declaration;
- d) Fencing shall not exceed fifty four (54") inches in height;
- e) Fencing material must be aluminum, vinyl, or iron. Wood fencing shall be prohibited; and
- f) All fencing must be white or black.

Unless expressly modified herein, all terms and conditions of the Declaration shall continue in full force and effect.

Dan Ryan and Prime consent to this Second Amendment to the Declaration. Dan Ryan and Prime expressly agree the Units or Lots of Harvest Ridge purchased by Dan Ryan and Prime prior to the date of this Second Amendment shall be expressly subject to and encumbered by the terms and conditions of this Second Amendment as if this Second Amendment had been

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executed and recorded prior to the execution and delivery of the deeds for any Units or Lots of Harvest Ridge previously conveyed to Dan Ryan or Prime.

IN WITNESS WHEREOF, Enrout Properties, LLC, a West Virginia limited liability company, has caused this Second Amendment to be executed by Glenn T. Adrian, its Member, by authority duly given, and Dan Ryan Builders, Inc., a Maryland corporation, has caused this Second Amendment to be executed by Christopher Rusch, its Vice President, by authority duly given and Prime Development, LLC, a West Virginia limited liability company has caused its name to be subscribed hereto by Ralph William Zeigler, its member, by authority duly given, each as of the day first written above.

ENROUT PROPERTIES, LLC, a West Virginia
limited liability company

By: Glenn T. Adrian
Glenn T. Adrian, Member

DAN RYAN BUILDERS, INC., a Maryland
corporation

By: _____
Christopher Rusch, Vice President

PRIME DEVELOPMENT, LLC, a West Virginia
limited liability company

By: Ralph William Zeigler member
Ralph William Zeigler, Member

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ENROUT PROPERTIES, LLC, a West Virginia limited liability company

By: _____
Glenn T. Adrian, Member

DAN RYAN BUILDERS, INC., a Maryland corporation

By:  _____
Christopher Rusch, Vice President

PRIME DEVELOPMENT, LLC, a West Virginia limited liability company

By: _____
Ralph William Zeigler, Member

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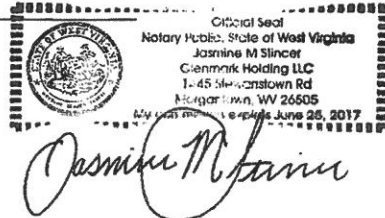
STATE OF WEST VIRGINIA,
COUNTY OF MONONGALIA, TO -WIT:

I Jasmine M. Sincer, a notary public of said county, do certify that Glenn T. Adrian, the Member of Enrout Properties, LLC, a limited liability company who signed the writing hereto annexed, bearing date as of the 29th day of May, 2008, has this day in my said county, before me acknowledged the same to be the act and deed of said limited liability company.

Given under my hand this 29th day of May, 2008.

My commission expires: June 25, 2017
Notary Public

(NOTARIAL SEAL)



STATE OF WEST VIRGINIA,
COUNTY OF MONONGALIA, TO -WIT:

I _____, a notary public of said county, do certify that Christopher Rusch, the Vice President of Dan Ryan Builders, Inc., a Maryland corporation, who signed the writing hereto annexed, bearing date as of the _____ day of May, 2008, has this day in my said county, before me acknowledged the same to be the act and deed of said limited liability company.

Given under my hand this _____ day of May, 2008.

My commission expires: _____
Notary Public

(NOTARIAL SEAL)

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Notary Public

(NOTARIAL SEAL)

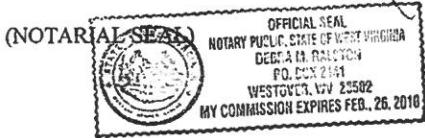
STATE OF WEST VIRGINIA,
COUNTY OF MONONGALIA, TO -WIT:

I DEBRA M. RALSTON, a notary public of said county, do certify that Christopher Rusch, the Vice President of Dan Ryan Builders, Inc., a Maryland corporation, who signed the writing hereto annexed, bearing date as of the 29th day of May, 2008, has this day in my said county, before me acknowledged the same to be the act and deed of said limited liability company.

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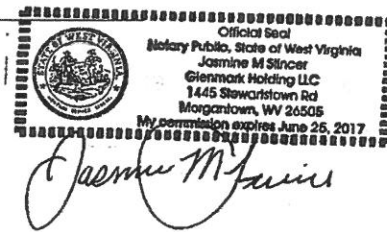
I Jasmine M. Sincer, a notary public of said county, do certify that Ralph William Zeigler, the Member of Prime Development, LLC, a West Virginia limited liability company, who signed the writing hereto annexed, bearing date as of the 29th day of May, 2008, has this day in my said county, before me acknowledged the same to be the act and deed of said limited liability company.

Given under my hand this 29th day of May, 2008.

My commission expires: June 25, 2017

Notary Public

(NOTARIAL SEAL)



This Second Amendment to Harvest Ridge Declaration was Prepared by: Brian D. Gallagher, Esquire, Steptoe & Johnson, PLLC, United Center, Suite 400, 1085 Van Voorhis Road, Post Office Box 1616. Morgantown, West Virginia, 26507-1616.

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