

C O V E N A N T

46810

THIS DEED OF COVENANT, made this 15th day of January, 1973, by and between ELLEN PARKER HARRELSON and PERCY L. HARRELSON, JR., her husband, parties of the first part, and JOHN R. BYERS and MARGARET W. BYERS, his wife, STEPHEN H. BUSH and BERTHA O. BUSH, his wife, and BILL G. EVANS and HELEN R. EVANS, his wife, and the WILLIAMSBURG MANOR NORTH CIVIC ASSOCIATION, their heirs, successors and assigns, parties of the second part;

W I T N E S S E T H

WHEREAS, in Deed Book 645 at Page 82 among the Land Records of Fairfax County, Virginia, Ellen Parker Harrelson acquired title to certain property described therein, a portion of which is hereinafter described in this Agreement; and

WHEREAS, Ellen Parker Harrelson, the owner of the said property, and Percy L. Harrelson, Jr., her husband, are desirous of imposing upon the hereinafter described property a restrictive covenant limiting the use of said property which shall be construed as a covenant running with the land which shall be for the mutual benefit of the parties of the first and second part; and

WHEREAS, the parties of the second part, owners of property in the neighborhood and a neighborhood Civic Association, in the interest of the health, safety, and welfare of the general community around the said property, and for the purpose of preserving the aesthetic environment of the community are desirous that the covenant limiting the use of the said property

Ref. to: Merrill, Campfield & Lawson, Cottage.

hereby imposed be applied to the hereinafter described property;

NOW, THEREFORE, in consideration of the foregoing premises and the sum of Ten Dollars (\$10.00) cash in hand paid, the receipt of which is hereby acknowledged, the parties of the first part, and on behalf of their heirs, successors or assigns, do hereby impose upon the property described herein the following restrictive covenant and agree to use and develop such property subject to and in accordance with such covenant, which covenant shall be construed as a covenant running with the land.

"The property described herein shall be used for the following uses only which uses may be joint and not exclusive:

(a) Residential use for not more than three (3) single family units together with all structures and appurtenances necessary for the full use and enjoyment of such residential units.

(b) Riding academy including riding school and riding stables, boarding stables and equine center together with all facilities, structures and appurtenances necessary for the full use and enjoyment of such uses.

(c) Swimming pool, automobile garage, gardens and other similar uses for and by the occupants of the residence of the adjacent property identified as 2405 Parkers Lane, Alexandria, Virginia.

(d) The parties of the first part reserve the right to convey in fee simple a maximum of one-half acre of the property described herein to the owner of the adjacent property identified as 2405 Parkers Lane, Alexandria, Virginia, for the purpose of construction of a structural addition or extension to the residence now on said property or the erection of a replacement residence thereon together with all structures and appurtenances necessary for the full use and enjoyment of such residence.

The property upon which the restrictive covenant is hereby imposed is described as follows:

All that certain piece or parcel of land located at Fairfax County, Virginia, more particularly described as follows:

BEGINNING at a point in the centerline of Parkers Lane, point of beginning being the Northeasterly corner of the property being described, thence with the centerline of Parkers Lane S 21 19' 25" E 315 feet more or less to a point in the centerline of Parkers Lane; thence departing said centerline of Parkers Lane and with a division line through the Harrelson Tract S 47 43' 01" W 147.10 feet to a point, thence S 18 33' 35" E 162.78 feet to a point; thence N 54 06' 29" E 155.05 feet to a point in the centerline of Parkers Lane; thence with the centerline of Parkers Lane S 21 19' 25" E 66.49 feet to a point of curvature; thence along the arc of a 119.57 foot curve to the left 82.31 feet to a point in the centerline of said Parkers Lane; thence departing said Parkers lane and with a line common to section three, Williamsburg Manor North S 70 21' 10" W 1007.61 feet to a point; thence with a division line through the Harrelson Tract N 19 38' 50" W 523.95 feet to a point; thence with a line common to the property of Fairfax County N 64 37' 23" E 964.04 feet to the point and place of beginning containing 12.132 acres.

LESS AND EXCEPT therefrom the following described property:

BEGINNING at a point common to the property of Fairfax County, point of beginning being 620.00 feet West of the centerline of Parkers Lane and the Northeasterly point of the property being described; thence with a division line through the Harrelson Tract the following courses and distances: S 33 34' 10" E 100.00 feet to a point, S 56 25' 50" W 357.07 feet to a point, N 27 50' 23" W 100.50 feet to a point common to the property of Fairfax County; thence with a line common to the property of Fairfax County N 56 25' 50" E 347.04 feet to the point and place of beginning containing 35,206 square feet; and

BEGINNING at a point common to the property of Fairfax County, point of beginning being

926.84 feet West of the centerline of Parkers Lane and the Northeasterly corner of the property being described; thence with a division line through the Harrelson Tract S 27° 50' 23" E 527.96 feet to a point; thence with a line common to Section 2, Williamsburg Manor North S 62° 09' 37" W 40.00 feet to a point; thence with a division line through the Harrelson Tract N 27° 50' 23" W 523.95 feet to a point; thence with a line common to the property of Fairfax County N 56° 25' 50" E 40.20 feet to the point and place of beginning containing 21,038 square feet.

WITNESS the following signatures and seals:

Ellen Parker Harrelson (SEAL)
ELLEN PARKER HARRELSON

Percy L. Harrelson, Jr. (SEAL)
PERCY L. HARRELSON, JR.

STATE OF VIRGINIA

Stafford
COUNTY OF _____, to-wit:

I, *William B. Dawson*, a Notary Public in and for the County aforesaid, in the State of Virginia, do hereby certify that ELLEN PARKER HARRELSON and PERCY L. HARRELSON, JR., her husband, whose names are signed to the foregoing writing, bearing date on the *15th* day of *January*, 1973, have this day personally appeared before me and acknowledged the same.

GIVEN under my hand this *5th* day of *February*, 1973.

My commission expires: *January 19, 1974*

William B. Dawson
Notary Public

In the Clerk's Office of the Circuit Court of Fairfax County, Virginia OCT 2 1973 at *11:57 AM*
This instrument was received and, with the certificate annexed, admitted to record

Teste:
William B. Dawson Clerk

CIRCUIT COURT OF FAIRFAX COUNTY, VIRGINIA
A COPY TESTED BY:
JOHN T. FREY, CLERK
BY: *William B. Dawson*
Deputy Clerk