

EXHIBIT C

DECLARATION OF RESTRICTIONS, COVENANTS AND CONDITIONS

RIVER ROCK

BEDFORD COUNTY, VIRGINIA

THIS DECLARATION, made this 24th day of ~~November, 2006~~ ^{January, 2007}, by Venning & Co., Developers, L.L.C., hereinafter referred to as "Declarant" and as "Developer".

W I T N E S S E T H

WHEREAS, Declarant is the owner of certain property in the County of Bedford, Virginia, known as River Rock, as the same is shown on the plat dated August 31, 2006 and recorded on January 16, 2007, in Plat Book 48, Page 337, among the land records of Bedford County, Virginia, which property owned by the Declarant is set forth and described on Exhibit A attached hereto;

WHEREAS, the Declarant, to this end, desires to subject the above referenced real property described hereinafter as "River Rock" to the restrictions, conditions, covenants and reservations hereinafter set forth.

NOW, THEREFORE, the Declarant hereby declares that all of the properties described above and any additional thereto as permitted hereunder, shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions which are for the purpose of protecting the value, preserve and enhance the natural qualities of the land, sensitivity to the environment, desirability and attractiveness of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties or any part hereof, their heirs, successors or assigns and shall inure to the benefit of each owners thereof.

Article 1

PERMITTED USES AND RESTRICTIONS

The permitted uses, easements and restrictions for all property within River Rock, covered by this Declaration shall be as follows:

1. RESIDENTIAL USE ONLY. All lots shall be used for single family residential purposes only. No lot shall be subdivided so as to create two or more lots from the original lot. However, a lot may be divided if all divided portions are added to adjoining lots. It is the Developers intent to create a community that will be environmentally sensitive, preserve the natural qualities of the land, encourage home construction and improvements that will be site sensitive and that will hold long term compatibility to the natural beauty of the community.

2. HOMES. Prior to commencing construction or alterations of any buildings or improvements, or any other structures, the owner shall comply with Paragraph 18 hereof. The minimum square footage for any single story house shall be 1600 square feet and the minimum square footage of any two story house shall be 2400 square feet, both of which calculations shall be exclusive of a garage, basement, deck, patio, or any other unfinished space and detached structures. Homes containing lofts may be considered 1 or 2 levels in order to meet the requirements. There shall be no exposed concrete, cinder block or concrete masonry. All foundations shall have brick or stone to grade. All roofing materials shall equal or exceed architectural grade with a minimum 25 year life or may be wood shakes, rigid shingles, slate or premium grade metal. Mobile

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homes, doublewides, or frame modular homes are prohibited. Vinyl siding as an exterior finish is prohibited. All homes must be completed and a certificate of occupancy issued no later than one (1) year from beginning of construction.

3. **DETACHED STRUCTURES.** No permanent or temporary structure, detached from the main residence: trailer, tent, garage, or other outbuilding shall be placed, erected, or otherwise used for the purpose of a dwelling place. Any detached structure to be placed or erected on a lot must first be approved, in writing, by the Declarant and shall be of similar quality, look and style as the single family dwelling. Detached structures or improvements shall be located no closer to the road than the front of the main body of the dwelling. This shall include fencing. Above ground pools of any type shall not be permitted. In ground pools must be approved by Declarant.

4. **RECREATIONAL VEHICLES, BOATS AND OTHER EQUIPMENT.** All boats, trailers, travel homes, golf carts, all terrain vehicles, etc. or other camping or pleasure equipment, shall be stored off street, not in the yard and screened in such a manner so as to minimize their visibility from the street and all adjoining properties. Boats, recreational vehicles and trailers must display a current registration. All boat trailers and boats or utility trailers must be entirely confined within a garage accommodating its size and to allow the door to be in a closed position.

5. **MOTOR VEHICLES.** No unlicensed or non-operating vehicles shall be permitted on the property or road unless kept within a permanent structure. Parking of commercial vehicles is prohibited on any lots or road.

6. **ANIMALS.** No horses, cows, pigs, fowl, pigeons or other animals that are not considered household pets shall be kept on the property and that number shall be limited to three. No commercial breeding shall be allowed on the property. House pets shall be restricted to the lots and shall not be permitted to run at large.

7. **LOT USE AND MAINTENANCE.** Each owner shall maintain and preserve his lot or lots in a clean, orderly and attractive manner and in the spirit of the community as set forth by the Declarant. This shall include mowing and protection of trees so as to insure proper drainage to the lot and all adjoining properties, including ponds, roadways and the waters of Smith Mountain Lake.

8. **TREES.** No trees four inches or more in diameter, measured from ground level to a height of four feet shall be removed from the property without prior approval of the Declarant. River Rock enjoys the benefit of a pristine environment including an abundance of mature woodlands and specimen trees which are critical to the overall beauty and attractiveness of the community. It is the intent and desire of the Declarant to maintain the natural beauty of the community to its fullest extent. However, it is understood, that certain trees and plants must be removed to comply with the normal and reasonable requirements of home building, septic sites, driveways, permitted improvements, etc. All dwellings and improvements locations will be based on current soil testing, respective to individual lot septic requirements and the overall balance and cohesiveness of the community.

9. **FENCES.** All fences shall be made of natural materials, no chain link, vinyl etc. and shall be located no closer to the road than the front of the main body of the dwelling. No fences shall be constructed prior to lot owner submitting plans to the Declarant. The Declarant retains the right of review and approval.

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10. QUIET ENJOYMENT. No activities that are deemed illegal, offensive or disturb and the quiet enjoyment of the community shall be permitted.

11. EXTERIOR EQUIPMENT AND STORAGE. Radio or shortwave towers are not permitted. Exterior radio or televisions antennas shall not be permitted unless approved by the Declarant and must be approved prior to installation. Cable or satellite dishes will be limited in size to 24 inches and placed on the property so as to minimize its visibility from the street and adjoining property. Storage tanks, (ex. propane) shall be buried or screened from view of neighboring properties or street. This requirement is applicable to other service items such as lawn mowers, garden equipment firewood, etc. No outdoor clothes lines shall be permitted. No open or exposed storage, including junk and or abandoned items of personal property shall be maintained on any property. No outdoor clothes line shall be permitted.

12. UTILITIES. Any and all utilities that service lots shall be made to run underground. Temporary utility lines required during the construction phase of homes are permitted but must be removed upon completion of work. Declarant reserves a ten (10) ft. utility easement along the middle of each lot boundary line which is not shown on subdivision plat.

13. DRIVEWAYS. Every driveway, whether temporary or permanent shall be connected to the streets in accordance with the standards of the Virginia Department of Transportation (VDOT) prior to vehicles entering the street from the lot. A 4" stone and gravel base must be installed from the street towards the lot for at least fifty (50) feet to clear mud from the tires of vehicles before entering the street. All mud or debris tracked into the street must be removed immediately by the lot owner or contractor. Corrugated metal pipes shall be installed in ditch lines as required by VDOT. The culvert and stone base must be maintained in good working order throughout the construction process and thereafter. Each lot owner shall be responsible for any damage done to the streets or shoulders of the road by contractors, moving companies or invitees.

14. ROAD. Off street parking is not permitted except on a temporary or emergency basis. Streets must, at all times, be made accessible to fire and rescue vehicles. Any damage to the roadways as a result of construction or work being done on a property is the responsibility of the individual lot owner. No vehicles of any type shall be permitted off road, including all common areas within the boundaries of the River Rock Subdivision.

15. SIGNAGE AND MAILBOXES. No commercial signs are permitted on any lot excluding For Rent or For Sale. Mailboxes shall be standard to each property and the Declarant will provide each homeowner the type and manufacturer. No changes or additions shall be made to the original mailbox or its design, materials or location without obtaining approval of the ARB.

16. HOME RENTALS. No short term rentals are permitted. The minimal rental period is six (6) months.

17. SETBACKS. The minimum setback line shall be no less than twelve (12) feet (measured from the overhang of the building) from all side lot lines and not less than 50 feet from all front and rear lot lines.

18. ARCHITECTURAL REVIEW. Until the Declarant conveys the final remaining lot in the subdivision, or until by other act it relinquishes or transfers its rights under this paragraph of these covenants, the Declarant shall have the sole and absolute right to approve any and all construction, modifications, alterations or additions to the property or properties platted in the subdivision. All construction must show the proposed location of the

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building or improvement. No construction or improvement shall be erected, placed or altered on any lot until the proposed building plans, including elevation, specifications, materials list, exterior color and or finish, plot plan showing proposed location of building, drives, landscaping plans, retaining walls, etc. have been submitted to the Declarant and approved by the Declarant in writing. Approval or refusal of plans, locations, or specifications may be based by the Declarant on any ground, including purely aesthetic considerations, which is the sole and uncontrolled discretion of the Declarant shall seem sufficient. Such consideration shall include but not be limited to: the construction or establishment of dwellings, outbuildings, docks, fencing, landscaping, retaining walls, etc. No alteration in the exterior appearance of any building or structure shall be made without similar approval of Declarant. Should the Declarant make, or be required to create an exception relating to any of the aforementioned, this shall not be deemed a loss of that right now or in the future. The Declarant upon conveyance of the final lot as shown on the River Rock plat, or earlier at the sole discretion of the Declarant, shall transfer all of its approval rights as herein stated to the River Rock Architectural Review Committee, which shall thereafter make the approvals reserved by the Declarant hereunder.

19. TERM. These restrictions shall be binding until September 30, 2031 after which time the restrictions shall be automatically extended for successive periods of 10 years each unless an instrument signed by the then record owners of three fourths of the lots has been recording agreeing to change the restrictions in whole or in part.

20. AMENDMENT. The Declarant reserves the right to waive, modify or release any or all of the Restrictions during the period ending September 30, 2031 or until Declarant has conveyed the final lot as shown on the plat of River Rock, whichever shall first occur. Thereafter, the Restrictions may be amended by an instrument signed by the then record owners of three fourths of the lots.

WITNESS THE FOLLOWING SIGNATURE AND SEAL:

VENNING & CO., DEVELOPERS, L.L.C.

By: Tara R. Venning member
Its Member/Manager

STATE OF VIRGINIA

CITY/COUNTY OF Franklin, TO-WIT:

The foregoing instrument was acknowledged before me this 24th day of January, 2009, by TARA R. Venning, the Member/Manager of

VENNING & CO., DEVELOPERS, L.L.C.

Nancy S. White
Notary Public

My commission expires:

October 31, 2009