

KNOW ALL MEN BY THESE PRESENTS, TO WIT:

That Brandon Construction Corporation is the fee simple owner and proprietor of the land hereon shown as subdivided, same having been conveyed to it by Ellison A. Smyth, et als, by deed and power of attorney dated April 13, 1961, known as Section No. 1, South Side Hills bounded, as shown hereon in detail, by outside corners 1 to 20, inclusive, to 1, subject only to the lien of a certain deed of trust dated April 13, 1961, from Brandon Construction Corporation to Furman Whitescarver, securing Ellison A. Smyth, Grace Allen Smyth, Jr., Thomas Smyth and J. Adger Smyth, of record in the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, in Deed Book 664, Page 176; Ellison A. Smyth being Attorney in Fact for Grace Allen Smyth, Jr., Thomas Smyth and J. Adger Smyth.

The undersigned owner, the trustee, and said beneficiaries, by their Attorney in Fact, as aforesaid, hereby certify that the subdivision as appears on this plat is with their own free will and consent and in accordance with the desire of the undersigned parties as required by Sections 15-179 through 15-194.3 of the 1950 Code of Virginia, as amended to date and as required pursuant to and in compliance with Title 15, Chapter 11 "Land Subdivision Regulations" of the General Ordinances of the Town of Salem. The said owner, with the consent of the undersigned trustee and beneficiaries, hereby dedicates to and vests in the Board of Supervisors, Roanoke County, Virginia, such portions of the premises plotted as are on this plat set apart for streets, easements or other public use or for future street widening, in accordance with the provisions of the Subdivision Ordinance of the County of Roanoke, as amended, and the Virginia Land Subdivision Act, and said owner, trustee, and beneficiaries do further, as a condition precedent to the approval of this plat and Subdivision, and the acceptance of the dedication of the said streets shown hereon by the Board of Supervisors, Roanoke County, Virginia, on their own behalf and for and on account of their heirs, successors, devisees, and assigns, specifically release the County of Roanoke and the Virginia Department of Highways from any and all claim, or claims for damages which said owner or owners, trustee, or beneficiaries, their heirs, successors, devisees, and assigns may or might have against the said County or Virginia Department of Highways by reason of establishing proper grade lines on and along such streets as shown hereon, and by reason of doing necessary grading, cutting or filling for the purpose of placing such streets upon the proper grade as may from time to time, be established by said County or Virginia Department of Highways, and said County or Virginia Department of Highways shall not be required to construct any retaining wall or walls along the said streets and property lines thereof.

In witness whereof is hereby placed the signature of Brandon Construction Corporation by its President, and of said Trustee and Beneficiaries by Ellison A. Smyth, the Attorney in Fact, and for himself with the Corporation Seal of Brandon Construction Corporation duly affixed and attested by its Secretary this 23rd day of May, 1961.

Signed: [Signature]
President of Brandon Construction Corporation

Attested By: [Signature]
Secretary of Brandon Construction Corporation

[Signature]
Furman Whitescarver, Trustee

[Signature]
Ellison A. Smyth, for himself and Attorney in Fact for
Grace Allen Smyth, Jr., Thomas Smyth
and J. Adger Smyth.

State of Virginia
County of Roanoke
I, Melva G. Philpott, a Notary Public in and for the aforesaid State and County do hereby certify that T.A. Carter, Jr. and Tom Stockton Fox, whose names are signed to the foregoing writing respectively as President and Secretary of Brandon Construction Corporation and Furman Whitescarver, Trustee, have personally appeared before me in my County and State aforesaid and acknowledged the same this 23rd day of May, 1961.

MY COMMISSION EXPIRES: June 14, 1964
[Signature]
Notary Public

State of Virginia
County of Roanoke
I, Tham P. Nallembuworth, a Notary Public in and for the aforesaid State and County do hereby certify that Ellison A. Smyth, whose name is signed to the foregoing writing for himself and as Attorney in Fact for Grace Allen Smyth, Jr., Thomas Smyth and J. Adger Smyth, has personally appeared before me in my State and County, and acknowledged the same this 13 day of June, 1961. [Signature]
Notary Public
MY COMMISSION EXPIRES: May 26, 1964

RESERVATIONS & RESTRICTIONS

The land shown hereon subdivided as Section No. 1 South Side Hills is subject to the following conditions, restrictions and reservations for a period of twenty-five (25) years from the date of recordation of this plat which shall be covenants running with the title to the said land and binding upon the owner thereof and its assigns and which are as follows:

1. No residence shall be erected upon any lot shown hereon which residence shall contain less than 900 square feet. Such area shall be measured on the exterior of the building and shall be exclusive of open porches and garages. Said lots shall be used for residential purposes only and only one residence shall be erected upon each lot.
2. No temporary buildings, or trailers or basements of any kind shall be used as living quarters upon any lot.
3. No swine, goats or chickens, or other obnoxious animals or fowl shall be kept upon the premises.
4. The main body of no building shall be located on any lot nearer to the front lot line than the minimum building line shown hereon for the applicable lot. No building shall be erected on any lot nearer to the side lot line than a distance equal to ten per cent (10%) of the lot width, measured along the front building line.
5. Easements for the installation and maintenance of utilities and drainage facilities are dedicated as shown hereon.
6. If the owners hereof or anyone claiming under it shall violate or attempt to violate any of these covenants, it shall be lawful for any person or persons owning real property situate in the said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any of such covenants, and either to prevent them or him from further doing, or to recover damages for such violation.

In the Clerk's Office of the Circuit Court for the County of Roanoke, Virginia, this map is presented on this 23rd day of May, 1961, and with the certificates of dedication and acknowledgment, thereto annexed is admitted to record at 0 o'clock M.

Teste: Roy K. Brown, Clerk

By: [Signature]
Deputy Clerk

CAPTION LEGAL REFERENCE:
21.794 Acres conveyed to Brandon Construction Corporation by Ellison A. Smyth, et als by deed and power of attorney dated April 13, 1961, and recorded in D.B. 664, p. 168.

SHEET 2 OF 2 SHEETS
MAP OF SECTION No. 1
SOUTHSIDE HILLS

PROPERTY OF
BRANDON CONSTRUCTION CORPORATION
SITUATE SE. of HWY. No. 6368 S.W. of AITA VLEN
South of TOWN OF SALEM
ROANOKE COUNTY, VIRGINIA
By: C.B. MALCOLME, SR.
VIRGINIA CERT. ENGGR.
DATE: MAY 3, 1961

