



VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County. The foregoing dedication of plat was this day presented in the office aforesaid and is together with the certificate of acknowledgment annexed, admitted to record this 12th day of March 1962- 12:55 P. M.

Teste: George W. Kemp Clerk

EXAMINED

MAR 21 1962

Mailed to:

John C. Horsley  
First Nat'l Bank  
Bldg.  
Harrisonburg, Va.

Andrew H.

The above subdivision designated on the accompanying plat as "Ashby Heights" Section Two is the greater portion of the remaining part of the farm belonging to John C. Horsley, situate about one mile southeast of Harrisonburg, in Central District, Rockingham County, Virginia, a one-half undivided interest of which was acquired by John C. Horsley from D. Florence Bryant, widow, by deed dated May 2, 1959, which said deed is duly of record in the Clerk's Office of Rockingham County, Virginia,

in D.B. 272, page 371, and the other one-half undivided interest therein which was acquired by John C. Horsley by James G. Bowman and wife, by deed dated April 21, 1961, and of record in said Clerk's Office, in D.B. 286, page 476, is subdivided with the free consent of and in accordance with the desire of John C. Horsley and Mary J. Horsley, his wife, the owner and his respective consort, and the land herein subdivided is subject to the following covenants which shall run with the land for a period of forty (40) years from the date hereof, at which time said covenants shall be extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners (one vote per lot) has been recorded agreeing to change said covenants in whole or in part.

(a) This lot shall be used for residential purposes only. No building shall be erected, altered, placed, or permitted to remain on this lot other than one detached single family dwelling; or one two-family dwelling; and a private garage.

(b) No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuildings shall be used for this lot at any time as a residence, either temporarily or permanently.

(c) The main ground floor area of any dwelling, exclusive of porches, garages and breezeways, shall not be less than one thousand (1,000) square feet for a one-story single family dwelling; nor less than eight hundred fifty (850) square feet for a dwelling of more than one story; nor less than fourteen hundred (1400) square feet for a one-story, two-family dwelling.

(d) No building shall be erected or located on any lot <sup>nearer</sup> to any street line that the minimum building setback lines shown on the recorded plat.

No building shall be erected or located <sup>er</sup> nearer than ten (10) feet to an interior lot line (except Lot No. Two (2) in Block One (1) which shall be five (5) feet) nor nearer than twenty-five (25) feet to a rear lot line.

For the purpose of this covenant, eaves, stoops, steps, chimneys and bay windows shall not be considered as a part of a building.

(e) No dwelling shall be erected, placed or permitted on any lot except (a) a lot with dimensions and area as shown and designated upon the official plat of Ashby Heights Addition, or (b) a lot with a width of one hundred (100) feet at the minimum building set-back line and having an area of at least fifteen thousand (15,000) square feet; whichever is applicable.

(f) No dwelling shall be erected or placed on any lot which has an exterior construction of stucco or concrete block aggregate, basement and foundation walls excepted.

(g) Each and every dwelling shall have modern sewage and bath facilities which shall be connected to a sewage disposal system which has been inspected and approved by the Virginia State Health Department.

(h) No individual water-supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of the Virginia State Health Department. Approval of such system as installed shall be obtained from such authority.

(i) No animals, livestock, or poultry of any kind shall be kept on any lot, except dogs, cats or other household pets, provided that such excepted pets are not kept for any commercial purposes.

(j) No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one (1) square foot, one sign of not more than five (5) square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.

(k) Easements for the installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.

(l) No fence, wall, hedge, or shrub planting which obstructs sight lines at elevation between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight-line limitations shall apply on any lot within 10-feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines.

(m) Invalidity of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

(n) Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages, or both. One or more owners in the subdivision shall be a proper party to institute such proceedings.

WITNESS the following signatures and seals, this 12th day of March, 1962.

 (SEAL)  
John C. Horsley

LAW OFFICES  
MOORE AND JACKSON  
HARRISONBURG, VIRGINIA

LAW OFFICES  
MOORE AND JACKSON  
HARRISONBURG, VIRGINIA

Mary J. Horsley (SEAL)  
Mary J. Horsley

The aforesaid land together with other real estate was encumbered by John C. Horsley, et als, to K. C. Moore, Trustee, by deed of trust dated May 2, 1959 and duly of record in said Clerk's Office, in D.B. 272, page 380, to secure D. Florence Bryant, the payment of bonds totalling \$5500.00, all of which is more particularly set forth in said deed of trust, reference to which is hereby made, and the owner and his wife have requested a release of the lien of said deed of trust on the streets, whether designated as Drive, Circle, Road or Right-of-Way, as shown on said plat, and the beneficiary thereunder having agreed so to do,

NOW THEREFORE, the said K. C. Moore, Trustee, in consideration thereof and the further consideration of One Dollar (\$1.00) to him in hand paid at and before the sealing and delivery thereof, the receipt whereof is hereby acknowledged, and with the consent of the bondholder secured under said deed of trust evidenced by her signing and sealing this instrument, doth hereby grant, release and confirm unto the said John C. Horsley, the streets, whether designated as Drive, Circle, Road, or Right-of-Way, as shown on said plat, fully acquit and discharged of the lien of said deed of trust.

And, the said D. Florence Bryant, the beneficiary under said deed of trust, doth hereby grant, release and discharge unto the said John C. Horsley, the streets, whether designated as Drive, Circle, Road or Right-of-Way, as shown on said plat, free and clear of the lien of said deed of trust and consents to the dedication thereof for public use.

WITNESS the following signatures and seals:

K. C. Moore, Trustee (SEAL)  
K. C. Moore, Trustee

D. Florence Bryant (SEAL)  
D. Florence Bryant

STATE OF VIRGINIA

COUNTY OF ROCKINGHAM, to-wit:

I, Evelyn H. Skemp, a Notary Public in and for the County aforesaid, in the State of Virginia, do hereby certify that John C. Horsley and Mary J. Horsley, his wife, K. C. Moore, Trustee, and D. Florence Bryant, whose names are signed to the foregoing writing, bearing date the 12th day of March, 1962, have personally appeared before me in my said County and acknowledged the same.

My commission expires June 14, 1964.

Given under my hand this 12<sup>th</sup> day of March, 1962.

Evelyn K. Knupp  
Notary Public

I Was Commissioned Notary Public  
as Evelyn Knupp

VIRGINIA: In the Clerk's Office of the Circuit Court of Rockingham County. The foregoing ~~of~~ Dedication PLAT was this day presented in the office aforesaid and is together with the certificate of acknowledgement annexed, admitted to record this 12<sup>th</sup> day of MARCH, 1962 at 1:00 P.M.

TESTE: George W. Lemper Clerk.

LAW OFFICES  
MOORE AND JACKSON  
HARRISONBURG, VIRGINIA

EXAMINED

MAR 21 1962

Mailed to  
John C. Horsley  
Same

Sandra H.

To view plat  
See plat  
Cabinet C  
Slide C-63

The above subdivision designated on the accompanying plat as "Ashby Heights" Section Three is the greater portion of the land belonging to John C. Horsley, situate about one mile southeast of Harrisonburg, in Central District, Rockingham County, Virginia, which was acquired by John C. Horsley from Frank T. Harman and Frances E. Harman, his wife, by deed dated March 13, 1961 which said deed is duly of record in the Clerk's Office of Rockingham County, Virginia, in D.B. 285, page 416, is subdivided with the free consent of and in accordance with the desire of John C. Horsley and Mary J. Horsley, his wife, the owner and his respective consort, and the land herein subdivided is subject to the following covenants which shall run with the land for a period of forty (40) years from the date hereof, at which time said covenants shall be extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners (one vote per lot) has been recorded agreeing to change said covenants in whole or in part.

(a) This lot shall be used for residential purposes only. No building shall be erected, altered, placed, or permitted to remain on this lot other than one detached single family dwelling; or one two-family dwelling; and a private garage.

(b) No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuildings shall be used for this lot at any time as a residence, either temporarily or permanently.

(c) The main ground floor area of any dwelling, exclusive of porches, garages and breezeways, shall not be less than one thousand (1,000) square feet for a one-story single family dwelling; nor less than eight hundred fifty (850) square feet for a dwelling of more than one story; nor less than fourteen hundred (1400) square feet for a one-story, two-family dwelling.

(d) No building shall be erected or located on any lot to any street line that the minimum building setback lines shown on the recorded plat.

No building shall be erected or located nearer than ten (10) feet to an interior lot line nor nearer than twenty-five (25) feet to a rear lot line.

LAW OFFICES  
MOORE AND JACKSON  
HARRISONBURG, VIRGINIA



See amended dedication of plot,  
with plat showing drainage easements,  
recorded Jan. 24, 1963, in D.B. 303,  
page 15. Note: H.L. Bryan,  
D.C.

As to amendment of set back lines,  
see agreement, John C. Horsley & others,  
recorded March 27, 1962, in  
D.B. 295, page 72.  
Note: H.L. Bryan,  
D.C.

# ASHBY HEIGHTS ROCKINGHAM - COUNTY

ONE MILE SOUTHEAST OF CITY

HARRISONBURG, VA.

OWNED AND DEVELOPED BY

JOHN C. HORSLEY

SECTION - 2 -

MARCH 1962

SCALE 1" = 100'

CURVE		DATA	
NO	ANGLE	TAN.	RADIUS
1	6°00'	100.09	1707.56
2	6°00'	100.09	1707.56
3	16°40'	83.33	512.96
4	7°30'	75.11	1145.92
5	7°00'	125.05	157.21
6	41°53'	123.61	163.70
7	11°31'	74.32	716.50
8	24°50'	72.84	352.70
9	20°00'	105.54	407.26
10	82°30'	200.97	220.37

BRYAN

The under-signed hereby certifies that the land embraced in Section 2  
of this subdivision is a portion of the same land acquired by John C.  
Horsley by deed dated April 21, 1961 from John C. Horsley and James  
C. Brown and recorded in the clerk's office of Rockingham County,  
Virginia in Deed Book (226 pages) Given under my hand this 12th  
day of March 1962

*George W. H. Bryan*  
Certified Land Surveyor SDC

SECTION 1

