

See Deed Book  
641 Page 183  
Memorandum of Law

BOOK 419 PAGE 509

PROCEED  
2970.

DEED OF DEDICATION  
RIVER WILL

But  
J. J. Smith  
per V.  
7-12-77

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, Mary Anne Abrams, doth hereby freely place the following restrictive covenants on that certain tract of land situate, lying and being in Chancellor Magisterial District, Spotsylvania County, Virginia, known as "River Will" and consisting of thirty-seven (37) lots, all as shown on a plat of survey of Everett D. Grissom, C.L.S., dated May 10, 1976.

(1) All tracts shall be used for residential purposes only. Only one single-family dwelling shall be erected on any tract. No lot shall be used for any purpose other than residential purposes, except that occupants may maintain a private, professional office within their home. Outbuildings for sole use of owner may be erected as are usually an accessory to a single-family residence.

(2) No structure of a temporary character shall be used at any time on any lot as a residence either temporarily or permanently, except that campers may be used for recreational purposes by the owner prior to building residence but not to exceed thirty (30) consecutive days.

(3) No trailer shall be allowed on any lot.

(4) The roads shown on the aforementioned plat are private roads designed for the individual use of the lot owners of River Will. Each lot is hereby granted as an appurtenance thereto an easement for the purpose of ingress and egress over all the roads in the subdivision for access to State Route 527. Lot owners are further granted an easement over the land acquired from Robert E. Dickinson and V. Earl Dickinson, as shown on a plat of Everett D. Grissom recorded with the

JARRELL & HICKS  
Attorneys at Law  
Spotsylvania Co., Va.



Deed of Easement to Mary Anne Abrams. Lot owners are further granted an easement for ingress and egress over the present road that traverses the land of Mary Anne Abrams, being the same land acquired by Mary Anne and William C. Abrams by deed dated July 5, 1960, from Rosa Mitchell, et als., and recorded in Deed Book 195, Page 8. The Declarant agrees to maintain the surface of the roads within the subdivision for a period of twelve (12) months from date hereof. However, should any property owner cause damage to said road, that property owner shall be liable for repairs. Said road maintenance shall be limited to the maintenance of the road and shall not include the removal of snow. After the initial twelve-month maintenance period, the maintenance of the road shall be the responsibility of the River Will Association, which Association shall be composed of all of the lot owners in River Will.

(5) In the event that Seventy-five Percent (75%) of the lot owners in River Will agree to up-grade the roads in the subdivision and have the roads taken into the State Secondary System of Roads, each lot owner by the acceptance of this deed agrees that he will at that time deed to the State that portion of the lot which lies within the boundary of the road, and further that he will deed such drainage easements as may be required for the inclusion of the roads in the State System.

(6) No vehicle which does not display a current State license plate and State inspection sticker shall remain on the lot.

(7) No animals shall be reared, handled or cared for, for commercial purposes on any lot. No swine shall be kept on any lot. Any animal maintained for domestic use shall be adequately enclosed on the lot.

JARRELL A. NIXON  
ATTORNEY AT LAW  
BOTHYVALE C.H., Va.

(8) Each lot owner in River Will shall by the acceptance of his deed become a lot owner in the River Will Association. The Association shall maintain the road twelve (12) months from the date hereof. The owner of each lot shall pay Twenty-five Dollars (\$25.00) per year to said Association. The dues when unpaid shall be a lien on the lot, but such lien shall not have priority over any deed of trust which may be placed on the lot.

(9) There is hereby reserved an easement fifteen (15) feet in width along the front of each lot and ten (10) feet on each side line for the benefit of electric and telephone utilities, and said easement is hereby granted to the Virginia Electric and Power Company, the Virginia Electric Co-op, the C & P Telephone Company, and the Continental Telephone Company.

(10) The foregoing restrictive covenants shall apply to and run with the land for a period of twenty (20) years from date hereof.

(11) There is hereby granted unto each lot owner abutting upon the pond an easement for the use of the entire water-covered portion of the said pond.

WITNESS the following signature and seal:

Mary Anne Abrams (SEAL)  
MARY ANNE ABRAMS

JARRELL & HIGGS  
Attorneys at Law  
Boonville C.H., Va.

BOOK 419 PAGE 512

STATE OF VIRGINIA

County OF Spotsylvania to-wit:

The foregoing Deed of Dedication was this 27<sup>th</sup> day of June 1977, duly acknowledged before me by MARY ANNE AGRAMS.

My commission expires: October 24, 1980.

R. J. S. S. S. S.  
Notary Public

SPOTSYLVANIA COUNTY CIRCUIT COURT CLERK'S OFFICE, VIRGINIA, June 28  
1977. This Deed of dedication was State Tax \_\_\_\_\_  
this day received in this office together with the cer- County Tax \_\_\_\_\_  
tificate thereon admitted to record at 12:37 o'clock. Transfer \_\_\_\_\_  
Recording 4.00  
Add. Tax \_\_\_\_\_  
Total 4.00  
Taster: Margaret M. S. S., Clerk.

JARRELL & NICKS  
Attorneys at Law  
Spotsylvania Co., Va.

PROOFED

E1609.100

22553

# AMENDMENT TO DEED OF DEDICATION OF RIVER WILL SUBDIVISION

## Recitals:

WHEREAS, the undersigned are the Owners of all of the Lots in RIVER WILL SUBDIVISION, located in Livingston Magisterial District, Spotsylvania County, Virginia; and

WHEREAS, the said Lots in River Will are subject to the restrictions and covenants set forth in that certain Deed of Dedication recorded in the Office of the Clerk of the Circuit Court of Spotsylvania County, Virginia, in Deed Book 419, Page 509 (the "Deed of Dedication"); and

WHEREAS, the said undersigned Owners now desire to amend the aforementioned Deed of Dedication as hereinafter set forth;

NOW, THEREFORE, by this AMENDMENT dated July 24<sup>th</sup>, 1997, the undersigned Owners of all of the Lots in River Will Subdivision, Spotsylvania County, Virginia, do hereby amend the Deed of Dedication as follows:

1. Paragraph #8 of the Deed of Dedication is hereby deleted, and the following "new" Paragraph #8 is added in its stead:

(8). Each Lot Owner in River Will shall by the acceptance of his deed automatically become a member of the River Will Association (the "Association"). Each Owner's membership shall be appurtenant to and may not be separated from ownership of the Lot(s). The members shall be entitled to vote for the election of directors on such matters as a membership vote is required under the Virginia Nonstock Corporation Act, as amended, the Articles of Incorporation and By-Laws of the Association, and/or this Deed of Dedication. When more than one person holds an interest in any Lot, all such members shall be Members. The vote for such Lot shall be exercised as they among themselves

PREPARED BY:  
MICHAEL J. BARRETT, III  
816 WILLIAM STREET  
FREDERICKSBURG, VA 22401

RETURN TO:

REC'D OCT 14 1998

B1609 101

determine, but in no event shall more than one vote be cast on behalf of any one Lot. The Association shall maintain the private road(s) located within River Will Subdivision. The Owner(s) of each Lot in River Will covenants and agrees to pay to the Association an annual membership dues of Twenty-Five Dollars (\$25.00) per year by July 1<sup>st</sup> of each year. The dues when unpaid shall be a lien on said Lot, but such lien shall not have priority over any bona fide deed of trust which may be placed on said Lot.

2. Paragraph #10 of the Deed of Dedication is hereby deleted, and the following "new" Paragraph #10 is added in its stead:

(10). All rights, restrictions, easements, affirmative obligations and conditions of this Deed of Dedication shall run with and bind the land, and shall inure to the benefit of the Association and every Owner, and all parties claiming under them, until July 31<sup>st</sup>, 2017, after which date they shall automatically be extended for periods of ten (10) years, unless an instrument terminating or amending the provisions of the Deed of Dedication (as amended herein) signed by the Owners of not less than two-thirds of the Lots in River Will Subdivision is recorded among the land records of Spotsylvania County, Virginia.

3. Except to the extent expressly modified herein, all of the other covenants and restrictions set forth in the original Deed of Dedication are hereby ratified and shall remain in full force and effect.

IN WITNESS WHEREOF, the Owners of all of the Lots in River Will Subdivision have signed and sealed this Amendment to Deed of Dedication, dated this 31<sup>st</sup> day of July, 1997.

B1609.102

River Will Subdivision

Lot 04 Elaine S. Tate (SEAL)  
Printed Name Elaine S. Tate

Lot 05 Maec A. McDermott (SEAL)  
Printed Name Maec A. McDermott

Lots 06 & 07 Mila Maria Cunningham (SEAL)  
Printed Name Mila Maria Cunningham attorney in fact

Lot 08 Lynn Hill (SEAL)  
Printed Name Lynn Hill

William R. Hill (SEAL)  
Printed Name William R. Hill

Lot 09 TERRY GINGELL (SEAL)  
Printed Name TERRY GINGELL

Josie GINGELL (SEAL)  
Printed Name Josie GINGELL

Lot 10 D. L. Westbrook (SEAL)  
Printed Name D. L. Westbrook

Jessica D. Westbrook (SEAL)  
Printed Name Jessica D. Westbrook

STATE OF Virginia  
COUNTY OF Spotsylvania to-wit:

The foregoing Instrument was acknowledged by me this 13<sup>th</sup> day of August, 1997

My Commission expires: 10/31/98

Shelia C. Hall  
Notary Public





B1609 103

River Will Subdivision

Lot 11 James H. Sells (SEAL)  
Printed Name James H. Sells

Lot 12 Kathy M. Weaver (SEAL)  
Printed Name Kathy M. Weaver

Quinton E. Weaver (SEAL)  
Printed Name Quinton E. Weaver

Lot 13 Linda A. Benton (SEAL)  
Printed Name Linda A. Benton

Robert C. Benton Jr. (SEAL)  
Printed Name Robert C. Benton Jr.

Lot 14 John R. Meryman (SEAL)  
Printed Name John R. Meryman

Susan J. Meryman (SEAL)  
Printed Name Susan J. Meryman

Lot 15 Hope D. Mizelle (SEAL)  
Printed Name Hope D. Mizelle

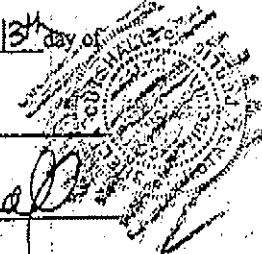
Bobby L. Mizelle (SEAL)  
Printed Name Bobby L. Mizelle

STATE OF Virginia  
COUNTY OF Spotsylvania, to-wit:

The foregoing Instrument was acknowledged by me this 13<sup>th</sup> day of August, 1997

My Commission expires: 10/31/98

Shelia Cuthbert  
Notary Public



61609-104

River Will Subdivision

~~Lot 10~~ ~~James A. Richard~~ (SEAL)  
~~Printed Name~~ ~~James A. Richard~~

Lots 18 & 19 Maryella D. Medill (SEAL)  
Printed Name MARYELLA D. MEDILL

Printed Name \_\_\_\_\_ (SEAL)

Lot 21 Marian M. Carter (SEAL)  
Printed Name MARIAN M. CARTER

Printed Name \_\_\_\_\_ (SEAL)

Lot 22 James C. Ball (SEAL)  
Printed Name JAMES C. BALL

Printed Name Virginia C. Ball (SEAL)  
VIRGINIA C. BALL

Lot 23 Joseph Scott (SEAL)  
Printed Name Joseph Scott

Printed Name Mary Ann Beach Scott (SEAL)  
MARY ANN BEACH SCOTT

STATE OF Virginia  
COUNTY OF Spotsylvania to-wit:

The foregoing instrument was acknowledged by me this 13<sup>th</sup> day of August, 1997

My Commission expires: 10/31/98

Shelia Coble  
Notary Public

R1609 105

Daniel M. Lloyd (SEAL)  
Print Name: DANIEL M. LLOYD  
Owner of Lot(s): 17

Lori Lloyd (SEAL)  
Print Name: LORI LLOYD  
Owner of Lot(s): #17

\_\_\_\_\_  
Print Name: \_\_\_\_\_ (SEAL)  
Owner of Lot(s): \_\_\_\_\_

STATE OF VIRGINIA

~~EST~~ COUNTY OF LANE, to-wit:

The foregoing instrument was acknowledged before me this 5<sup>th</sup> day of

Sept, 1997, by DANIEL M. LLOYD LORI LLOYD

My commission expires: 9/30/98

[Signature]  
Notary Public  
Daniel M. Lloyd

81609-106

Roberto R. Canizales (SEAL)  
Print Name: Roberto R. Canizales  
Owner of Lot(s): 20

Teresa E. Canizales (SEAL)  
Print Name: Teresa E. Canizales  
Owner of Lot(s): 20

\_\_\_\_\_  
Print Name: \_\_\_\_\_ (SEAL)  
Owner of Lot(s): \_\_\_\_\_

STATE OF Virginia  
CITY/COUNTY OF King George to-wit:

The foregoing instrument was acknowledged before me this 22<sup>d</sup> day of  
July, 1997, by Roberto R. Canizales

My commission expires: 3-31-98

Ruth R. [Signature]  
Notary Public

01609 109

R. E. Penick (SEAL)  
Print Name: Robert E. Penick  
Owner of Lot(s): A-B-1-2-3

Phyllis M. Penick (SEAL)  
Print Name: Phyllis M. Penick  
Owner of Lot(s): A-B-1-2-3

\_\_\_\_\_  
Print Name: \_\_\_\_\_ (SEAL)  
Owner of Lot(s): \_\_\_\_\_

STATE OF VA  
CITY COUNTY OF ALEXANDRIA, to-wit:

The foregoing Instrument was acknowledged before me this 24<sup>th</sup> day of

July, 1997, by ROBERT E. DENICK & PHYLLIS  
M. DENICK

My commission expires: 8/31/98

[Signature]  
Notary Public

RT609-108

River Will Subdivision

Lots <sup>25 26</sup> ~~25 & 26~~ Dario R. Loughton (SEAL)  
Printed Name Dario R. Loughton  
William R. Loughton (SEAL)  
Printed Name William R. Loughton  
Lot 27 Terry L. Woodward (SEAL)  
Printed Name TERRY L. WOODWARD  
Lots 28 & 29 Shelda Wolfe (SEAL)  
Printed Name Shelda Wolfe  
Sam Wolfe (SEAL)  
Printed Name SAM WOLFE  
Lots 30 & 31 Donald E. Oates (SEAL)  
Printed Name DONALD E. OATES  
Sharon K. Oates (SEAL)  
Printed Name Sharon K. Oates  
Lot 32 La Tasha (SEAL)  
Printed Name La Tasha  
Jeanette S. Owens (SEAL)  
Printed Name Jeanette S. Owens

STATE OF Virginia  
COUNTY OF SPOTSYLVANIA, to-wit:

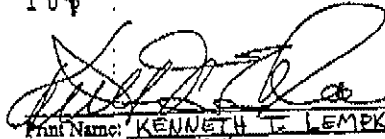
The foregoing instrument was acknowledged by me this 13<sup>th</sup> day of August, 1997

My Commission expires: 10/31/98

Shelda Cutshaw  
Notary Public



81609 109

  
(SEAL)  
Print Name: KENNETH T. LEMPKA  
Owner of Lot(s): 24

  
(SEAL)  
Print Name: JEANNETTE D. LEMPKA  
Owner of Lot(s): 24

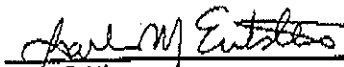
\_\_\_\_\_  
(SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

STATE OF Virginia  
CITY/COUNTY OF Stafford, to-wit:

The foregoing Instrument was acknowledged before me this 30th day of  
August, 1997, by Kenneth T. Lempka + Jeannette D. Lempka

My commission expires: Sept 30, 1997



  
Notary Public

81609 7 110

River Will Subdivision

Lot 33 Larry W. Tolland (SEAL)  
Printed Name Larry W. Tolland

Printed Name [Signature] (SEAL)

Lot 36 Cecil W. Wheat (SEAL)  
Printed Name Cecil W. Wheat

Printed Name KAREN S. Wheat (SEAL)

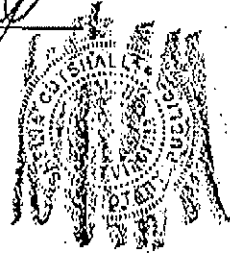
Lot 16 Andrea Sweeney (SEAL)  
Printed Name Andrea Sweeney

STATE OF Virginia  
COUNTY OF Spotsylvania to-wit:

The foregoing Instrument was acknowledged by me this 13<sup>th</sup> day of August, 1997

My Commission expires: 10/31/98

Shirley C. Cuthbert  
Notary Public





B1609

Ramiro A. Machado (SEAL)  
Print Name: Ramiro A. Machado  
Owner of Lot(s): 34

Avelina Machado (SEAL)  
Print Name: Avelina Machado  
Owner of Lot(s): 34

\_\_\_\_\_  
Print Name: \_\_\_\_\_ (SEAL)  
Owner of Lot(s): \_\_\_\_\_

STATE OF Maryland  
CITY/COUNTY OF Charles to-wit:

The foregoing instrument was acknowledged before me this 5th day of  
September 1997, by Ramiro Machado, Avelina Machado

My commission expires: 1-10-99



Carla Siga  
Notary Public

816093112

John S. Liebe (SEAL)  
Print Name: JOHN S. LIEBE  
Owner of Lot(s): 37

Patricia S. Liebe (SEAL)  
Print Name: PATRICIA S. LIEBE  
Owner of Lot(s): 37

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

STATE OF \_\_\_\_\_

CITY/COUNTY OF Washington, D.C. to-wit:

The foregoing Instrument was acknowledged before me this 8<sup>th</sup> day of  
September, 1997, by John J. and Patricia S. Liebe

My commission expires: My Commission Expires March 14, 2001



Archie Lee Bennett  
Notary Public

81609 113

Michael R. Layton (SEAL)  
Print Name: MICHAEL R. LAYTON  
Owner of Lot(s): Lot 35, River Will

Jennifer E. Layton (SEAL)  
Print Name: JENNIFER E. LAYTON  
Owner of Lot(s): Lot 35, River Will

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

BT609-114

STATE OF Virginia

CITY/COUNTY OF Spotsylvania, to-wit:

The foregoing Instrument was acknowledged before me this 16<sup>th</sup> day of

September, 1998, by Michael R. Layton and

Jennifer G. Layton

My commission expires: 30 Nov 2002

James Ball  
Notary Public

61609.115

(SEAL)  
Print Name: Timothy D. Hill  
Owner of Lot(s): [Signature]

Martha L. Hill (SEAL)  
Print Name:  
Owner of Lot(s): Martha L. Hill

Russell W. Dickinson (SEAL)  
Print Name: Lot 13  
Owner of Lot(s): [Signature]

Lynia P. Dickinson (SEAL)  
Print Name: Lynia P. Dickinson  
Owner of Lot(s): 13

State of Virginia  
City/County of Spotsylvania  
Commonwealth of Virginia

The foregoing instrument was acknowledged  
before me this 22<sup>nd</sup> day of August,  
19 98

by Timothy D. Hill, Martha L. Hill, Russell W. Dickinson, Lynia P. Dickinson

Notary Public James F. Ball  
my commission expires: 30 Nov 2002



81609116

Robert A. Dabson (SEAL)  
Print Name: Robert A. Dabson  
Owner of Lot(s): 6 & 7

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

\_\_\_\_ (SEAL)  
Print Name: \_\_\_\_\_  
Owner of Lot(s): \_\_\_\_\_

B1609-116A

STATE OF VirginiaCITY/COUNTY OF Spotsylvania to-wit:

The foregoing instrument was acknowledged before me this 22<sup>nd</sup> day of  
August, 1998, by Robert A. Dameron

My commission expires: 30 Nov 2002

James E. Ball  
 Notary Public

Virginia, Spotsylvania County, to-wit:  
 in the Office of the County and State at the 18 day of  
September, 1998, at 12:35 o'clock, P M., the  
 foregoing writing was presented and admitted to record, together with the  
 annexed certificate of acknowledgment.  
 The tax imposed by Section 58.54-1 in the amount of \$        has been paid  
 Teste:       , Clerk



REC'D  
 SEP 10 1998  
 12:35 PM '98  
 CLERK OF COURSE  
 SPOTSYLVANIA COUNTY  
 VIRGINIA





# Commonwealth of Virginia



## State Corporation Commission

*I Certify the Following from the Records of the Commission:*

The foregoing is a true copy of all documents constituting the charter of THE RIVER WILL HOMEOWNERS' ASSOCIATION, INC. on file in the Clerk's Office of the Commission.

Nothing more is hereby certified.



*Signed and Sealed at Richmond on this Date:  
September 10, 2009*

*Joel H. Peck*

*Joel H. Peck, Clerk of the Commission*



ARTICLES OF INCORPORATION  
OF  
THE RIVER WILL HOMEOWNERS' ASSOCIATION, INC.

In compliance with requirements of Chapter 2 of Title 13.1 of the Code of Virginia, the undersigned, all of whom are residents of the State of Virginia and all of whom are of full age, have this day voluntarily associated themselves together for the purpose of forming a nonstock corporation not for profit and do hereby certify:

ARTICLE I

The name of the corporation is The River Will/<sup>Home</sup>Owners' Association, Inc., hereafter called the "Association".

ARTICLE II

The principal office of the Association is located at 1901 Plank Road, Fredericksburg, Virginia, which location is in Spotsylvania County, Virginia.

ARTICLE III

The post office address of the initial registered office of the corporation is 1901 Plank Road, Fredericksburg, Virginia, which is located in Spotsylvania County, Virginia. The name of the initial registered agent of the Corporation is Michael J. Barrett, who is a resident of the State of Virginia and a member of the Virginia State Bar whose business address is 1901 Plank Road, Fredericksburg, Virginia 22401, which is in Spotsylvania County, Virginia.

ARTICLE IV

PURPOSE AND POWERS OF THE ASSOCIATION

This Association does not contemplate pecuniary gain or profit to the members thereof, and the specific purposes for which it is formed are to provide for maintenance, preservation and architectural control of the residences, lots and Common Areas within that certain tract of property described as:

1. All of the thirty-seven (37) lots in River Will, a subdivision located in the Chancellor Magisterial District of Spotsylvania County, Virginia, as the same are shown on the plat thereof made May 10, 1976



by Everett D. Grisnom, C.L.S. and to promote the health, safety and welfare of the residents within the above-described property, and for these purposes shall have the power to:

- (a) Exercise all of the powers and privileges and to perform all of the duties and obligations of the Association as set forth in the Deed of Dedication of River Will Subdivision and in the By-Laws of the Corporation.
- (b) Fix, levy, collect and enforce payment by any lawful means, all charges or assessments pursuant to the terms of the Deed of Dedication and By-Laws; to pay all expenses in connection therewith and to pay all office and other expenses incident to the conduct of the business of the Association, including payment of all licenses, taxes or governmental charges levied or imposed against the property of the Association;
- (c) Acquire (by gift, purchase or otherwise), own, hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use and otherwise dispose of real or personal property in connection with the affairs of the Association;
- (d) Have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Organization Law of the State of Virginia by law may now or hereafter have or exercise.

#### ARTICLE V

Every person or entity who is a record owner of a fee or dividend fee interest in any Lot which is subject by covenants of record to assessment by the Association, including contract sellers, shall be a member of the Association. The foregoing is not intended to include persons or entities who hold an interest merely as security for the performance of an obligation. Membership shall be appurtenant to and may not be separated from ownership of any Lot which is subject to assessment by the Association.

#### ARTICLE VI

##### VOTING RIGHTS

The Association shall have one class of voting membership:

Class A. Class A members shall be all lot owners, and such members shall be entitled to one vote for each Lot owned. When more than one person holds

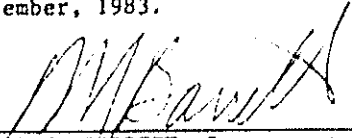


ARTICLE X

AMENDMENTS

Amendment of these Articles shall require the assent of 75 per cent (75%) of the entire membership.

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Virginia, I, the undersigned, have executed these Articles of Incorporation this 21st day of September, 1983.

  
\_\_\_\_\_  
MICHAEL J. BARRETT, Incorporator





U.S. GOVERNMENT

RIVER

WILL

A parcel of W.C. Adams Co.

Charleston District

Spotsylvania County

Virginia

Date: May 13, 1976

Scale: 1" = 100'

