

This instrument prepared by

Jolly, Williamson & Williamson(JPWJr)

NORTH CAROLINA

FRANKLIN COUNTY

PROPERTY ROAD MAINTENANCE AGREEMENT FOR
BOBBY W. DAVIS - LUMPKIN SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS, that Jack Satterwhite, Christopher and Nancy Rataski, Alvin C. Blalock III and Catherine B. Blalock, Larry Joseph and Pauline Marie C. Olinger, Michael and Judy Owen O'Dowd, Clyde H. Benner Jr. and Susan L. Benner, Charles R. and Debra L. Johnson, Mr. and Mrs. Lawrence W. Armstrong Jr. and Laurie G. Armstrong, Kevin Waite, Michael Porter, Mary W. Jones, Wiley Gene and Elizabeth M. Chalk, Edward Allen Conway Jr., Harold Y. Hargrove, Thomas Turner, Leslie P. Shelton III and Shelley B. Shelton, and Barbara D. Edwards are the owners in fee simple of all of those certain lots or parcels of land in Franklinton Township, Franklin County, North Carolina, and comprised of Lots #1-7, 8A, 8B, 8C, 9A, 9B, 9C, 10-12 and 12A, inclusive, according to survey by Williams, Pearce & Associates, R.L.S., P.A., as shown on plat thereof dated 9-12-84 and entitled "Property Survey for Bobby W. Davis" of record in Plat Record File 2, Slide 113 in the office of the Franklin County Register of Deeds, and

WHEREAS, it is the desire of the aforesaid owners to bind themselves and subsequent owners of property in said subdivision by a covenant which will provide for the orderly and equitable maintenance of the 60' wide roadways in said subdivision.

NOW, THEREFORE, in consideration of the premises, the undersigned owners of all of the lots in the aforesaid subdivision, do hereby covenant and agree with each other and to all persons, firms or corporations hereafter acquiring any property in the above described Bobby W. Davis - Lumpkin Subdivision, that all of the lots on the map hereinabove referred to, and/or any portion thereof, now owned by the undersigned are hereby subject to the following Private Road Maintenance Agreement as a restrictive covenant appurtenant to the lots comprising said subdivision and to the use thereof and to all subsequent conveyances of said property, to wit:

Private Road Maintenance Agreement

For all tracts in the Bobby W. Davis - Lumpkin Subdivision there is hereby created a Bobby W. Davis - Lumpkin Subdivision Property Owners Association which is established for the purpose of making and enforcing rules and regulations governing the speed limits and for the maintenance and upkeep of the roads in the subdivision. Each of the owners of the lots in the subdivision shall be entitled to one vote

per lot at the annual meeting of such association to be held on the last Friday of January of each year beginning with the year 1987. At the annual meeting there shall be elected a Board of Directors for the association consisting of five members, and the five members so elected shall be responsible for contracting and providing for the road maintenance and regulations. The cost of any repairs and maintenance contracted by the Board of Directors of the association shall be assessed equally to all lots within the subdivision. However, such maintenance shall not exceed the sum of \$75.00 per lot per year in terms of 1986 dollars. Owners of more than one lot shall be assessed one assessment for each lot owned. In the event a lot owner fails or refuses to pay his proportionate part of such road maintenance, the association may enforce such payment through civil action to be instituted for subject purpose in the General Court of Justice of Franklin County, North Carolina. Title to all tracts in the subdivision that abut a private road extend to the center of said road; however, the undersigned declarants, their successors and assigns, reserve the right to grant a general road easement to the North Carolina Department of Transportation or any other governmental authority if it is the desire that such private road be included in the public highway system. The further subdivision of any of the aforesaid lots into two or more lots shall entitle each of the owners of said lots to one vote and shall obligate each of the owners of said lots so subdivided to the annual assessment of \$75.00.

IN TESTIMONY WHEREOF, the said Jack Satterwhite, Christopher and Nancy Rataski, Alvin C. Blalock III and Catherine B. Blalock, Larry J. and Pauline Marie C. Olinger, Michael and Judy Owen O'Dowd, Clyde H. Benner Jr. and Susan L. Benner, Charles R. and Debra L. Johnson, Mr. and Mrs. Lawrence W. Armstrong Jr. and Laurie G. Armstrong, Kevin Waite, Michael Porter, Mary W. Jones, Wiley Gene and Elizabeth M. Chalk, Edward Allen Conway Jr., Harold Y. and Eliza C. Hargrove, Thomas Turner, Leslie P. Shelton III and Shelley B. Shelton, and Barbara D. Edwards have hereto set their hands and seals, this the 22nd day of December, 1986.

<u>Alvin C. Blalock III</u> (SEAL)	<u>Nancy W. Rataski</u> (SEAL)
<u>Catherine B. Blalock</u> (SEAL)	<u>Christopher Rataski</u> (SEAL)
<u>Elizabeth M. Chalk</u> (SEAL)	<u>Laurie G. Armstrong</u> (SEAL)
<u>Wiley Gene Chalk</u> (SEAL)	<u>Charles R. Johnson</u> (SEAL)
<u>Mary W. Jones</u> (SEAL)	<u>Debra L. Johnson</u> (SEAL)
<u>Susan L. Benner</u> (SEAL)	<u>Edward A. Conway Jr.</u> (SEAL)
<u>Clyde H. Benner Jr.</u> (SEAL)	<u>Kevin Waite</u> (SEAL)
<u>Leslie P. Shelton III</u> (SEAL)	<u>Tracy H. Armstrong</u> (SEAL)
<u>Barbara D. Edwards</u> (SEAL)	<u>Michael Porter</u> (SEAL)
<u>Shelley B. Shelton</u> (SEAL)	<u>Laurie G. Armstrong</u> (SEAL)
<u>Michael O'Dowd</u> (SEAL)	<u>Judy M. Owen O'Dowd</u> (SEAL)
<u>Judy M. Owen O'Dowd</u> (SEAL)	<u>Harold Y. Hargrove</u> (SEAL)
<u>Thomas R. Turner</u> (SEAL)	

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, the undersigned Notary Public for said County and State, do hereby certify that Alvin C. Blalock III and wife Catherine B. Blalock, Wiley Gene Chalk and wife Elizabeth M. Chalk, Mary W. Jones, Hlyde Henry Benner, Jr. and wife Susan L. Benner, Leslie P. Shelton III and wife Shelley Baskett Shelton, Barbara D. Edwards, Michael O'Dowd and wife Judy M. Owen O'Dowd, Thomas R. Turner, Christopher Rataski and wife Nancy N. Rataski, Lawrence Armstrong, Jr. and wife Arletta S. Armstrong, Edward A. Conway, Jr., Eileen Armstrong, Tracy ARMstrong, Michael Porter, Laurie G. Armstrong, Larry J. Olinger and Harold Y. Hargrove each personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument.

Witness my hand and official seal, this the 22nd day of December 1986.

JoAnne Horton
Notary Public

My commission expires:

Aug. 25, 1990

(N.P. Seal)



NORTH CAROLINA - FRANKLIN COUNTY

Filed for registration the 30th

day of January, A.D. 19 87

At 4:55 P.M. in Book 873

Page(s) 419-421

Martha D. Shearin
MARTHA D. SHEARIN, REGISTER OF DEEDS

North Carolina, Franklin County
The foregoing certificate of JoAnne Horton, a Notary Public is certified to be correct.

This the 30th day of January, 1987.

Martha D. Shearin
Martha D. Shearin, Register of Deeds