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Pamlico, NC
Lynn H. Lewis Register of Deeds

BK **641** PG **674-676**

RETURNED TO: *Delamar*
DATE RETURNED: *10-8-18*

Prepared by/Return to: Sara L. Delamar, Delamar & Delamar, PLLC, Attorneys at Law,
P.O. Box 411, Bayboro, N.C. 28515

NORTH CAROLINA

ARLINGTON PLACE SUBDIVISION PHASE I, MILL CREEK
SUBDIVISION PHASE I, AND MILL CREEK SUBDIVISION
PHASE II
SUBDIVISION STREET DISCLOSURE STATEMENT

PAMLICO COUNTY

This subdivision street disclosure statement, made and entered into this 4 day of October, 2018, by and between **BURTON FARM DEVELOPMENT COMPANY, LLC**, hereinafter referred to as "Grantor"; and **ALL PROSPECTIVE PURCHASERS OF THE LOTS IN ARLINGTON PLACE SUBDIVISION, PHASE I MILL CREEK SUBDIVISIONS PHASE I, AND MILL CREEK SUBDIVISION PHASE II**, hereinafter referred to as "Grantee".

WITNESSETH:

Whereas, BURTON FARM DEVELOPMENT COMPANY, LLC, a North Carolina limited liability company, hereinafter referred to as "Developer" does hereby covenant and agree with all other persons, firms and corporations hereafter acquiring as owners of any lot in the subdivisions known as "ARLINGTON PLACE SUBDIVISION, PHASE I," shown on that plat recorded in Plat Cabinet A, Slides 153-17 through 20 and 154-1 through 8, Pamlico County Registry, "MILL CREEK SUBDIVISIONS PHASE I," shown on that plat recorded in Plat Cabinet A, Slides 172-2 through 13, AND "MILL CREEK SUBDIVISION PHASE II," shown on that plat recorded in Plat Cabinet A, Slides 164-2 through 7, Pamlico County Registry, and those lots described in that Plat of "MILL CREEK SUBDIVISION PHASE 1 – LOTS 62A-62E," as shown on the plat recorded in Plat Cabinet A, Slides 163-20 and 164-1, Pamlico County Registry (the above recorded plats are hereinafter referred to as the "Plats" and all of the property described herein is referred to collectively as the "Community".);

NOW, THEREFORE, the Developer and seller of the lots in the Community does hereby submit the lots in the Community to the following Declaration:

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1. The streets shown on the Plats shall be private streets as that term is used in NCGS § 136-102.6.
2. Any owner of a lot in said subdivision and his invitees shall have the right to perpetual use of said streets as the means of access to and from such lot and the North Carolina Secondary Road to which the streets lead.
3. Public service and emergency vehicles shall have the free and unlimited right to use said streets at all times in carrying out the responsibilities of the agency operating the same in respect to citizens needing the services of such agency.
4. Prospective purchasers of all lots in the subdivision are hereby furnished the following explanation of the consequence and responsibility as to maintenance of the private streets, it being the intention of the Developer hereby to disclose fully and accurately to the party or parties upon whom the responsibility for maintenance of said streets shall rest, and to disclose further that the streets may not be constructed to minimum standards sufficient to allow inclusion on the State Highway System for maintenance. Developer has constructed said roads to meet the North Carolina Department of Transportation Subdivision Road Minimum Construction Standards for base material and paving, however, said roads may not meet minimum Right of Way widths or paving widths, and as such Subdivision Streets within the Community will not meet the standards sufficient to allow its inclusion in the State Highway System for maintenance.
5. A duplicate original of this statement shall be given to each prospective buyer of a lot in the Community upon said buyer entering into a contract to purchase property located within the Community.
6. Responsibility for maintaining the streets shall be the joint responsibility of all the owners of lots in the community. Such responsibility shall be shared proportionately with all lot owners.
7. All lot owners agree that their proportionate share of the street maintenance shall constitute an assessment against said owner's lot or lots and if unpaid for a period of over thirty (30) days shall constitute a lien on said lot or lots enforceable when filed with the Clerk of Superior Court of Pamlico County in the manner provided under NCGS 47F-3-116.
8. All decisions regarding street maintenance shall be made by Declarant, or its successors and/or assigns until such time as Declarant transfers such decision-making authority to the Arlington Place Property Owners Association.

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In Testimony Whereof, said Developer has caused this instrument to be signed in its corporate name by its duly authorized member, the day and year first written above.

BURTON FARM DEVELOPMENT COMPANY, LLC

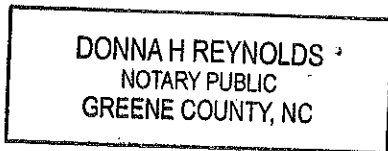
BY: BODDIE-NOELL ENTERPRISES, INC., a Member acting on behalf of the Management Committee of Burton Farm Development Company, LLC

BY: Douglas E Anderson (SEAL)
Douglas E. Anderson,
Executive Vice-President

NORTH CAROLINA
Greene COUNTY

I, Donna H. Reynolds, Notary Public of said County, do hereby certify that Douglas E. Anderson, personally came before me this day and acknowledged that he is Executive Vice-President of Boddie-Noell Enterprises, Inc., a Member acting on behalf of the Management Committee of Burton Farm Development Company, LLC, a North Carolina Limited Liability Company, and that he, as Executive Vice-President, being authorized to do so, acknowledged, on behalf Boddie-Noell Enterprises, Inc., a Member acting on behalf of the Management Committee of Burton Farm Development Company, LLC, the due execution of the foregoing instrument.

Witness my hand and official seal, this the 4 day of October, 2018.



Donna H Reynolds
Notary Public Signature

Donna H. Reynolds
Notary Public Printed Name

My commission expires: 2/11/2022