

Book  
0328

Page  
0276

FAIRWINDS SUBDIVISION  
SUBDIVISION STREET DISCLOSURE STATEMENT

FILED  
PAMLICO COUNTY NC  
11/21/97 10:55 AM  
JOYCE E. CARAMAN  
Register Of Deeds

KNOW ALL MEN BY THESE PRESENTS that JAMES ARLEN HORTON and wife, FRANCES W. HORTON, of Clarkson, Pennsylvania, hereinafter called "Developers", do hereby covenant and agree to and with all other persons, firms and corporations hereafter acquiring as owners any lot in the subdivision developed by them and shown on the map entitled A PLAN OF FAIRWINDS SUBIVISION, prepared by A. Hugh Harris, Jr., PE-RLS, dated July 13, 1987, and recorded in Plat Cabinet A, Slide 104-2, Pamlico County Registry, they being the developer and seller of the lots in said subdivision:

1) The streets shown on said map shall be private streets as that term is used in Section 102.6 of Chapter 136 of the General Statues of North Carolina.

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 his lot an the NC State 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 as required by the statutory section hereinabove referred to, it being the intention of Developers hereby to fully and accurately disclose the party or parties upon whom the responsibility for maintenance of such streets shall rest, and to further disclose that the streets were constructed to minimum standards sufficient to allow its inclusion on the State Highway system for maintenance. A duplicate original of this disclosure statement shall be given to each buyer of a lot in the subdivision.

a) Responsibility for maintaining said streets shall be the joint responsibility of all the owners of the lots in the subdivision, the owner(s) of each lot to be responsible for a one-fifteenth (1/15) part of all costs of such maintenance. Developers shall share as any other owner in the responsibility for maintaining the streets.

12-5-97  
RETURNED TO  
DATE RETURNED

PREPARED BY  
CLOWELL & HOLLOWELL  
ATTORNEYS AT LAW  
BAYBORO, NC  
28515

b) Until all lots in the subdivision are sold all, decisions in respect to maintaining the streets shall be made by the Developers.

IN TESTIMONY WHEREOF, the said Developers have hereunto set their hands and adopted as their seals the typewritten word "SEAL" appearing beside each name, the day and year first above written.

James Arlen Horton (SEAL)  
James Arlen Horton

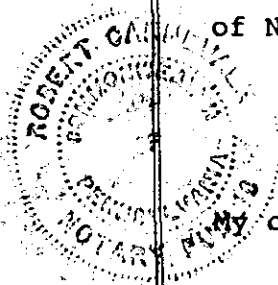
Frances W. Horton (SEAL)  
Frances W. Horton

STATE OF PA  
COUNTY OF LANCASTER

I, ROBERT CARNEVALE, a Notary Public in and for said county and state, certify that JAMES ARLEN HORTON and wife, FRANCES W. HORTON, each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal/stamp, this 15 day of November, 1997.

Robert Carnevale  
Notary Public



My commission expires:

NOTARIAL SEAL  
ROBERT CARNEVALE, Notary Public  
Lancaster, Lancaster County  
My Commission Expires Nov. 24, 1997

NORTH CAROLINA  
PAMLICO COUNTY

The foregoing certificate of Robert Carnevale, a Notary Public in and for Lancaster Co, PA is certified to be correct.

James E. Corcoran  
Register of Deeds

BY: Donise Southland  
Assistant Register of Deeds