

NORTH CAROLINA

NASH COUNTY

**Roadway Declaration
Red Oak Farms Development**



Mail/Box to: RMT Investments, LLC, 5088 Oak Level Rd, Rocky Mount, NC 27803
PLO File 4309-2

⑤ 1/1

THIS AGREEMENT made and entered into this the 9 day of March, 2021, by RMT Investments, LLC (hereinafter the "Declarant").

WITNESSETH that:

WHEREAS the Declarant hereto owns fee simple title to property situated in Red Oak Township, Nash County, North Carolina, in a subdivision known as Red Oak Farms Development, as shown on map recorded in Map Book 42, Page 363, Nash County Registry, which is served by public roads shown on the aforesaid map (hereafter "Subdivision Roadways").

WHEREAS the aforesaid subdivision to be served by Subdivision Roadways, currently identified as Heartland Rd. and Harvest Ridge Rd, which

road(s) provide legal access for the lots to S.R. 1003, known as Red Oak Road, and which extends to or across each of the tracts identified above.

WHEREAS, the Subdivision is subject to those certain Declaration of Covenants, Conditions and Restrictions recorded in Book 3089, Page 666, Nash County Registry (the "Declaration").

WHEREAS, Declarant hereto wishes to set forth a brief memorandum concerning maintenance of the aforesaid Subdivision Roads for themselves and subsequent owners of the Lots (the "Roadway Declaration");

NOW, THEREFORE, in consideration of the covenants contained herein, the receipt and sufficiency of which is hereby acknowledged, the undersigned Declarant hereto does mutually contract, agree and covenant as follows:

1. Terms used in this instrument shall have the meaning ascribed to them in the Declaration recorded in Book 3089, Page 666, Nash County Registry.
2. Declarant, its successors and assigns, including The Association, reserves the right to maintain, repair and construct Subdivision Roads according to the methods and specifications Declarant deems advisable in its sole discretion. Declarant will, however, construct the Subdivision Roads in compliance with the Nash County Unified Development Ordinance. Unless accepted by the North Carolina Department of Transportation, any subdivision roads may not be constructed to the minimum standards required to allow inclusion for maintenance purposes on the North Carolina Highway System. Unless and until

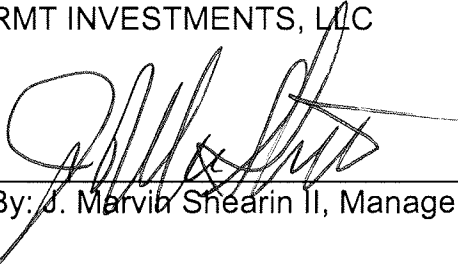
accepted by the State of North Carolina, neither the North Carolina Department of Transportation nor Nash County will maintain the Subdivision Roads. See Sections 4.6, 6.10, and 13.2 of the Declaration.

3. Assessments for maintenance and improvement are provided for in Article 5 of the Declaration.
4. Easements over the Roadways are reserved unto Declarant and each Lot Owner as clarified in Article 6 and elsewhere in the Declaration.
5. This agreement shall run with the land and inure to the benefit of the undersigned, lot owners, and their heirs, successors and assigns.
6. In resolving any conflicts between this instrument and the Declaration, the terms of the Declaration control and take precedence.

IN TESTIMONY WHEREOF the Declarant hereto have duly executed and set their hands and seals the day and year first above written.

SIGNATURES BEGIN ON THE FOLLOWING PAGE

RMT INVESTMENTS, LLC



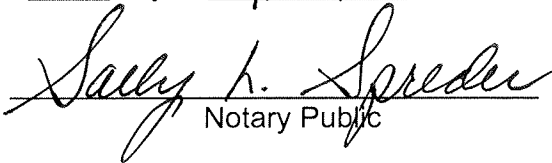
(SEAL)
By: J. Marvin Shearin II, Manager / Member

NORTH CAROLINA

NASH COUNTY

I, SALLY H. SPREDCR, a Notary Public, do hereby certify that J. Marvin Shearin II, Manager / Member of RMT Investments, LLC personally appeared before me this day and acknowledged the due execution of the foregoing and annexed instrument.

Witness my hand and official seal this 9th day of MARCH, 2021.



Notary Public

My commission expires: _____

STATE OF North Carolina - County of Nash

I, Deleon Parker Jr., Notary Public, certify that J. Marvin Shearin II personally came before me this day and acknowledged that he/she is Manager / Member (Title) of RMT Investments, LLC (Company Name), a corporation/limited liability company, and that he/she, as Manager / Member (Title), being authorized to do so, executed the foregoing on behalf of the corporation/limited liability company.

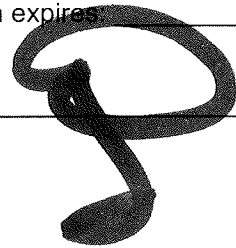
Witness my hand and notarial seal, this 9 day of Mar, 2021

Place seal within this box

DELEON PARKER JR
Notary Public, North Carolina
Nash County
My Commission Expires
May 03, 2025

My commission expires _____

Notary Public _____



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