

Prepared by and return to: Warren Shackleford & Thomas PLLC
P.O. Box 1187 Wake Forest, NC 27588-1187

STATE OF NORTH CAROLINA

ROAD MAINTENANCE
AGREEMENT

COUNTY OF FRANKLIN

This Road Maintenance Agreement made this 26th day of October, 2023, by EBW Acres, LLC and Paige W. Smith and husband Shelton Scott Smith hereinafter referred to as Owners, as follows:

1. Owners are the owner of lots 1, 2, 3 and 4 along Derby Lane as shown on plat entitled "Property Survey For North Pastures", a copy of which is recorded in Plat Record File 2, Slide 170-A, Franklin County Registry. Lot 1 has Franklin County Tax ID #005731. Lot 2 has Franklin County Tax ID #032824. Lot 3 has Franklin County Tax ID #004580. Lot 4 has Franklin County Tax ID #032149.
2. Owners hereby affirm that they and their successors will keep the roads in good condition for all types of vehicular and pedestrian traffic. This will include keeping the banks and ditches properly contoured so that water properly drains, making sure the banks and ditches are properly maintained at all times. The road itself is gravel. On occasion it will need new gravel. As needed the road will be graded and any potholes repaired.
3. All expenses in maintenance of derby Lane shall be paid equally by owners of property along Derby Lane. Each of the four lot owners will pay $\frac{1}{4}$ of all expenses. Should any lot owner not pay their share of the expenses which are incurred, the other lot owners have all right to take the unpaying lot owner to court, seeking a monetary judgment against the non-paying owner for their share of the expenses as well as all legal fees and court costs incurred in collecting from the non-paying owner.

Submitted electronically by "warren, Shackleford & Thomas, P.L.L.C."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Franklin County Register of Deeds.

4. In the event significant construction or work is done on or to the road at one of the lots and not the others, then the owner of that lot where the construction work is done shall bear full expense of returning Derby Lane to suitable use for all types of pedestrian and vehicular traffic.
5. In deciding whether expenditures should be incurred for maintenance or improvement of Derby Lane, 3 out of 4 owners will contract on this decision. As long as any 3 owners are in favor of undertaking improvements or maintenance, the work is to be carried out.
6. Each lot owner, at their own expense, may undertake improvements to that portion of the road which their lot faces. Each lot owner shall have the right to improve or upgrade the bank and drainage area along the road, keeping it in good condition at all times.
7. This Road Maintenance Agreement is binding upon owners of lots 1, 2, 3 and 4 as shown on Plat Record File 2, Slide 170-A, Franklin County Registry. As of the date of this document, owners of these lots are the undersigned. However, should ownership change, responsibilities and obligations of this Road Maintenance Agreement shall shift to the then current owners of the four lots.

IN WITNESS WHEREOF, Owners have caused this instrument to be executed the day and year setout above.

EBW Acres, LLC

By: Paige W. Smith, MANAGER

Paige W. Smith

Paige W. Smith

Shelton Scott Smith

Shelton Scott Smith

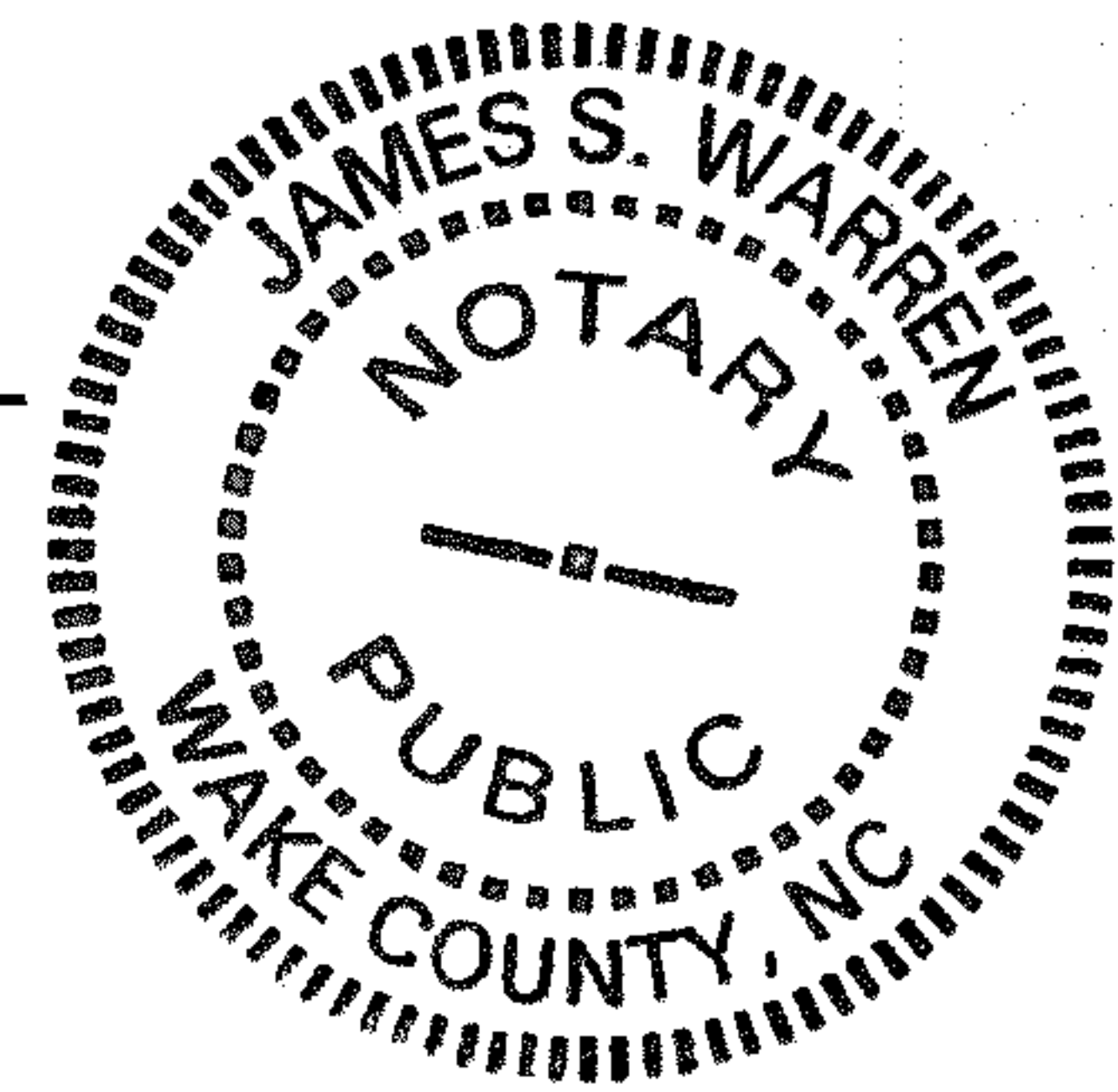
STATE OF NORTH CAROLINA

COUNTY OF Wake

I, a notary Public of the County and State aforesaid, certify that Paige W. Smith personally appeared before me this day and acknowledged that he/she is Manager of EBW Acres, LLC, a North Carolina limited liability company and that by authority duly given, the foregoing instrument was signed by him/her in the Company name as the act of the Company.

Witness my hand and official stamp or seal, this the 26 day of October, 2023.

James S. Warren
Notary Public



My Commission Expires: 10-3-2025

State of North Carolina

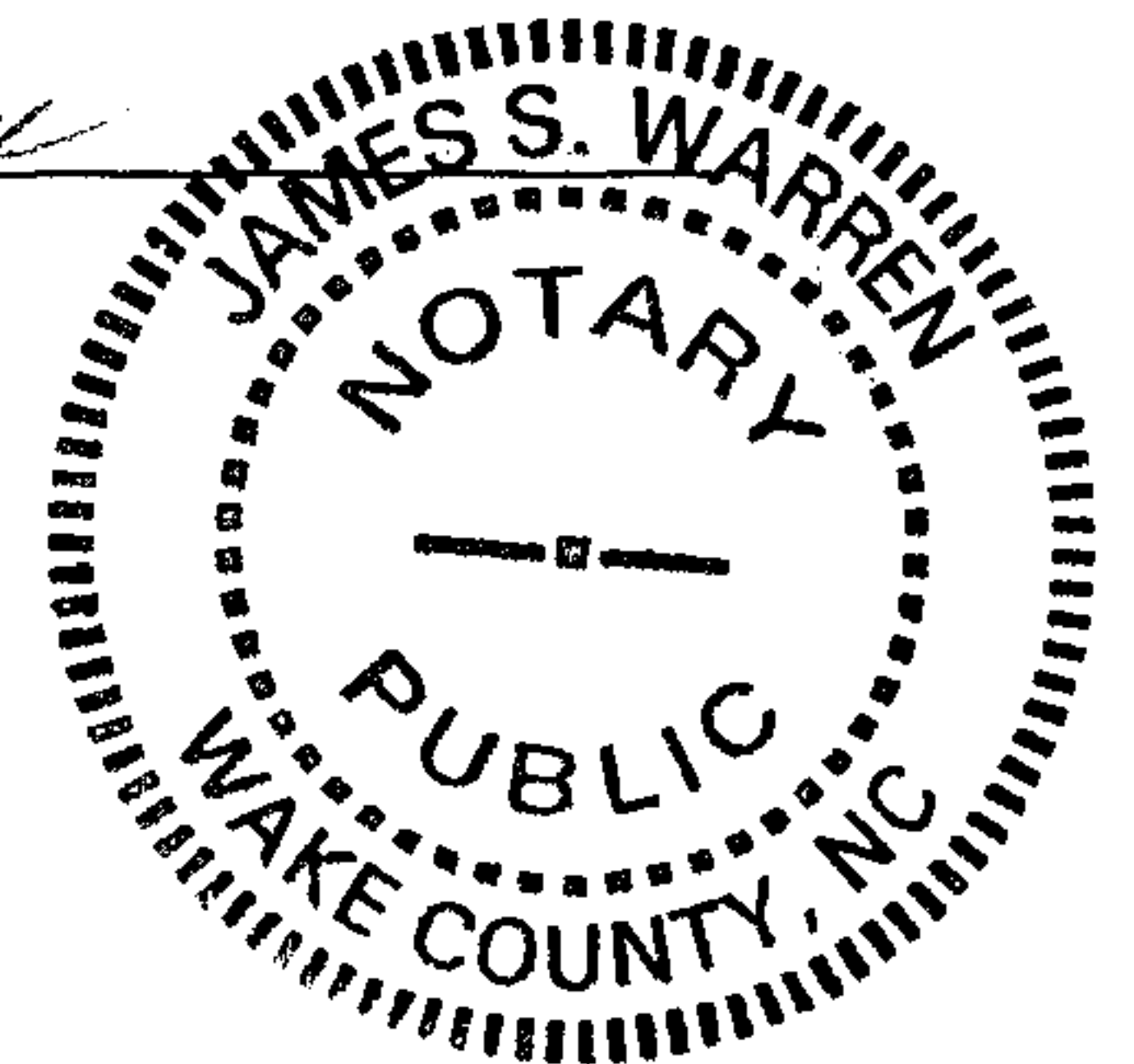
County of Wake

I, James S. Warren, a Notary Public for the County of Wake, North Carolina, certify that Paige W. Smith, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 26 day of October, 2023.

James S. Warren
Notary Public,

My Commission Expires 10-3-2025



State of North Carolina

County of Wake

I, James S. Warren, a Notary Public for the County of Wake, North Carolina, certify that Shelton Scott Smith, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 26 day of October, 2023.

James S. Warren
Notary Public,

My Commission Expires 10-3-2025

