

256

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Recorded: 06/22/2005 at 02:59:43 PM
Fee Amt: \$23.00 Page 1 of 4
Franklin County North Carolina
Linda H. Stone Register of Deeds
BK 1480 PG 256-259

(Space above this line reserved for recording)

PRIVATE ROAD MAINTENANCE AGREEMENT

NORTH CAROLINA

Prepared By: Batton & Guin
P. O. Box 603

FRANKLIN COUNTY

Louisburg, NC 27549

THAT WHEREAS, DONNIE RAY LEONARD, YVONNE LEONARD COLBERT, ROBERT EARL LEONARD, STANLEY GLENN LEONARD, and BRENDA GAIL LEONARD own various tracts of land adjoining one another and lying east of NCSR 1466 (T. Model Jones Road) in Cedar Rock Township, Franklin County, North Carolina, said lands being more particularly described as shown on map recorded at Plat Book 2005, Page 208, Franklin County Registry. Further, said plat also describes a 50 foot Type I Private Road and a 50 foot Type II Private Road for access to NCSR 1466 (T. Model Jones Road);

WHEREAS said 50 foot private roads as shown on said recorded plat shall be for the mutual use and benefit of the parties named herein, and subsequent successors in title thereto, subject however to all reservations, conditions and reversionary clauses related thereto and specified below.

AND WHEREAS it is the desire of the parties herein to ensure adequate access to various tracts of land and to provide for the upkeep of said easement by those persons using said easement;

NOW THEREFORE, for and in the consideration of the sum of ONE DOLLAR (\$1.00) and other mutual considerations and covenants and specifically as set out below, the parties herein do hereby agree that each of them and all successors and assigns of any interest in the tracts described above, shall periodically maintain, grade and otherwise provide upkeep for the said easement as shown on said plat, with said expenses being apportioned between all such persons utilizing said easement at an equal amount per lot owned.

IT IS AGREED to and understood by the parties that this agreement takes effect and is applicable to maintenance of the road only, and that no party to this Agreement bears responsibility for original construction costs of the road, including installation of gravel and other initial road construction costs.

Any current owner or successor in title desiring said construction of said road shall bear sole responsibility for said costs.

FURTHER, all owners of any lot herein shall have the right to contract with third parties for the reasonable costs of said road maintenance, however all parties must consent for any and all expenses for road maintenance exceeding Two Thousand Dollars (\$2,000.00) per year. In additional, notice shall be provided to all parties at least 30 days prior to any work being performed on any owner's behalf pursuant to this agreement. Each party expending funds for road maintenance shall be entitled to bring a civil action against the other parties in the amount of the fees due, costs and reasonable attorney fees expended to collect said sums.

Entered into this the 22nd day of June, 2005.

Donnie Ray Leonard (SEAL)
DONNIE RAY LEONARD

Carolyn Leonard (SEAL)
CAROLYN LEONARD

Yvonne Leonard Colbert (SEAL)
YVONNE LEONARD COLBERT

Stanley Colbert (SEAL)
STANLEY COLBERT

Robert Earl Leonard (SEAL)
ROBERT EARL LEONARD

Rose Leonard (SEAL)
ROSE LEONARD

Brenda Gail Leonard (SEAL)
BRENDA GAIL LEONARD

Stanley Glenn Leonard (SEAL)
STANLEY GLENN LEONARD

NORTH CAROLINA

Franklin COUNTY

I, a Notary Public of said State and County, do hereby certify that DONNIE RAY LEONARD and wife, CAROL ANN LEONARD personally appeared before me this day and acknowledged the execution of the foregoing agreement. Witness my hand and notarial seal, this the 22nd day of June, 2005.

Gwendolyn W. Davis
Notary Public

My Commission Expires: 10-20-2008

NORTH CAROLINA

Franklin COUNTY

I, a Notary Public of said State and County, do hereby certify that YVONNE LEONARD COLBERT and husband, STANLEY COLBERT personally appeared before me this day and acknowledged the execution of the foregoing agreement. Witness my hand and notarial seal, this the 22nd day of June, 2005.

Gwendolyn W. Davis
Notary Public

My Commission Expires: 10-20-2008

NORTH CAROLINA

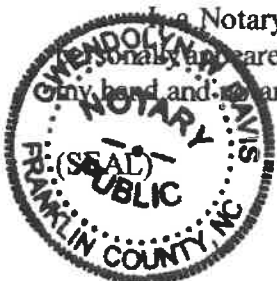
Franklin COUNTY

I, a Notary Public of said State and County, do hereby certify that ROBERT EARL LEONARD and wife, CAROL ANN LEONARD personally appeared before me this day and acknowledged the execution of the foregoing agreement. Witness my hand and notarial seal, this the 22nd day of June, 2005.

Gwendolyn W. Davis
Notary Public

My Commission Expires: 10-20-2008

NORTH CAROLINA

Franklin COUNTY

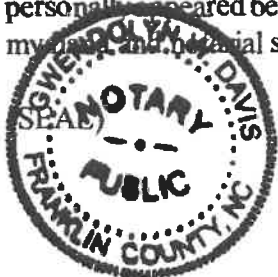
I, a Notary Public of said State and County, do hereby certify that BRENDA GAIL LEONARD personally appeared before me this day and acknowledged the execution of the foregoing agreement. Witness my hand and notarial seal, this the 22nd day of June, 2005.

Gwendolyn W. Davis
Notary Public

My Commission Expires: 10-20-2008

NORTH CAROLINA
Franklin COUNTY

I, a Notary Public of said State and County, do hereby certify that STANLEY GLENN LEONARD personally appeared before me this day and acknowledged the execution of the foregoing agreement. Witness my hand and notarial seal, this the 22nd day of June, 2005.



Gwendolyn W. Davis
Notary Public

My Commission Expires: 10-20-2008

NORTH CAROLINA
FRANKLIN COUNTY

The foregoing certificates of Gwendolyn W. Davis, a Notary Public,
~~Notary Public~~ XXXXXX (are) certified
to be correct. This instrument was presented for registration this the 22nd day of June, 2005
at 2:59:43 ~~am~~ pm, and duly recorded in the office of the Register of Deeds of Franklin County, North
Carolina, in Book 1480, Page 256-259.

This the 22nd day of June, A.D., 20 05.

Linda H. Stone
Linda H. Stone
Register of Deeds

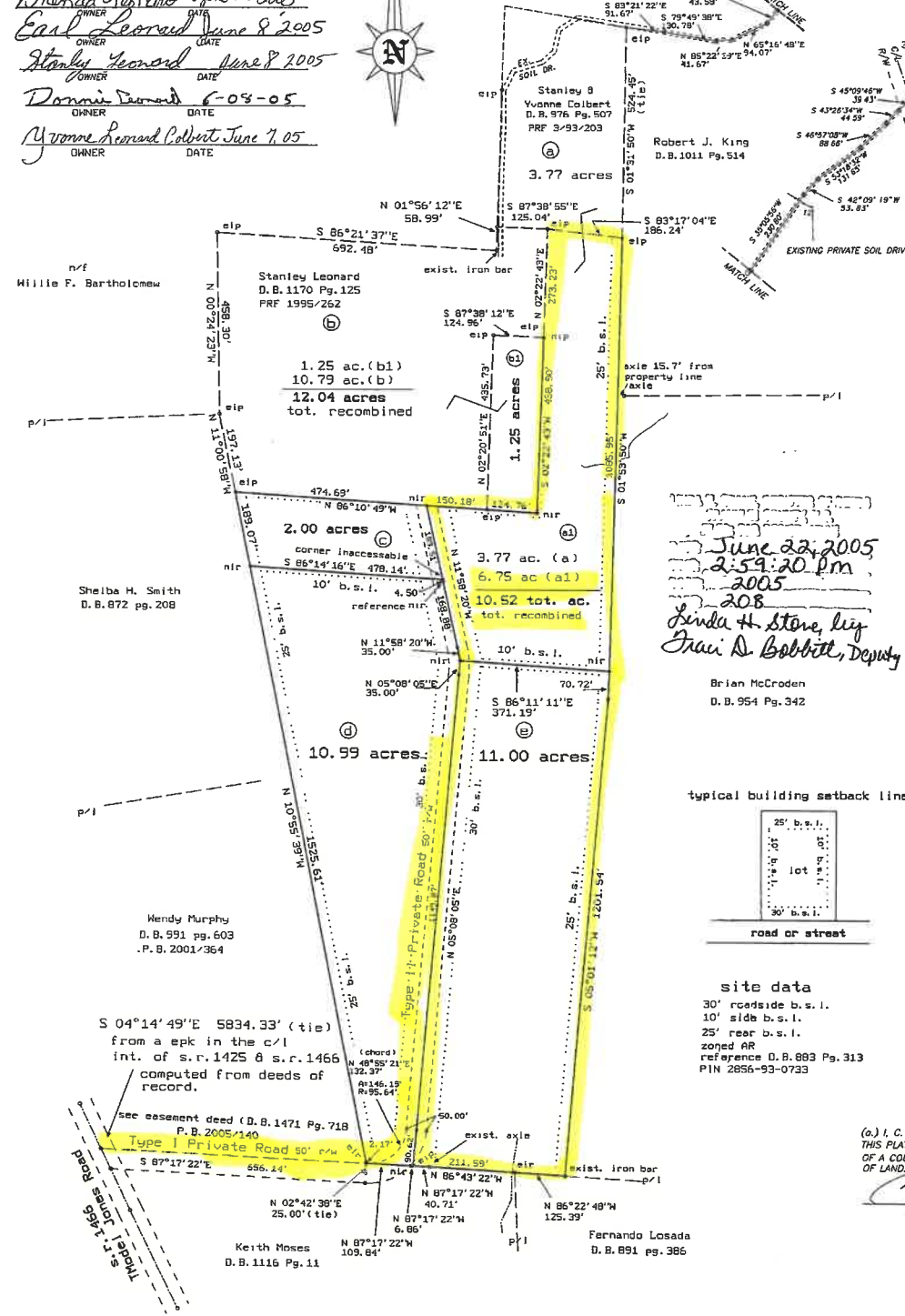
By: Betty Shavinta
~~Assistant~~-Deputy
Register of Deeds

FAMILY EXCEPTIONS CERTIFICATE :

WE HEREBY CERTIFY THAT THE GRANTEE OF EACH LOT SHOWN HEREON IS THE PARENT, CHILD, OR GRANDCHILD OF THE OWNER OF SAID LAND, THAT NO CONSIDERATION SHALL BE PAID FOR ANY OF THE LOTS, THAT THE PURPOSE OF THIS FAMILY EXCEPTION IS NOT TO CIRCUMVENT THE PROVISIONS OF THE FRANKLIN COUNTY UNIFIED DEVELOPMENT ORDINANCE, AND THAT NONE OF THE LOTS SHOWN HEREON SHALL BE CONVEYED TO THIRD PARTIES FOR A PERIOD OF NOT LESS THAN THREE (3) YEARS.

Brenda Leonard June 27, 2005
OWNER DATE
Earl Leonard June 8, 2005
OWNER DATE
Stanley Leonard June 8, 2005
OWNER DATE
Dorrie Leonard 6-08-05
OWNER DATE
Yvonne Leonard Robert June 7, 05
OWNER DATE

Magnetic North 1987



I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF FRANKLIN COUNTY, WITH ALL VARIANCES NOTED IN THE MINUTES OF THE FRANKLIN COUNTY PLANNING BOARD, THAT ALL EASEMENTS, SHOWN HEREON, ARE ACCEPTED BY FRANKLIN COUNTY, SUBJECT TO APPROVAL BY THE N.C. DEPARTMENT OF TRANSPORTATION, WHICH ASSUMES NO RESPONSIBILITY TO OPEN OR MAINTAIN THE SAME, AND THAT THIS MAP HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE REGISTER OF DEEDS

June 22, 2005
2:59:20 PM
2005
Linda H. Stone, Reg
Traci A. Bobbitt, Deputy
Brian McCroden
D.B. 954 Pg. 342

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNER(S) OF THE PROPERTY SHOWN AND DESCRIBED HEREON WHICH WAS CONVEYED TO ME (US) BY DEED RECORDED IN DEED BOOK _____, PAGE _____, AND THAT I (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION WITH MY (OUR) FREE CONSENT, ESTABLISH THE MINIMUM BUILDING LINES, AND DEDICATE ALL STREETS, ALLEYS, WALKS, PARKS, DRAINAGEWAYS, AND OTHER OPEN SPACES TO PUBLIC OR PRIVATE USE AS NOTED FURTHER, I (WE) CERTIFY THAT THE LAND AS SHOWN HEREON IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF FRANKLIN COUNTY, N.C.

Yvonne Leonard Robert June 7, 05
OWNER DATE

REVIEW OFFICER'S CERTIFICATION

STATE OF NORTH CAROLINA, COUNTY OF Franklin

I, Traci A. Bobbitt, REVIEW OFFICER FOR Franklin COUNTY, HEREBY CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING

June 22, 2005
DATE

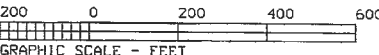
SYMBOLS :

EIP EXISTING IRON PIPE
NIP NEW IRON PIPE (1/2" REBAR)
EIPK EXISTING PK MAIL
NPK NEW PK MAIL
EIR EXISTING IRON ROD
ECPK EX. COTTON SPINDLE SPIKE
CP COMPUTED POINT
TP TELEPHONE PEDESTAL
EPB ELECTRIC POWER BOX
R/H RIGHT OF WAY
PP POWER POLE
E- OVERHEAD UTILITY LINES
LP AREA LIGHT ON A POLE
b.s.l. building setback line

NOTE :

lots a & a1 to be recombined
lots b & b1 to be recombined

(a.) I, C. Eugene Bobbitt, III, PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT THIS PLAT IS OF A SURVEY THAT CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.



BOBBITT SURVEYING, P.A.
P. O. BOX 952 \ 437 DABNEY DRIVE
HENDERSON, NORTH CAROLINA, 27538
(OFFICE) 252 - 438 - 5162 (FAX) 252 - 438 - 7494

recombination survey and division for
Sanford Leonard Heirs
Cedar Rock Township
Franklin County, North Carolina
scale 1"= 200 feet April 27, 2005
plat file 05 MF 26L
Leonard 2005

Book 2005, page 208

6-22-05