For Registration Register of Deeds Judy D. Martin

Moore County, NC Electronically Recorded April 23, 2020 3:22:22 PM Book: 5312 Page: 65 - 79 #Pages: 15 Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument# 2020006689

## Prepared by and return to Robbins May & Rich LLP (PTN), 120 Applecross Road, Pinehurst, North Carolina 28374

Brief Description for Index: Road Maintenance Agreement/Hennings Drive, Vass, NC

## **ROAD MAINTENANCE AGREEMENT**

This Road Maintenance Agreement (this "<u>Agreement</u>") is made on this the 23<sup>rd</sup> day of April, 2020 (the "<u>Effective Date</u>") by (a) Garrett Hausman and wife, Tesla L. P. Hausman of 280 Hennings Drive, Vass, NC 28394 (b) Belinda Hennings McNeill, (widow) of 376 Hennings Drive, Vass, NC 28394, (c) Steven Lee Dinkins and wife, Ashley Hennings Dinkins of 411 Hennings Drive, Vass, NC 28394, (d) Paula Dianne Holder (unmarried) of 400 Hennings Drive, Vass, NC 28394, (e) Thomas K Morgan and wife, Renee M. Morgan of 34 Hennings Drive, Vass, NC 28394, (f) Anders Johansson and wife, Sarah Johansson of 300 Hennings Drive, Vass, NC 28394, and (g) Doyle Markham of 205 Markham Ln., Vass, NC 28394 (each individually, an "<u>Owner</u>" and, collectively, the "<u>Owners</u>").

## WITNESSETH

WHEREAS (a) Garrett Hausman and wife, Tesla L. P. Hausman own  $\pm 3.76$  acres as described in Book 4614, Page 534, Moore County Registry (PID: 95000534), (b) Belinda Hennings McNeill owns  $\pm 3.53$  acres as described Book 389, Page 12, Moore County Registry, Moore County Registry (PID: 00034492) and  $\pm 38.53$ acres as described in Book 1099, Page 104, Moore County Registry LESS AND EXCEPT those certain tracts described in Book 1099, Page 107 and in Book 2098, Page 452 (PID: 00040661) (c) Steven Lee Dinkins and wife, Ashley Hennings Dinkins own  $\pm .92$  acre as described in Book 1099, Page 107, Moore County Registry (PID: 95000535), (d) Paula Dianne Holder owns  $\pm 1.11$  acre as described in Book 2098, Page 452, Moore County Registry (PID: 20020540), (e) Thomas K Morgan and wife, Renee M. Morgan own  $\pm 10.01$  acres as describe in Book 1830, Page 559, Moore County Registry (PID: 97000548), (f) Anders Johansson and wife, Sarah Johansson own  $\pm 3.98$  acres as described in Book 4396, Page 82, Moore County Registry (PID: 00034494), and (g) Doyle Markham owns the property located at 205 Markham Ln., Vass, NC 28394 (collectively, the "Tracts").

WHEREAS the Tracts are adjacent to or utilize Hennings Drive, as shown on plat recorded in Plat Cabinet 6, Slide 610, Moore County Registry, for access to and from Aiken Road, Vass, NC (the "Road").

WHEREAS Owners wish to bind themselves and their respective successors and assigns to provide maintenance of the Road in accordance with the provisions set forth below.

NOW, THEREFORE, for and in consideration of the mutual promises hereinafter set forth, Owners agree that, the conditions and covenants hereinafter set forth shall be appurtenant to and run with the Tracts and shall inure to the benefit of and be binding upon their respective successors in title.

- 1. Maintenance.
  - a. The Road shall be maintained in passable conditions, without excessive ruts or potholes that interfere with safe use of the Road, to a width sufficient to allow two-way traffic through the Road.
  - b. When the Road is in need of maintenance, as agreed unanimously by all the Owners, one of the Owners shall be designated as Agent for purposes of obtaining estimates for the cost of repair and/or maintenance. The estimates shall be shared with all of the Owners and upon the unanimous agreement of all Owners, the Agent shall enter into a contract with the agreed upon provider to perform the necessary maintenance. All Owners shall equally share the costs of the maintenance and shall pay their share of the cost to the contractor upon completion of the agreed upon work.
  - c. The maintenance shall not, for purposes of this Agreement, include any (i) improvement to the Road beyond the condition thereof as of the date of this Agreement, (ii) widening, landscaping or other upgrading of the Road or (iii) maintenance of any driveway connection to the Road that incorporates an apron, culvert or drain pipe.
  - d. This Road Maintenance Agreement, and any amendments hereto, shall be recorded among the land records of Moore County, North Carolina, and shall constitute a covenant running with the land, and the terms hereof shall not be amended or modified, except by written agreement.
  - e. The benefits and burdens of this agreement shall at all times be binding upon the parties hereto and upon their heirs, successors in interest and assigns.
- 2. <u>Duration</u>. This Agreement shall remain in full force and effect as to the Road or any portion thereof until such time as the Road or any portion thereof are maintained by a governmental body (and any portion thereof not maintained by a governmental body) shall remain subject to this Agreement.
- 3. Entire Agreement; Waiver; Amendment or Rescission. This Agreement, including any appendices hereto, constitutes the entire agreement between the Parties with respect to the subject matter hereof, and supersedes all other prior agreements or undertakings with respect to the subject matter hereof, both written and oral. Except as otherwise provided herein, this Agreement may be supplemented, amended or rescinded only with unanimous prior written consent of the Owners.

[Remainder of page intentionally left blank.]

INDLOS (SEAL)

Lucinda S. Nuthmann By:

STATE OF /	Massa	chusetts
COUNTY OF	Ham	psnure

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Lucinda S. Nuthmann	

 $\square$ 

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a MA DRivers Liense

A credible witness has swom to the identity of the principal

Witness my hand and official stamp or seal on this the day of March, 2020.

MARIA DENORONHA Netary Public. Commonwealth of Massachusetts My Commission Expires August 20, 2021

Notary Public

Print notary name: Maria (notary name must be exactly as on notary seal)

\$ 20/2021 My commission expires:

(SEAL) Jessica S. Nuthmann

By:

STATE OF COUNTY OF

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Jessica S. Nuthmann	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a <u>NY DL</u> : or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the  $1\frac{9}{2}$  day of March, 2020.



Print notary name:	MICHELE MERRIHEW
(notary name must be exactly as	on notar Bratelof New Jersey
My commission expires:	My Commission Expires Dec. 6, 2023 I.D.# 2307523

elinda Hennings McNeill

By:

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STATE OF <u>NC</u> COUNTY OF <u>Moo</u>

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Belinda Hennings McNeill	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_ ; or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the  $\underline{19}$  day of March, 2020.

Leus B Secons

Print notary name: Dena B (notary name must be exactly as on notary seal)

My commission expires: Dcg. 18, 2020



(SEAL) By: Steven Lee Dinkins

STATE OF COUNTY OF

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Steven Lee Dinkins	

I have personal knowledge of the identity of the principal; I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a NCDL; 07

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the day of March, 2020.

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ml Print notary name: (notary name must be exactly as on hotary seal)

My commission expires:



SEAL) **Hennings** Diakins

STATE OF North Carolina \_\_\_\_\_

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Ashley Hennings Dinkins	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a <u>NCDL</u>; or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 19th day of March, 2020.

MARI M PILKINGTON NOTARY PUBLIC Print notary name: <u>Mari M. Pilki</u> (notary name must be exactly as on notary seal PITT COUNTY, NC My Commission Expires 4-14-2020 My commission expires: <u>4-14-2020</u>

her, (SEAL) Paula Dianne Holder

STATE OF <u>MC</u> COUNTY OF <u>MCOCC</u>

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I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Paula Dianne Holder	

I have personal knowledge of the identity of the principal; I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a ; or

Witness my hand and official stamp or seal on this the 13 day of March, 2020.

sena B Notary Public

Print notary name: Dena (notary name must be exactly as on notary seal)

My commission expires: Del. 18, 2030

[affix notary and wheth the be fully legible, below]

(SEAL) By: Fhomas K Morgan

STATE OF North Canling

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I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Thomas K Morgan	Self

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a  $\underline{\mathcal{NC}}$  Or  $\underline{\mathcal{Ner5}}$  (identification is a current state or federal identification with the principal's photograph in the form of a  $\underline{\mathcal{NC}}$  Or  $\underline{\mathcal{Ner5}}$  (identification is a current state or federal identification is a current state or federal identificati

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 1/2 day of March, 2020.



(SEAL) Renee M. Morgan

STATE OF North Carolina COUNTY OF Moore

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity	
Renee M. Morgan	Self	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a <u>see Order's License</u>; or A gradible witness has away to the identity of the principal

A credible witness has sworn to the identity of the principal

Witness my hand that official stamp or seal on this the  $\frac{18}{18}$  day of March, 2020.



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Print notary name: ( (notary name must be exactly as oh notary seal)

My commission expires:

(SEAL)

By: Anders Johansson

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STATE OF NORTH CAROLINA COUNTY OF MOORE

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Anders Johansson	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a  $\frac{1}{1}$ ,  $\frac{1}{1}$ ,  $\frac{1}{1}$ , or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the \_\_\_\_\_ day of March, 2020.

Notary Public

Print notary name: Dena (notary name must be exactly as on notary seal)

My commission expires: Dod. 18, 2020



Sarah Lahanssen (SEAL)

By: Sarah Johansson

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 $\Box$ 

COUNTY OF MODEL

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Sarah Johansson	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a  $100 \pm 100$ ; or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the \_\_\_\_\_ day of March, 2020.

Notary Public

Print notary name: Dena B Sesson S (notary name must be exactly as on notary seal)

My commission expires: Deg. 18, 3030

[affix to tany sent, which which there be fully legible, below]

(SEAL) Dovle Markham Bγ:

STATE OF North Carolina COUNTY OF MODVE

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

<u> </u>	Name	Capacity
	Doyle Markham	owner

B

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_; or

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the  $\frac{20}{2}$  day of March, 2020.

Kan Tart Briggo Notary Public

Print notary name: <u>KAVA Tart Briggs</u> (notary name must be exactly as on notary seal)

My commission expires: December 15,2020



taunn(SEAL)

Garrett Hausman

STATE OF COUNTY OF

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Garrett Hausman	

- I have personal knowledge of the identity of the principal;
- 卢 I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a Drivers License ; or П
  - A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 2 day of April, 2020.

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Print notary name:
$= \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_$
AROLINA My commission expires:

[affix notary seal, which must be fully legible, below]

1 CV Huce (SEAL)

STATE OF	nc
COUNTY OF	moore

I certify that the following person personally appeared before me this day and acknowledged to me that the following person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
Tesla L. P. Hausman	

I have personal knowledge of the identity of the principal;

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a Drivers License; or 

A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 22 day of April, 2020.
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Notary Public Notary Public Notary Public Notary name: Print notary seal)
$= \sum_{i=1}^{n} \sum_{j=1}^{n} \sum_$
$\frac{1}{2} \frac{1}{2} \frac{1}$

[affix notary seal, which must be fully legible, below]