

# Preliminary

North Carolina  
Franklin County

EVERGREEN FARM ROAD

Private Road Maintenance  
Agreement

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by and among the undersigned individual being the an owners of those Parcels of land located on Evergreen Farm Road and being more particularly describes as Map \_\_\_\_\_ Page \_\_\_\_\_ Franklin County Registry do hereby agree and covenant with all person, firms, or corporations, now owning and hereafter acquiring any of the area included within the above referenced land, that all are hereby subjected to the following road maintenance agreement, running with said properties with said properties by whomsoever owned, to wit:

- (1) Evergreen Farm Road as shown on the map described above shall be a private street but is dedicated for the use of all owners of tracts shown on the map described and the general public.
- (2) There is hereby created a Property Owner's Association for the purpose of maintaining the road shown on the map as well as establishing rules establishing speed limits.
- (3) Each owner of a lot abutting one of these streets shall be a member of the Property Owner's Association and shall be entitled to one vote per recorded tract owned at the annual meeting of such association to be held on the second Tuesday of May of each year, commencing in year 2024. At the annual meeting there shall be elected a Board of Directors for the Property Owner's Association consisting of three members and the three members so elected shall be responsible for contracting and providing for the street maintenance and assessing the owners abutting the private street.
- (4) In the event an owner fails to pay his proportionate part of the street maintenance, based on recorded tract owned, the association may enforce such payment through civil action be instituted for such purpose in the General Court of Justice of Franklin County North Carolina.
- (5) The assessment may not exceed \$200 per year per recorded tract unless there is a 2/3 vote of all members.
- (6) That the easement is not constructed to minimum State standards sufficient to allow its inclusion on or to the State highway system for maintenance.
- (7) That this Statement and Declaration is executed and recorded for the express purpose of putting all prospective purchasers of the lots in said property on notice as to the status as an easement, notwithstanding any requirements on the present owner to supply and secure an appropriate acknowledgment of receipt of this Disclosure by any of said lots in the above-described real property
- (8) An affirmative vote of two-thirds (2/3rds) of the lot owners shall be required in order to convert said easement into a public road, all property owners along this easement will sign the plat, dedicating the rights-of-way.

Property Owners

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Julianna O. Wright, Managing Member  
Evergreen Farm SR 1237, LLC