

Road Maintenance Agreement:

WHEREAS, the property more particularly described in the attached contract may be situated along a private road which serves as access to and from the State- maintained road and/or has a private road crossing it which provides access to other parcels; and

WHEREAS, the undersigned are advised that various lending institutions require execution of a private road maintenance agreement to deal with private road maintenance, and they have determined that it is in their best interest to establish a roadway maintenance agreement for purposes of providing for the upkeep and maintenance of said private road.

In order to deal with these issues, the Purchaser acknowledges and agrees that:

1. If located on a private road, the aforesaid private road constitutes the main access to and from its residence or property to the State-maintained road.
2. If the property that is the subject of this contract has a private road across it, Purchaser acknowledges that an easement for ingress and egress over said private road will be reserved in the deed to Purchaser.
3. The undersigned covenant and agree that each property owner along said private road shall have unobstructed right of ingress and egress over said private road to and from their respective residences or property.
4. Purchaser acknowledges that an easement for utilities will be reserved in its deed so that utility lines can be installed and maintained within the area reserved for the private road that crosses its property.
5. Purchaser agrees that it is in the best interest that said private road shall be maintained in good and passable condition as a gravel/dirt drive and that they will share equally in the cost of maintaining said private road to keep it in a state of repair that is. at a minimum, as good as the condition of the private road at the time of the closing. An annual fee of \$500.00 (per lot or parcel served by the road) for the first year payable at closing, and \$250.00 for each year thereafter will be collected from the undersigned once a year to provide for private maintenance. In the event additional money is needed to maintain or improve the private road, a majority vote of all the owners who use the driveway must agree in writing of any additional assessment over the \$250.00 annual fee. In the event it is necessary to take legal action to enforce any term of this agreement, the prevailing party shall be entitled to collect reasonable attorney's fees for enforcement of this agreement.
6. In the event any of the parcels served by the private road is subdivided, and the new tract also utilizes the private road for access, each new owner will be obligated to pay the \$250.00 annual maintenance fees and will be bound by all other terms and conditions of this agreement.

This agreement is intended to be binding on all parties who own property or residences along said private road, their heirs and assigns, as well as any future owner who is given rights to said private road.