

FILED	
CHATHAM COUNTY NC	
LUNDAY A. RIGGSBEE	
REGISTER OF DEEDS	
FILED	Oct 20, 2023
AT	03:08:18 pm
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START PAGE	0543
END PAGE	0545
INSTRUMENT #	09238
EXCISE TAX	(None)

ROAD MAINTENANCE AND COMMON AREA AGREEMENT FOR VERSAILLES LANE

RETURN TO:

Frank R. Dunphy, II and Cherie H. Dunphy

**2432 Andrews Store Road
Pittsboro, NC 27312**

THIS ROAD AND COMMON AREA MAINTENANCE AGREEMENT (“Agreement”) is made and entered into this 20th day of Oct, by Frank R. Dunphy, II and Cherie H. Dunphy (the “Declarant”) in connection with a private road known as (“Versailles Lane”).

WHEREAS, Versailles Lane is a private road along which rests a common area, defined as 1. approximately 180 feet long, composed of fencing intermixed with evergreen trees and 2. at the entrance to the private road, the road name sign, Also, along this private road rests the various lots owned by the Declarant, said lots being more particularly described as follows:

BEING all of certain Lots 1-4 inclusive (15 Versailles Lane, 33 Versailles Lane, 67 Versailles Lane, and 81 Versailles Lane, respectively), Final Plat of Subdivision for Versailles Lane, all easements, public and private, all rights of ways not yet publicly dedicated, open space, and all other property of any type as shown on a map thereof recorded in Book of Maps 2023, Page 227 and Page 233, Chatham County Registry, to which plat reference is hereby made for a more particular description (the “Lots”); and

WHEREAS, the Declarant previously dedicated a thirty foot (30’) private access and utility easement to serve the Lots currently owned by Declarant and now desires for the Owners of the Lots after issuance of a building permit or construction permit for the home on that Lot (“Homeowners”) to share equally in the costs of repair and maintenance of Versailles Lane and the Common Area.

NOW THEREFORE, Declarant, for other good and valuable consideration, does hereby declare as follows:

Versailles Lane is being provided by Declarant as a newly constructed, private paved road (certified by Chatham County) with one layer of asphalt. The Declarant shall never pay any portion of the assessments set forth in this Agreement and will not incur any liability for the condition of Versailles Lane, nor the Common Area. The builder of the homes during construction shall not be considered a Homeowner and therefore shall not pay any portion of the assessments set forth in this Agreement.

1. ROAD DEDICATION: The Declarant has previously dedicated an easement thirty feet (30') in width, as shown on a map of the Subdivision Plats recorded in Book of Maps 2023, Page 227 and Page 233, Chatham County Registry, for the common ingress, egress and regress of the Declarant and its successors in title of each of the Lots, their guests and invitees, and for the purpose of installation and maintenance of standard utilities, such private roadway to be shared and maintained by the Homeowners of each of the Lots equally as set forth below.

2. IMPROVEMENT AND MAINTENANCE: Homeowners shall determine the need and type of maintenance to be performed on Versailles Lane based on an annual majority vote of the Homeowners each June, with each Lot casting one vote. Prior to the issuance of a Building Permit or Construction Permit for all 4 Lots, the need and type of maintenance to be performed on Versailles Lane shall be based on a majority vote of the Property Lot Owners, annually in June, with each Lot casting one vote.

3. ASSESSMENTS:

a. AMOUNT: Each Homeowner of the Lots shall equally share in the costs and pay for any improvement (i.e., top layer of asphalt), and the maintenance and repair of Versailles Lane and the Common Area. Each Property Lot Owner shall cast one vote annually in June. The majority vote of the Property Lot Owners shall determine the need and type of maintenance to be performed on Versailles Lane. In no circumstance will the Declarant be responsible for placing any additional improvement to Versailles Lane or the Common Area.

b. LIEN: The assessments provided for herein shall be a lien on the Lots of each Homeowner until paid, subordinate, however, to the lien of any First Deed of Trust to secure any promissory note providing funds for the construction or financing the acquisition of improvements on said Lots. Said lien may be enforced by any Property Lot Owner according to subdivision assessment liens enforced under North Carolina law, including the Planned Unit Development Act.

(SIGNATURE PAGE TO FOLLOW)

G.S. 10B-41 NOTARIAL CERTIFICATE FOR ACKNOWLEDGEMENT

Chatham County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document:

Frank Dunphy II & Cherie Dunphy.

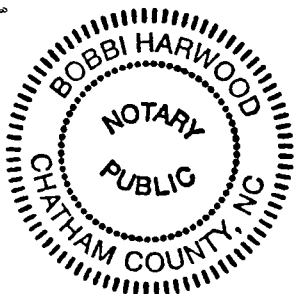
Name(s) of Principals

Frank R. Dunphy II
Frank R. Dunphy, II

Cherie H. Dunphy
Cherie H. Dunphy

Date: 10-20-2023

(Official Seal)



Bobbi Harwood
Official Seal of Notary

Bobbi Harwood Notary Public
Notary's printed or typed name

My commission expires: 11-08-2027