

FILED FOR REGISTRATION  
NOVEMBER 8, 2013 11:47 AM  
DATE TIME  
AND RECORDED IN BOOK 943 PAGE 180  
M. BRENT SHOAF, REGISTER OF DEEDS  
DAVIE COUNTY, NC  
BY Shamark D. Kellon  
DEPUTY

This instrument drafted by: John A. Richardson, III [22 Miller Street; Winston-Salem, NC 27104]  
A Title Search May Not Have Been Performed Or Requested

After recording, return to: **John A. Richardson, III**  
**22 Miller Street**  
**Winston-Salem, NC 27103**  
**Forsyth County Register of Deeds Box #117**

Parcel#: J300000023 PIN#: 5727597580

North Carolina )  
Forsyth County )

**ROAD MAINTENANCE OBLIGATIONS AGREEMENT**

This Road Maintenance Obligation Agreement, made this the 08th day of November, 2013, by **Stephen A. Grimaldi** and **Rebecca M. Grimaldi**, all of Davie County, North Carolina in consideration of Ten Dollars (\$10.00) and other mutually exchanged valuable consideration, the receipt of which is hereby acknowledged, agree to the following:

1. That the undersigned parties own the property shown on Exhibit A along with notice of confirmed (and possible) easement rights of others over a 60-foot strip of this Agreement's Grantors' property shown on Exhibit A and commonly known as Persimmon Grove Lane.
2. That the undersigned seek to apply maintenance obligations upon their lot shown on Exhibit A so that the property described on Exhibit A has a properly maintained and passable roadway to a public street to make their respective property easier to meet lender requirements for sale or mortgage purposes.


The passageway to the subject public street (Green Hill Road) is the aforementioned Persimmon Grove Lane which is part of this Agreement's Grantors' property shown on Exhibit A. Although this Agreement's Grantors own the strip of land known as Persimmon Grove Lane as part of the attached Exhibit A and the western terminus point of said Persimmon Grove Lane is the public Green Hill Road, the said Persimmon Grove Lane strip is used as this Agreement's Grantors' driveway from their primary residence to Green Hill Road. Accordingly, this Agreement's Grantors' purchase lender requires this Road Maintenance Agreement as confirmation that the said Grantors' passageway from Green Hill Road to the aforementioned Grantors' residence that lies within the boundaries of the property described on Exhibit A will be maintained in a passable condition for loan security purposes.

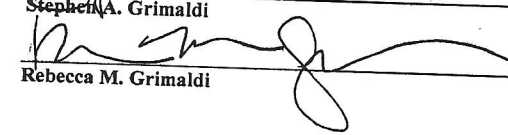
The easement status of said Persimmon Grove Lane, as concerns other adjacent landowners, is explained in the attached Exhibit A. No adjacent landowners along Persimmon Grove Lane are included as makers of this Agreement. However, this Agreement is further used to give public notice of this Agreement's Grantors' intent to seek compensation from any adjacent landowners along Persimmon Grove Lane who damage the integrity of Persimmon Grove Lane's passable condition to the point that repairs to said Persimmon Grove Lane become necessary to maintain Persimmon Grove Lane in a passable condition.

- 3. To clarify the nature of the maintenance requirement imposed upon the tract described on Exhibit A, the parties declare that the maintenance obligations (1) shall be permanent, private and apply just to the lot described on the attached Exhibit A for which lot's benefit this agreement is strictly limited; and (2) shall run with the land described in Exhibit A with road maintenance obligations that shall be for the reasonable maintenance of the roadway to a public street in a passable condition subject to the reasonable demands of any lender to whom the parties are obligated.
- 4. That the terms of this agreement are binding upon the makers' heirs, assigns and successors-in-interest.

And the said Grantor(s) do/does covenant that he/she/they is/are seized of said premises in fee and has/have the right to make this Road Maintenance Obligations Agreement.

In Testimony Whereof, the said Grantor(s) has/have hereunto set his/her/their hand(s) and seal(s) the day and year first above written.

  
 \_\_\_\_\_ (SEAL)  
 Stephen A. Grimaldi

  
 \_\_\_\_\_ (SEAL)  
 Rebecca M. Grimaldi

North Carolina  
 Forsyth County

I, John A. Richardson, III, a Notary Public in and for Forsyth County, State of North Carolina, do hereby certify that Stephen A. Grimaldi and wife, Rebecca M. Grimaldi personally appeared before me this day and acknowledged the execution of the foregoing General Warranty Deed. Witness my hand and Notarial Seal, this the 8<sup>th</sup> day of November, 2013.

  
 \_\_\_\_\_ (seal)  
 Notary Public

My Commission Expires: 12/12/2015

JOHN A. RICHARDSON, III  
 NOTARY PUBLIC  
 FORSYTH COUNTY  
 NORTH CAROLINA  
 SEAL  
 My Commission Expires 12/12/2015

M. Brent Shoaf, Register of Deeds for Davie County, North Carolina by: \_\_\_\_\_

EXHIBIT A

**BEGINNING** at an iron in the northeastern corner of the property of Jonathan Matlock and Stacy Matlock (see Davie County Registry Deed Book 882, Pages 670 and 671; commonly known as PIN# 5727593333); running thence **North 86° 37' 54" West 312.33 feet to an iron**; thence running **North 08° 40' 53" West 5.23 feet to a ¾" bent iron** in the northeastern corner of the property of Evangelical Church Apostles and Prophets (see Deed Book 614, Page 870, D.C.R.; PIN# 5727497650), said corner also being in the southern margin of a 60' private access and utility easement shown as a proposed easement at Plat Book 08, Page 249 and Plat Book 08, Page 308, D.C.R., then noted at Plat Book 10, Page 350, D.C.R. (commonly known as Persimmon Grove Lane); running thence with the northern line of said Evangelical Church Apostles and Prophets' property and the presumed southern margin of said 60' private access and utility easement shown as a proposed easement at Plat Book 08, Page 249 and Plat Book 08, Page 308, D.C.R., then noted at Plat Book 10, Page 350, D.C.R. (commonly known as Persimmon Grove Lane), **North 84° 24' 11" West 635.22 feet to an iron** in the eastern margin of the right-of-way for Green Hill Road (S.R. 1116/1139); running thence with the eastern margin of the right-of-way for said Green Hill Road, **North 12° 30' 51" West 63.09 feet to an iron**, said iron being the southwestern corner of the property of the William and Peggy Joyner Living Trust (see Deed Book 932, Page 631; D.C.R.; PIN# 5727498878); running thence with the said William and Peggy Joyner Living Trust's southern line and with the northern margin of the aforementioned 60' private access and utility easement shown as a proposed easement at Plat Book 08, Page 249 and Plat Book 08, Page 308, D.C.R., then noted at Plat Book 10, Page 350, D.C.R. (commonly known as Persimmon Grove Lane), **South 84° 23' 45" East 653.61 feet to an iron**, thence continuing with the aforementioned William and Peggy Joyner Living Trust's southern line and the northern margin of the aforementioned Persimmon Grove Lane, **South 86° 37' 48" East 348.02 feet to an iron** in the southeastern corner of the aforementioned William and Peggy Joyner Living Trust property at Deed Book 932, Page 631, D.C.R.; running thence **North 05° 12' 52" East 6.94 feet to an iron** in the southwestern corner of another William and Peggy Joyner Living Trust tract (see Deed Book 614, Page 621; D.C.R.; PIN# 5727595964); running thence with the southern line of the second referenced William and Peggy Joyner Living Trust tract (see Deed Book 614, Page 621; D.C.R.; PIN# 5727595964) and the northern margin of the aforementioned Persimmon Grove Lane, **South 89° 27' 44" East 235.08 feet to an angle iron** in the southwestern corner of the property of Deborah J. Hendrix (see Deed Book 630, Page 869; D.C.R.; PIN# 5728600056) **North 88° 09' 08" East 832.70 feet to an iron** in the aforementioned Hendrix's southeastern corner; running thence **South 04° 55' 11" West 1038.58 feet to a 1.5" iron** in, or near, a branch, said iron marking the northeastern corner of the property of Bobby Lee Keller (see Deed Book 314, Page 105; D.C.R.; PIN# 5727488972); running thence with said Keller's northern line, **North 83° 16' 30" West 949.87 feet to an iron** in the southeast corner of the aforementioned Matlock property; thence with the eastern line of said Matlock property, **North 05° 10' 14" West 832.56 feet to an iron**, **THE POINT AND PLACE OF BEGINNING**. Containing **24.07 acres**, more or less. All according to an unrecorded survey of Allied Land Surveying Co., P.A.; 4720 Kester Mill Road; Winston-Salem, NC 27103. Job No. 11-179. Dated: 16 October 2013.

Subject to the below Comments 1, 2 and 3.

0183  
**Comment 1:** The above-described tract is a flag lot. The "pole" (or "neck") portion of the said flag lot is the above referenced Persimmon Grove Lane which specifically serves as a 60-foot wide access and utility easement for above-referenced lots that are also listed below:

1. **PIN# 5727497650:** currently in the name of the Evangelical Church Apostles and Prophets (see Deed Book 614, Page 870, D.C.R.). [See other easement grants at: Deed Book 107, Page 813; Deed Book 169, Page 838 and Deed Book 201, Page 156]
2. **PIN# 5727498878:** currently in the name of the William and Peggy Joyner Living Trust (see Deed Book 932, Page 631; D.C.R.).
3. **PIN# 5727595964:** currently in the name of the William and Peggy Joyner Living Trust (see Deed Book 614, Page 621; D.C.R.).
4. **PIN# 5728600056:** currently in the name of Deborah J. Hendrix (see Deed Book 630, Page 869; D.C.R.).

The said 60' Access and Utility Easement (commonly known as Persimmon Grove Lane) is described below per the metes and bounds definition provided at Plat Book 08, Page 249, D.C.R. recorded by Deborah J. Hendrix who is shown on the plat as "Owner" but in fact owned only a lot that the easement benefits (see Deed Book 630, Page 869; D.C.R.). The tract over which the easement defined at Plat Book 08, Page 249 passes was owned at the time of the recording of Plat Book 08, Page 249 by Jeffrey Dean Joyner who did not sign the recorded Plat Book 08, Page 249 as owner. The Plat Book 08, Page 249 description is as follows:

**BEGINNING** at an iron in the northeastern corner of the property of Green Hill Baptist Church (see Deed Book 107, Page 466, D.C.R.; now known as the property of Evangelical Church Apostles and Prophets [see Deed Book 614, Page 870, D.C.R.]); running thence South 86° 37' 36" East 815.31 feet to a point; running thence North 03° 22' 24" East 60.00 feet to a point; running thence North 86° 37' 36" West 40.62 feet to a point; running thence North 03° 22' 24" East 35.95 feet to a point; running thence South 88° 08' 55" West 60.25 feet to a point; running thence South 03° 22' 24" West 30.46 feet to a point; running thence North 86° 37' 36" West 305.58 feet to a point; running thence North 03° 22' 24" East 9.87 feet to a point; running thence North 89° 27' 12" West 60.07 feet to an iron; running thence South 03° 22' 24" West 6.91 feet to a point; running thence North 86° 37' 36" West 348.06 feet to a point; running thence North 84° 23' 53" West 653.65 feet to a point in the eastern margin of Green Hill Road (S.R. 1160); running thence South 11° 23' 13" East 62.74 feet to a point; running thence South 88° 08' 55" East 60.25 feet to a point, the **POINT AND PLACE OF BEGINNING**.

A subsequent Plat Book 08, Page 308 describes Persimmon Grove Lane as a "Proposed 60' Private Access & Utility Easement" without the benefit of a metes and bounds description. Plat Book 08, Page 308 is signed by an adjacent lot owner, Theron Miller Stewart, III (see Deed Book 647, Page 813; D.C.R.). The tract over which the easement stated at Plat Book 08, Page 308 passes was owned at the time of the recording of Plat Book 08, Page 308 by Jeffrey Dean Joyner who did not sign the recorded Plat Book 08, Page 308 as owner.

The current, most recent plat to address the easement status of Persimmon Grove Lane is recorded at Plat Book 10, Page 350 which describes Persimmon Grove Lane as an unqualified "60' Private Access & Utility Easement" without the benefit of a metes and bounds description. The tract over which the easement stated at Plat Book 10, Page 350 passes was owned at the time of the recording of Plat Book 10, Page 350 by the Estate of Jeffrey Dean Joyner whose Administrator, Robert A. Joyner, signed the recorded Plat Book 10, Page 350 as owner.

The metes and bounds description at Plat Book 08, Page 249, in combination with the Plat Book 10, Page 350 statement of Persimmon Grove Lane as an unqualified easement, may have created an access and utility easement in favor of all adjacent landowners along Persimmon Grove Lane. However, no lots adjacent to the said Persimmon Grove Lane, other than those mentioned in this Comment 1, have yet to be granted a specific, recorded easement over Persimmon Grove Lane to a public road, currently Green Hill Road.

**Comment 2:** The above-referenced Persimmon Grove Lane is subject to Road Maintenance Agreements at Deed Book 630, Page 872 and at Deed Book ~~973~~, Page ~~180~~, D.C.R..

**Comment 3:** The above described tract is further subject to riparian rights in and to creek/river branches noted on the above-referenced survey.

Being the same property described at **Deed Book 599, Page 501; D.C.R..**

**Property Address: 249 Persimmon Grove Lane**  
Mocksville, NC 27028

**Parcel#: J300000023 PIN#: 5727597580**  
Re: Stephen A. Grimaldi & Rebecca M. Grimaldi