

Prepared by Smart & Smart, p.c.	Return to Smart & Smart, p.c.
Tax Map # 76 20 11	

**DECLARATION OF ROAD MAINTENANCE
WINDING RIDGE, LOUISA COUNTY, VIRGINIA**

The undersigned, BORDEN ESTATES, LLC, ("Borden") does hereby declare that the obligations stated in this Declaration shall be applicable to the twenty-seven (27) subdivision lots in Winding Ridge, the subdivision plat of which is recorded in the Clerk's Office, Circuit Court of Louisa County, Virginia, in Plat Book 8, pages 2542-2543, as follows:

BECAUSE Borden has undertaken to construct subdivision roads which are to be placed in the Virginia Department of Transportation highway system upon completion; and

BECAUSE Borden has posted a cash bond to cover the anticipated costs of construction and maintenance of the subdivision roads; and

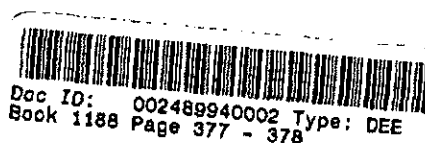
BECAUSE the cost of maintaining the roads is estimated to be \$1,500.00 - \$2000.00 for the subdivision roads.

NOW THEREFORE, Borden declares that the owners of each lot shall pay a road maintenance fee of \$80.00 per year, from the time (1) that Borden gives notice that it will not complete the construction of the roads, and (2) there is a complete failure of Louisa County to apply the proceeds of the cash bond that has been posted for the roads' completion.

The road maintenance fee shall be paid to a non-profit Virginia corporation, which shall be organized by Borden to administer this agreement to maintain the roads.

The second and successive payments of the road maintenance fee shall be paid on each successive anniversary date of the first payment due.

Any owner, or group of owners, of subdivision lots, who have paid their road maintenance fee, shall have standing to enforce the terms of this Declaration against any lot owner who has failed to pay the road maintenance fee when due.



Executed this 31st day of August, 2009.

BORDEN ESTATES, LLC

By [Signature]
Larry G. Giannasi
Managing Member

By [Signature]
William C. Schaeffer
Managing Member

STATE OF VIRGINIA
COUNTY OF Harover

The foregoing instrument was acknowledged before me this 31st day of August, 2009, by Larry G. Giannasi, Managing Member of Borden Estates, LLC, a Virginia Limited Liability Company, on behalf of the company.

SUSAN MCCARSON
Notary Public
Commonwealth of Virginia
144323
My Commission Expires May 31, 2011

My commission expires: May 31, 2011

[Signature]
Notary Public
Notary Registration #: 144 323

STATE OF VIRGINIA
COUNTY OF Harover

The foregoing instrument was acknowledged before me this 31st day of August, 2009, by William C. Schaeffer, Managing Member of Borden Estates, LLC, a Virginia Limited Liability Company, on behalf of the company.

My commission expires: May 31, 2011

SUSAN MCCARSON
Notary Public
Commonwealth of Virginia
144323
My Commission Expires May 31, 2011

[Signature]
Notary Public
Notary Registration #: 144 323

INSTRUMENT #09006852
RECORDED IN THE CLERK'S OFFICE OF
LOUISA COUNTY ON
SEPTEMBER 8, 2009 AT 04:14PM

SUSAN R. HOPKINS, CLERK
RECORDED BY: ELK