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Filed for registration on the 9 day of Sept.
20 02 at 3:55 o'clock P m. and registered and
verified on the 9 day of Sept. 20 02
in book no. 119 of page 113
Walter K. Edwards
Register of Deeds, Transylvania County

Boeing Smith
Reputy

ROAD MAINTENANCE AGREEMENT

D. Jordan

This Agreement is made as of February 18, 2002 between the owners of the five lots along the connection to Fox Ridge Road known as Toxaway Woods Road in the Fox Ridge Development (Owners).

RECITALS:

A. Fox Ridge Road, State Road 1305, is maintained by the State up to the point where it enters the Fox Ridge Development. After that point it is a private Road, maintained on an irregular schedule by property owners in Fox Ridge.

B. The parties to this Agreement have arranged for construction of a new connection to Fox Ridge Road near the end of the State Road portion, to serve their properties as a shared driveway. The extension is shown on the Survey recorded in Plat File 9, Slide 452 in the Transylvania County Registry.

C. The Owners do not wish to be included in road maintenance arrangements which may be undertaken by the other residents in Fox Ridge, and wish to have their lots considered part of a separate arrangement to be known as Toxaway Woods.

AGREEMENT:

1. Each of the five Owners in Toxaway Woods grants to the other Owners a non-exclusive easement over the right of way shown on the Plat for access and utility purposes. The easement shall benefit the five lots whose owners are party to this Agreement, Lots 302, 303, 202, 203, and 204 in Fox Ridge, but the easement shall not be available to the general public or to other property owners in Fox Ridge.

2. Each of the five lots shall bear one-fifth of the costs reasonably incurred in the construction, maintenance, and repair of Toxaway Woods Road. The shared costs include the cost of construction, surveying, documentation, and may later include patching, sealing, and resurfacing when needed. The cost of any repairs or maintenance on each party's individual driveway shall not be a shared cost. The cost of removing snow from Toxaway Woods Road shall not be a shared cost under this Agreement.

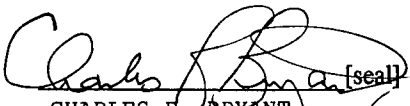
3. The parties have organized a non-profit corporation to collect road assessments and to arrange for work on the road, Toxaway Woods Property Owners Association. All parties to this Agreement shall be members of the Association, and membership shall pass with title to the lots. The Association shall have all powers and remedies as are available under Chapter 47F.


4. This Agreement shall run with the land, and shall be binding on the parties and their successors. This Agreement may be amended by an instrument signed by the owners of at least four of the five affected lots.

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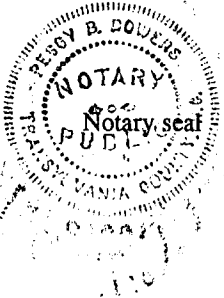
Fox Ridge Road Extension Road Maintenance Agreement
Signature Page

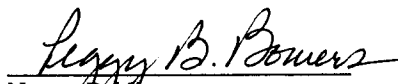
 [seal]
CHARLES R. BRYANT

 [seal]
LINDA C. BRYANT

STATE OF ~~FLORIDA~~ North Carolina
COUNTY OF Transylvania

I certify that Charles R. Bryant and Linda C. Bryant personally
appeared before me and acknowledged execution of this Road Maintenance Agreement on
March 20, 2002.




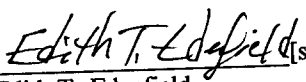

Notary Public

My commission expires: Feb. 24, 2003

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**Fox Ridge Road Extension Road Maintenance Agreement
Signature Page**

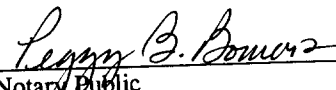

[seal]
Nicholas J. Myers


[seal]
Edith T. Edenfield

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

I certify that Nicholas J. Myers and Edith T. Edenfield personally appeared before me and
acknowledged execution of this Road Maintenance Agreement on March 20,
2002.

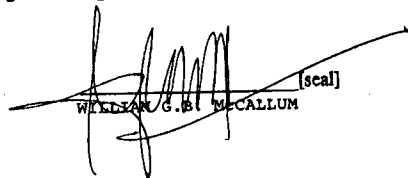



Notary Public

My commission expires: Feb. 24, 2003

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Fox Ridge Road Extension Road Maintenance Agreement
Signature Page


[scal]
WILLIAM G.B. MCCALLUM

STATE OF TEXAS
COUNTY OF HARRIS

I certify that William G.B. McCallum personally
appeared before me and acknowledged execution of this Road Maintenance Agreement on
02-28-02, 2002.

Notary seal  STEVEN SANDOVAL
MY COMMISSION EXPIRES
JUNE 29, 2005
My commission expires: 6-29-05

01/29/2002 17:13 828-966-9556

DONALD JORDAN ATTY
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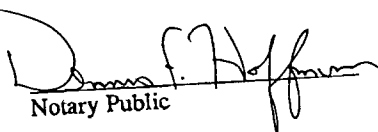
**Fox Ridge Road Extension Road Maintenance Agreement
Signature Page**

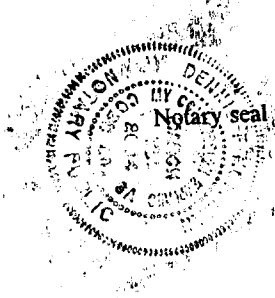
 [seal]

_____ [seal]

STATE OF GEORGIA
COUNTY OF COBB

I certify that Charles H. Wamsley and _____ personally
appeared before me and acknowledged execution of this Road Maintenance Agreement on
February 7, 2002.


Notary Public

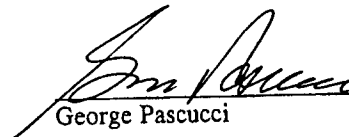


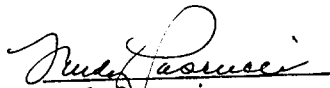
My commission expires March 12, 2004

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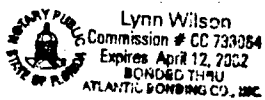
**Fox Ridge Road Extension Road Maintenance Agreement
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 [seal]
George Pascucci

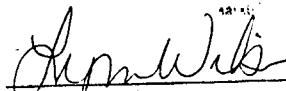
 [seal]
Trudy Pascucci

STATE OF FLORIDA
COUNTY OF DUVAL

I certify that George Pascucci and Trudy Pascucci personally appeared before me and
acknowledged execution of this Road Maintenance Agreement on March 21st, 2002.



Notary seal


Notary Public

My commission expires: 4-12-02

07/28/2002 11:30 828-966-9556

DONALD JORDAN ATTY

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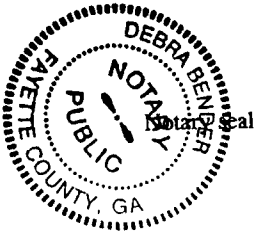
**Fox Ridge Road Extension Road Maintenance Agreement
Signature Page**

_____[seal]
Robert G. McCallum

Mary J. McCallum [seal]
Mary J. McCallum

STATE OF GEORGIA
COUNTY OF Fayette

I certify that ~~Robert G. McCallum~~ and Mary J. McCallum personally appeared before me
and acknowledged execution of this Road Maintenance Agreement on August 15, 2002.



Debra Bener
Notary Public

My commission expires: 14 May 2006

07/28/2002 11:30 828-966-9556

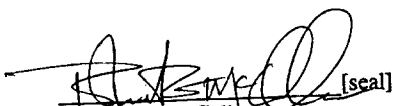
DONALD JORDAN ATTY

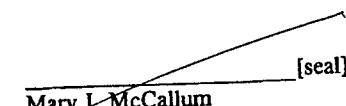
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**Fox Ridge Road Extension Road Maintenance Agreement
Signature Page**

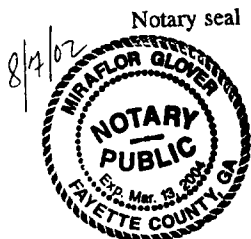

Robert G. McCallum [seal]


Mary J. McCallum [seal]

STATE OF GEORGIA
COUNTY OF Fayette

I certify that Robert G. McCallum and ~~Mary J. McCallum~~ personally appeared before me
and acknowledged execution of this Road Maintenance Agreement on August 7, 2002.


Notary Public



My commission expires: March 13 2004

STATE OF NORTH CAROLINA-TRANSYLVANIA COUNTY

The foregoing certificate of Peggy B Bowers, Steven Sandoral, Dennis F
a Notary Public () of the
State and County designated, is (are) certified to
be correct.
This 9 day of Sept 2002

Debbie L. Edwards
Register of Deeds
Debbie L. Edwards, Deputy

Dennis F Hoffman,
Lynn Wilson,
Debra Borden,
Mirafior Glover