

THIS AGREEMENT WAS PREPARED BY:
ROBERT U. PAULEY, JR., P.C.
FOREST, VIRGINIA 24551
VSB #34160

TAX MAP # 146-12-6, 146-12-7 & 146-12-8

ROAD MAINTENANCE AGREEMENT AND EASEMENT

This Road Maintenance Agreement and Easement, made this the 27th day of April, 2004, by and between **KEITH W. WHITTEN**, party of the first part, grantor and grantee for indexing purposes, and **ROBERT U. PAULEY, JR.**, party of the second part, grantor and grantee for indexing purposes, is as follows:

RECITALS

1. WHEREAS, the parties hereto are the owners of record of Lots 6, 7 and 8, as shown upon a certain plat of survey entitled, "Plat Showing Section I Springwood Farm Center District, Bedford County, VA.", made by Lee Surveying, Inc., dated August 1, 1997, which plat is recorded in the Office of the Clerk of the Circuit Court for the County of Bedford, Virginia in Plat Book 37, at Page 59. Said lots have ingress and egress to and from Dickerson Mill Road over a private road located on the aforesaid Lot 7 and more commonly known as Pauley Place;

2. WHEREAS, the parties hereto wish to make provisions for bearing the cost of maintenance of the aforesaid private road used for ingress to and egress from Lots 6, 7 and 8 as shown upon the aforesaid plat of survey;

3. WHEREAS, the septic tank and drainfield for the dwelling located upon the aforesaid Lot 7 are located on the aforesaid Lot 6; and

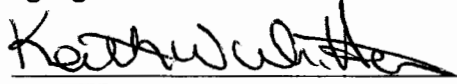
4. WHEREAS, the parties hereto wish to provide an easement for the aforesaid Lot 7 to maintain the septic tank and drainfield on the aforesaid Lot 6.

AGREEMENT

WHEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto agree, for themselves and their successors and/or assigns, that the owners of record of Lots 6, 7 and 8, as shown upon a plat of survey entitled, "Plat Showing Section I Springwood Farm Center District, Bedford County, VA.", made by Lee Surveying, Inc., dated August 1, 1997, which plat is recorded in the Office of the Clerk of the Circuit Court for the County of Bedford, Virginia in Plat Book 37, at Page 59, shall equally share (one-third per lot) all costs of customary maintenance of the aforesaid private road more commonly known as Pauley Place.

WHEREFORE, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part hereby GRANTS and CONVEYS with GENERAL WARRANTY and ENGLISH COVENANTS of title as provided by Section 55-70 of the Code of Virginia of 1950, as amended, unto the party of the second part, a perpetual easement over, across and under the aforesaid Lot 6 owned by the party of the first part and lying in Bedford County, Virginia, for the benefit of the aforesaid Lot 7 owned by the party of the second part and lying in Bedford County, Virginia, for the purpose of maintaining a septic tank and drainfield for the dwelling located on the aforesaid Lot 7, which easement shall be located in the area directly in front of the dwelling located on the aforesaid Lot 7 where the septic tank and drainfield for the dwelling located on the aforesaid Lot 7 are presently located. Said easement shall include the right to maintain a septic tank and drainfield and the right to make all necessary repairs to and provide all necessary maintenance to the septic tank and drainfield and/or to replace the septic tank and drainfield.

WITNESS the following signatures and seals:

 (SEAL)
KEITH W. WHITTEN

 (SEAL)
ROBERT U. PAULEY, JR.

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2004, by Keith W. Whitten.

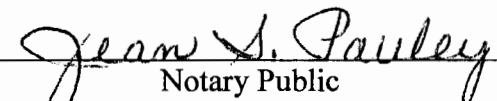
Notary Public

My commission expires: _____.

COMMONWEALTH OF VIRGINIA

CITY/COUNTY OF BEDFORD

The foregoing instrument was acknowledged before me this 27th day of April, 2004, by Robert U. Pauley, Jr.


Notary Public

My commission expires: Dec. 31, 2007.