

Prepared by: John A. Dezio, Attorney
2350 Commonwealth Drive, Suite C
Charlottesville, VA 22901
(434) 244-0303

TMP: 05800-00-00-03200
05800-00-00-03500

DECLARATION

The PRIVATE STREET MAINTENANCE AGREEMENT (hereinafter the "Agreement") is made this 29th day of August, 2016, by CHRISTOPHER V. HYLAND AND DENISE BELL HYLAND, formerly known as Denise Bell Read, husband and wife, (hereinafter the "Declarant"), whose address is 150 Lynx Farm Lane, Charlottesville, VA 22903.

WHEREAS, the Declarant is the owner of a parcel of land known as Albemarle County Tax Map 05800-00-00-0320 Albemarle County Tax Map 05800-00-00-03500 pursuant to a deed of record in the Clerk's Office of the Circuit Court of Albemarle County, Virginia in Deed Book 1704, Page 47 in Deed Book 651, Page 553, and in Deed Book 1142, Page 426; and

WHEREAS, Declarant desires to establish an access easement for the benefit of Tax Map 05800-00-00-03200 over Tax Map 05800-00-00-03500, fifteen feet in width for ingress and egress to and from said property to a fifteen foot road leading to State Road 697, as shown on a plat of C. Steve Garrett, Land Surveyor, dated July 18, 2016, attached hereto and made a part hereof. On said attached plat this access easement is shown as the "New 15' Access Easement" located in the northwest corner of Tax Map 05800-00-00-03500.

NOW, THEREFORE, for and in consideration of the premises and the undertaking contained herein, the Declarant hereby imposes upon said parcels a Street to be maintained as follows:

MINIMUM STANDARD: The Street will be maintained in perpetuity to substantially the same condition as exists at the time of execution of this Agreement.

MAINTENANCE: For purposes of this instrument, 'maintenance', includes the maintenance of the private street, and related drainage facilities, and the prompt removal of

snow, water, debris, or any other obstruction so as to keep the private street reasonably open for usage by all vehicles, including the maintenance, replacement, reconstruction and correction of defects or damage, including, but not limited to, filling of holes, repairing cracks, repairing and resurfacing of roadbeds, repairing and maintaining drainage structures, removing debris, and other work reasonably necessary or property to repair and preserve the easement for all weather road purposes.

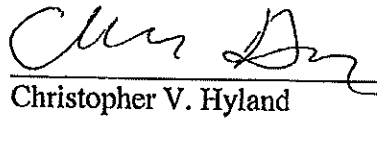
COST OF MAINTENANCE: The owners of TMP 05800-00-00-03200 shall be solely responsible for the cost of the maintenance of, and or repair to the Street. If the owner of a parcel having access over this easement damages or disturbs the surface of the roadway located therein, (other than normal automobile and service ingress and egress). Then, said owner shall be responsible to restore the road surface immediately to the condition in which it existed prior to the damage.

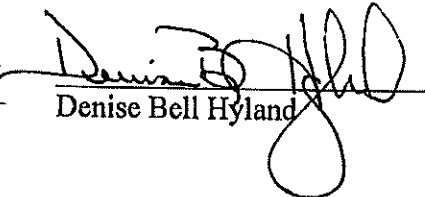
The lien may be enforced in the same manner as any association lien.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed on its behalf by its duly authorized agent.

[SIGNATURE PAGE FOLLOWS]

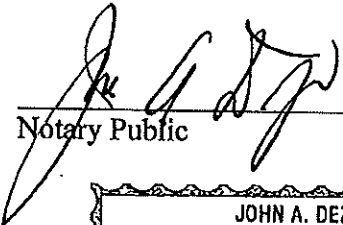
WITNESS the following signatures and seals.

By  (SEAL)
Christopher V. Hyland

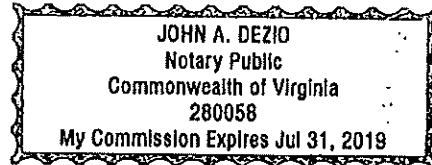
By  (SEAL)
Denise Bell Hyland

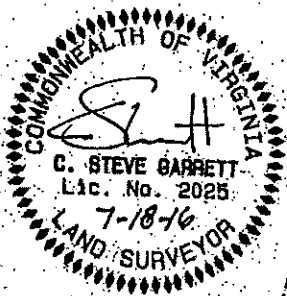
COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF Albemarle, to-wit:

The foregoing Declaration was acknowledged before me this 29th day of August, 2016,
by Christopher V. Hyland and Denise Bell Hyland.


Notary Public

My commission expires:
My Notary ID #

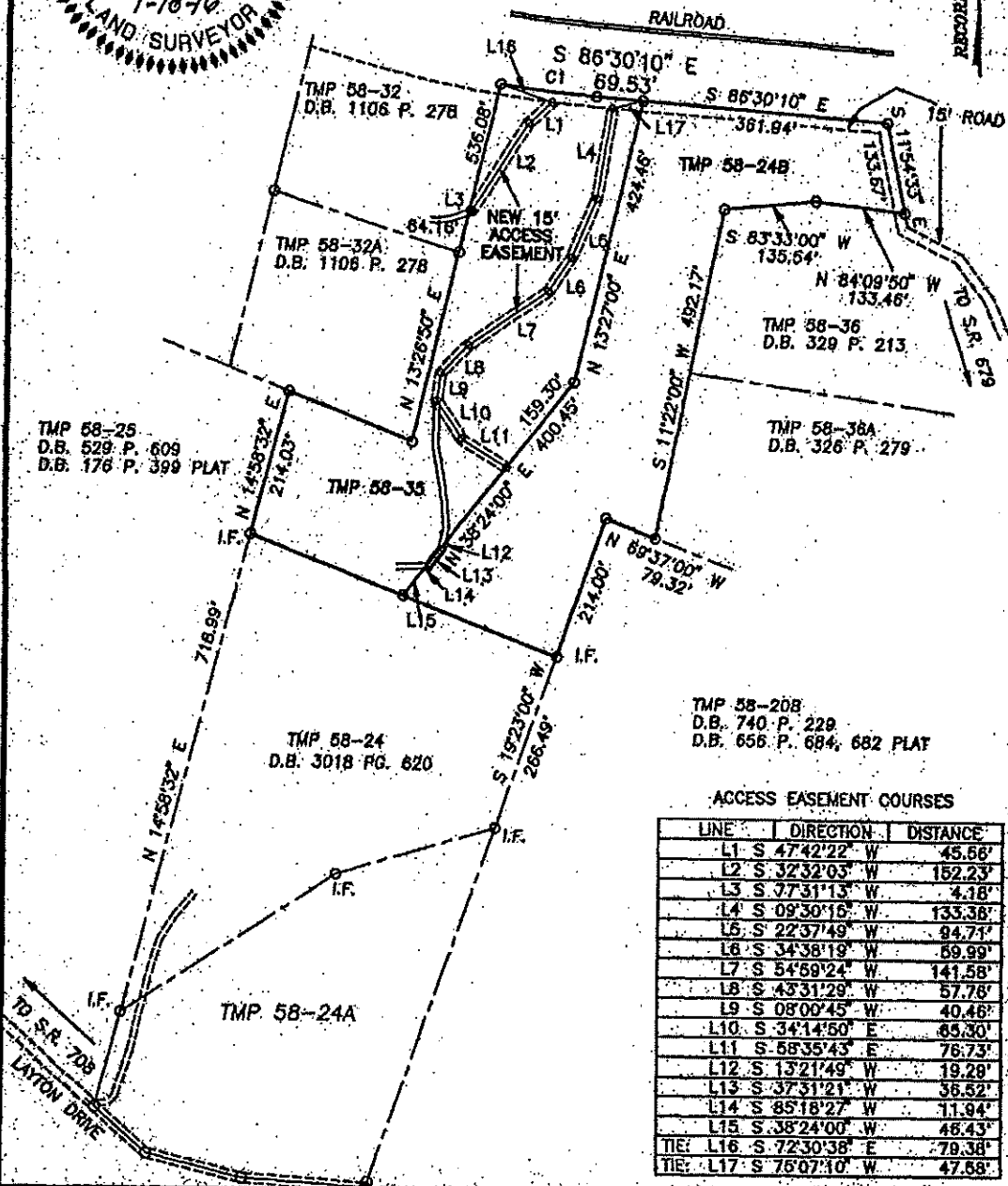




NEW 15' ACCESS EASEMENTS
FOLLOW EXISTING GRAVEL DRIVEWAYS

I.F. = IRON FOUND
I.S. = IRON SET

C1
Δ = 04°16'11"
R = 1913.00'
T = 71.31'
L = 142.56'



**COMMONWEALTH
LAND
SURVEYING, LLC.**



1484 GREENBRIER PLACE
CHARLOTTESVILLE VIRGINIA 22901
PH: 434-973-0513

SCALE: 1" = 200'
JULY 18, 2016

PLAT SHOWING
NEW 15' ACCESS EASEMENTS
TAX MAP 58
PARCELS 24B AND 35
ALBEMARLE COUNTY, VIRGINIA

CSG-CSG

10M69\2004\2004067C

RECORDED IN CLERK'S OFFICE OF
ALBEMARLE ON
SEPTEMBER 8, 2016 at 2:40:11 PM
AS REQUIRED BY VA CODE §58.1-802
STATE: \$0.00 LOCAL: \$0.00
ALBEMARLE COUNTY, VA
COURT CLERK

DC

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