

THIS INSTRUMENT PREPARED BY:  
Southern Tennessee Title & Escrow, LLC  
P.O. Box 310  
Winchester, Tennessee 37398

**Tax ID:**

Map 132, Parcel 2.00  
Map 132, Parcel 2.01  
Map 133, Parcel 34.00  
Map 133, Parcel 34.02

---

**PRIVATE DRIVE AGREEMENT**

Comes now the parties to this agreement, Ray Evans and wife Shirley Evans, and Kenneth Bess and wife, Peggy Bess, the same being the record owners of a private drive serving real property located in Warren County, Tennessee, and do agree as follows:

Whereas, the parties hereto are aware that the property serviced by this private drive, described as follows in the attached "Exhibit A," is going to be subdivided, and

Whereas the parties hereto agree that the private drive in issue is not guaranteed or promised by either Warren or Grundy County to ever become a county maintained public road, and

Whereas it is the parties' intention that said private drive shall become the property of the individual lot owners who purchase the subdivision lots and said private drive shall be used by said lot owners to access their properties, and

Whereas, it is agreed that the present and future maintenance of the private drive shall be the sole responsibility of the lot owners who use said private drive, and an individual lot owner shall be responsible for maintaining the portion of road that fronts or passes through their lot in a passable condition, and

Any individual lot owner shall have the legal right to force a non-complying lot owner to bring road to a passable condition in a court of law if necessary. Any lot owner who must enforce this agreement on another lot owner and who is successful in this endeavor shall have the right to recover attorney fees and court cost, and

Whereas, it is agreed by the parties that no easements shall be allowed on said private drive, and

It is also agreed by the parties hereto and intended that this Private Drive agreement shall run with the land and be binding on all present and future lot owners in the aforementioned subdivision

This is the entire agreement of the parties.

WITNESS OUR HAND on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Ray Evans

\_\_\_\_\_  
Shirley Evans

\_\_\_\_\_  
Kenneth Bess

\_\_\_\_\_  
Peggy Bess

\*\*\*\*\*

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

Personally appeared before me, the undersigned, a Notary Public in and for the above State and County, the within named **Ray Evans and Shirley Evans**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal before me, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public -

My commission expires:

\*\*\*\*\*

STATE OF \_\_\_\_\_ )

COUNTY OF \_\_\_\_\_ )

Personally appeared before me, the undersigned, a Notary Public in and for the above State and County, the within named **Kenneth Bess and Peggy Bess**, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that she executed the within instrument for the purposes therein contained.

WITNESS my hand and official seal before me, on this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Notary Public -

My commission expires: