

Division of Chief Deputy Clerk
Lane County Deeds and Records

2006-022564



\$36.00

00794429200600225640020021

04/03/2006 01:04:22 PM

RPR-ESMT Cnt=2 Stn=1 CASHIER 05

\$5.00 \$10.00 \$10.00 \$11.00

**DECLARATION OF A VARIABLE WIDTH PRIVATE JOINT USE ACCESS AND
UTILITY EASEMENT & MAINTENANCE AGREEMENT**

KNOW ALL MEN BY THESE PRESENTS, that Alberts Development, L.L.C., is the owner of Lots 95-100, MOUNTAINGATE 1ST ADDITION, as platted and recorded 03 Apr 2006, Reception No. 2006-22556, Lane County Plat Records, Lane County, Oregon.

FURTHER, the Owners, Heirs or Assigns of said Subdivision will share a variable width Private Joint Use Access and Utility Easement and enter into a Maintenance Agreement across Lots 95 and 98 as shown on said Subdivision Plat for the benefit of Lots 95 - 100.

NOW THEREFORE, it is hereby agreed and declared that:

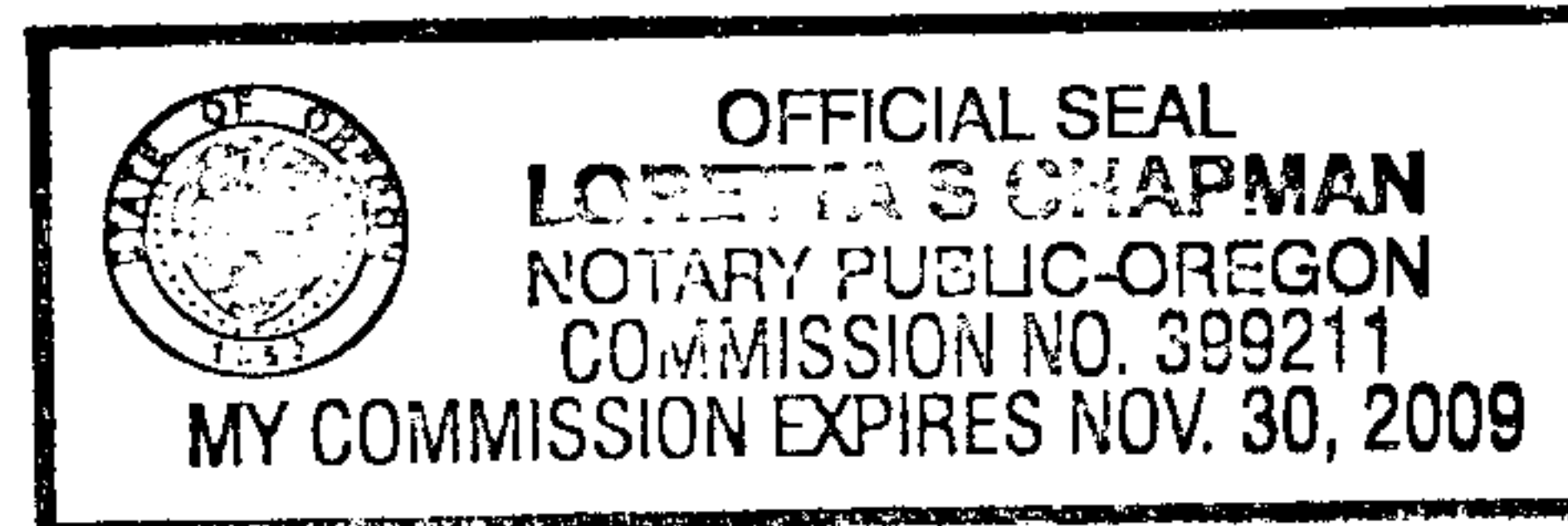
1. The Owners, Heirs and Assigns of the above named lots of said Subdivision shall share equally in the costs of maintenance and operation of said Easement.
2. The Owners, Heirs and Assigns of said Lots may construct and maintain private utilities over and across said Easement.
3. The Owners, Heirs and Assigns of said Lots shall cause said Easement to remain free of structures and parked vehicles and shall be available for access to the public road at all times.
4. Maintenance shall be undertaken at such time as the majority of the owners, being served by said Easement deem it desirable.
5. Emergency vehicles shall have the right to enter upon said Easement for the purpose of emergency vehicle access.

Declared this 28 day of MARCH, 2006.

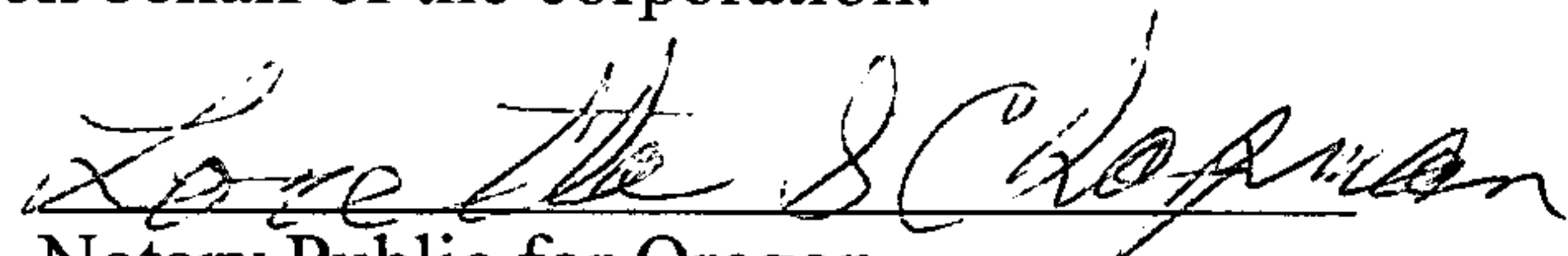


Todd Alberts, Manager
Alberts Development, L.L.C.

State of Oregon)
County of Lane)



This instrument was acknowledged before me on 28th day of March, 2006 by Todd Alberts, Manager of Alberts Development, L.L.C., on behalf of the corporation.



Notary Public for Oregon
My Commission Expires: 11/30/09

Upon recording please return to: Olson & Morris, 380 Q Street, Suite 200, Springfield OR. 97477