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After Recording Return To: CITY OF OREGON CITY
For: David G. And Diane M. Douglass
19588 McCord Rd
Oregon City, Oregon 97045
Copy File no MP 05-15



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**DECLARATION OF PRIVATE ACCESS
AND UTILITY EASEMENT MAINTENANCE
AGREEMENT**

A. DECLARANT: The party (referred to as the "Declarant") to this Declaration is;

David G. Douglass and Diane M. Douglass

B. PROPERTIES: The properties: (collectively referred to as the "Properties") affected by this declaration are:

1. A parcel of land described on Exhibit "A" attached, herein Parcels 2 and 3 *of Partition Plat no, 2007-_____.

C. "EASEMENT MEANS": An access and utility easement over, under and across that portion of said of said Parcels 1,2 and 3.

*Parcel 1 becomes part of this agreement once a driveway connection is made from Parcel 1 to the common driveway serving Parcels 2 and 3.

DECLARATION

1. Declaration of Easement. Declarant, as owner of the Properties, declares that the Properties are held, and shall be held and conveyed, subject to and together with the Easement, in accordance with all the terms and provisions of this Declaration, and Declarant grant and convey the Easement as an appurtenance to and encumbrance on the Property, the benefits and burdens of which Easement, as set out in this Declaration shall run with the Property.

2. Maintenance Obligations and Arbitration. The owners if Owners 2 and 3 * shall each have 50% (*or 33 1/3%) responsibility for the maintenance cost of the easement area. The owners of the property shall require all workers and contractors undertaking maintenance work hereunder ot maintain standard liability insurance in a reasonable amount from a reputable insurance company protecting each owner.

3. Additional Provisions. Any person who enjoys the benefits of the Easement shall hold and save the owner or owners of the servient parcel or parcels burdened by this Declaration harmless from any and all claims of third parties arising from said benefited person's use of rights created by this Declaration. Any person who enjoys the benefit of the Easement and who is responsible for damage to a servient parcel arising from negligence or abnormal use of the Easement shall repair such damage and restore the affected property at the responsible person's sole expense.

4. Future Owners. The Declaration shall run with, benefit and burden the property and shall benefit and bind the owners of the property and their respective successors in interest.

5. Attorney Fees. In the event of action, arbitration , litigation or appeal to enforce any Provision of the Agreement, the prevailing party shall be entitled to reasonable attorney fees and court costs.

PARTITION PLAT No. 2007-057
OREGON CITY, CLACKAMAS COUNTY, OREGON

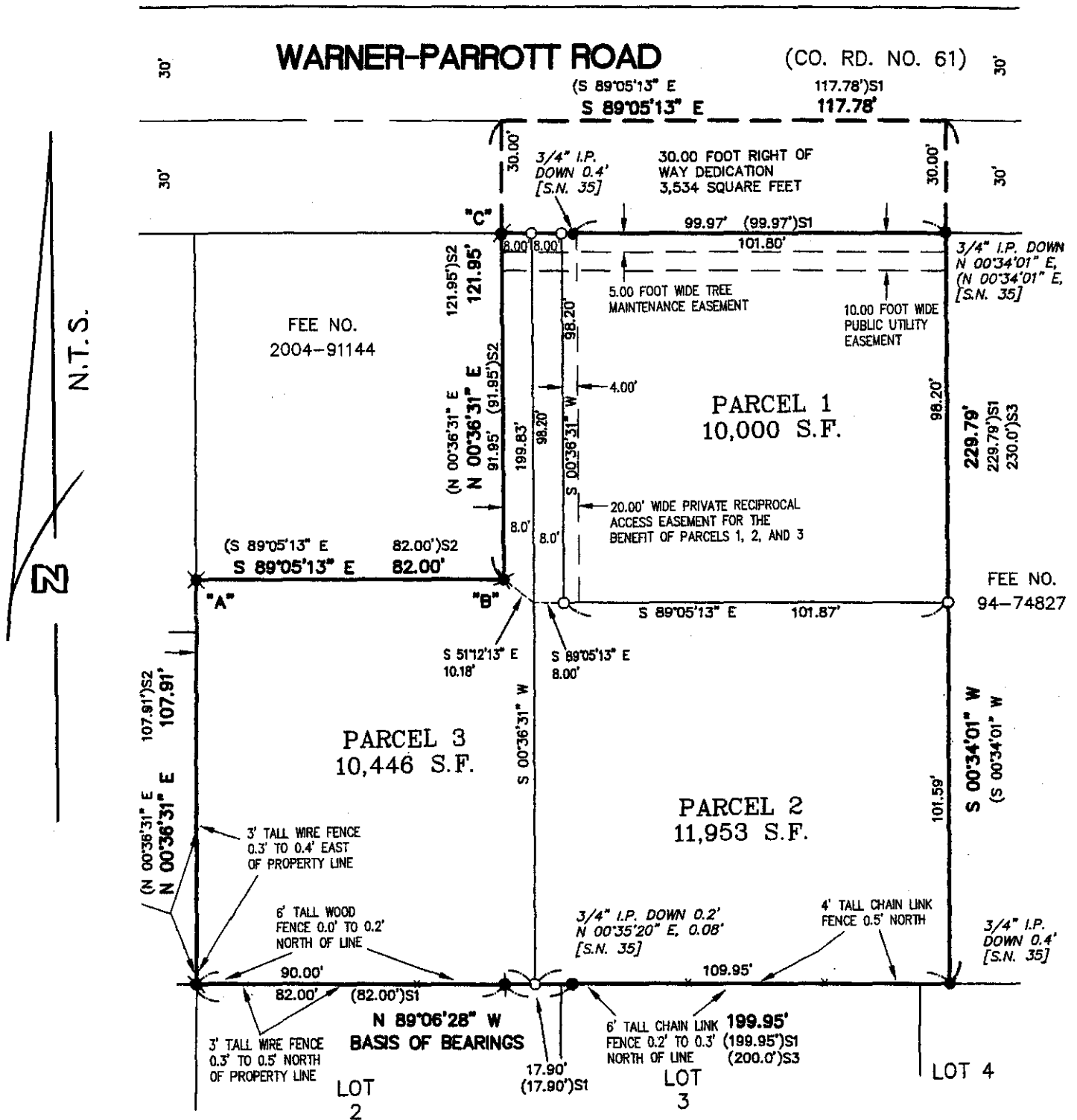


EXHIBIT "A"