

After Recording Return to:      Grantor's Name and Address:      Grantees Name and Address:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

GRANT OF EASEMENT AND MAINTENANCE AGREEMENT

RECITALS:

1. \_\_\_\_\_ (Insert Property Owners name), the owners of the following described property:

See Attached Exhibit "A"

2. OWNER intends to divide its property into \_\_\_ (insert number of parcels or lots) reconfigured parcels or lots, and Lane County has granted tentative approval for that division through approval of Planning Action PA \_\_\_\_\_ (insert PA number).

3. Parcels or Lots \_\_\_\_\_ (insert number: ie: Parcels 1,2 & 3 or Lots 1-13) are shown on attached Exhibit "B" (reduced copy of plat), attached hereto and be reference incorporated herein. They are described as follows:

PARCEL \_\_\_\_\_ (insert number) of Lane County Land Partition Plat \_\_\_\_\_. (to be completed by Lane County Surveyor's Office)  
 Or  
 LOT \_\_\_\_\_ (insert number) of \_\_\_\_\_ (insert name), Book \_\_\_\_\_, Page \_\_\_\_\_.

DECLARATION OF EASEMENT

1. EASEMENT CREATED, OWNER hereby creates a perpetual, nonexclusive easement to use a strip of land \_\_\_\_\_ (insert written and numeric number) feet wide to serve Parcels or Lots \_\_\_\_\_ (insert number) of said Partition or Subdivision as shown on Exhibit "B".

2. EASEMENT PROVISION. The terms of this easement are as follows:

2.1 PURPOSE. The easement is for providing access, including ingress and egress, to and from the Parcels or Lots described in Paragraph 3 above, or any portion thereof, and for the installation and maintenance of such public utilities as may be needed to serve the Parcels or Lots described in Paragraph 3 above.

2.2 USE OF THE BURDENED PROPERTY. The owner or occupiers of Parcels or Lots \_\_\_\_\_ (insert number) of Partition Plat \_\_\_\_\_ (to be completed by Lane County Surveyor's Office) or \_\_\_\_\_ (name of subdivision), Book \_\_\_ Page \_\_\_\_\_ (to be completed by Lane County Surveyor's Office),

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shall have the right to use their property, including the area described in the easement, for any purpose so long as the owner or occupiers do not interfere with the use of the roadway nor access and maintenance easement as granted by this instrument.

2.3 PRIVATE GRANT. The easement created by this instrument does not constitute a dedication or grant for public use unless requested at a later time, by a public agency to dedicate the easement as a public road.

2.4 MAINTENANCE AND REPAIRS. The owners or occupiers of Parcels or Lots \_\_\_\_\_ (insert number) of Lane County Land Partition Plat \_\_\_\_\_ (to be completed by Lane County Surveyor's Office) or \_\_\_\_\_ Subdivision, Book \_\_\_\_\_, Page \_\_\_\_\_ (to be completed by Lane County Surveyor's Office) shall at all times hereafter, join in the maintenance of the easement property and roadway in a condition as good as its present \_\_\_\_\_ (insert present road surface) condition.

2.5 TAXES. Parcels or Lots \_\_\_\_\_ (insert number) shall pay the real property taxes on the easement strip located within the boundaries of each respective Parcels or Lots.

2.6 UTILITIES. The easement shall be used for the installation and maintenance of such utilities as may be needed to serve Parcels or Lots \_\_\_\_\_ (insert number) of said Partition or Subdivision or any portions thereof.

3. SUCCESSORS IN INTEREST, RECORDATION. The provisions of this instrument shall touch and concern, and relate to the use of Parcels or Lots \_\_\_\_\_ (insert number) of this partition or subdivision and are intended to be covenants and restrictions running with the land. This document shall therefore, be recorded in the Deed Records of Lane County, Oregon.

All provisions of this instrument, including the benefits and burdens, are binding on and inure to the heirs, successors, assigns, transferees and personal representatives of all parties who own any of the Parcels or Lots created by the Lane County Land Partition Plat \_\_\_\_\_ (to be completed by Lane County Surveyor's Office) or \_\_\_\_\_ Subdivision, Book \_\_\_\_\_, Page \_\_\_\_\_ (to be completed by Lane County Surveyor's Office).

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Names of Property Owners

\_\_\_\_\_

STATE OF OREGON)

) ss

County of Lane )

)

On this day of \_\_\_\_\_, 20\_\_\_\_ personally appeared before me (property owners names written out) and acknowledged the foregoing to be their voluntary act and deed.

\_\_\_\_\_  
Notary Public for Oregon

My Commission expires: \_\_\_\_\_