

8-31-95
Peggy - Original for
your files

file ref: P-15-94
Thanks,
Dana

4/13/95

DRIVEWAY EASEMENT ACCESS/MAINTENANCE AGREEMENT

THIS AGREEMENT, made and entered into this 13th day of April, 1995 by Ronald W. Baird, the owner of Parcels 2 and 3 of Partition Plat # 95-42, City of Newberg, County of Yamhill, State of Oregon,

And WHEREAS, it is acknowledged that the joint use easement as platted will include a common drive to serve said Parcels 2 and 3 and said driveway will require future maintenance, therefore,

It is understood and agreed that the adjoining owners of real property described above who use the said driveway shall mutually maintain and repair the driveway and the costs thereof shall be shared equally. If any of the parties incur any expenses in maintaining the said driveway and any of the other party(ies) fail to pay their pro rata share, then party incurring the expenses shall have the right to file a lien on the real premises owned by the defaulting party.

It is the intent that this agreement run with the land and be binding upon the heirs, successors, executors, and assigns of First Party and any other parties owning or using said driveway.

In case suite or action is instituted to enforce any provision hereof, the losing party in said suit or action agrees to pay such sum as the trial court may adjudge reasonable as attorneys fees to be allowed the prevailing party in said suit or action and if an appeal is taken from any judgment or decree of such trial court, the losing party further promises to pay such sum as the appellate court shall adjudge reasonable as the prevailing party's attorneys fees on such appeal.

IN WITNESS WHEREOF, the parties have executed this agreement in duplicate, the date and year first hereinabove written.

Ronald W. Baird
Ronald W. Baird - Owner

SUBSCRIBED AND SWORN TO BEFORE ME this 13th day of April, 1995.

Janet L Winder
Notary Public for Oregon
My commission expires: 5/6/97

STATE OF OREGON)
)
COUNTY OF YAMHILL)



Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



35.00

199507690 3:42pm 06/21/95

001 015589 12 03 000200
1 0 D13 1 5.00 10.00 20.00 0.00 0.00 0.00

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



5.00

199507691 3:43pm 06/21/95

001 015590 12 03 000200
1 0 D02 1 5.00 0.00 0.00 0.00 0.00 0.00

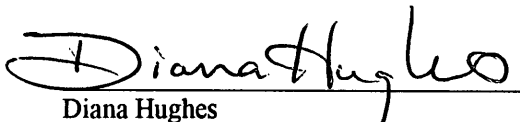
NORTHWEST TITLE COMPANY

CONSENT AFFIDAVIT

I, FIRST INTERSTATE BANK OF OREGON, N.A., Beneficiary of that Trust Deed as recorded November 2, 1994 as fee Film Volume 310 Page 0020, Yamhill County Deed records, hereby consent and agree to the conditions of approval and the recording of the Minor partition on the property known as Tax Lot 3217DC-400 recorded in FV 4 Page 113 record of plats of Yamhill County.

Instrument No. 199507867 Partition Plat 95-42

First Interstate Bank of Oregon, N.A.
by First Interstate Mortgage Company
as attorney in fact:


Diana Hughes
Assistant Vice President

Recorded in Official Yamhill County Records
CHARLES STERN, COUNTY CLERK



5.00

199507688 3:41pm 06/21/95

004 015587 12 03 000200
1 P01 1 0 5.00 0.00 0.00 0.00 0.00 0.00

CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Los Angeles

On March 30, 1995, before me, Karen Stark personally appeared Diana Hughes personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.
WITNESS my hand and official seal.




Notary's Signature