

ROAD MAINTENANCE AGREEMENT

123727

COATES RD. (PRIVATE)

BOOK 153 PAGE 403

THIS AGREEMENT made this 7<sup>th</sup> day of February, 1995 for purpose of establishing a policy and procedure for maintenance of a private road that will be common access to several parcels of property described herein and between the owners of record, hereinafter referred to as "landowners", of the following described parcels of real property located in Skamania County, Washington and more particularly described as:

Lazelle/Coates Short Plat in S 1/2 of NE 1/4 of SW 1/4 Section 17, TWP 3N, RGE 8E, WM, Lots 1, 2, 3, & 4.

As recorded in Book 3, page 278.

All landowners using Coates Road (private) for access to their lot will share equally in the maintenance of the road. If any lot is further divided, the new lots using the road for access will pay their equal share. The landowners agree to provide for the maintenance of all private roads common to the above-described real property as follows:

A. TYPE AND FREQUENCY OF MAINTENANCE

1. That all roads designated a private road as defined in Skamania County Code Chapter 12.03 shall be maintained in as satisfactory and usable condition as is practical. Agreed that all landowners will be equally responsible that Coates Road will be maintained in good, passable condition under all traffic and weather condition. Said maintenance shall consist of, at minimum, the annual filling of all potholes, ruts, gullies, etc. that restrict travel on said road. When necessary, by majority decision of the landowners, rocking, graveling, or grading of the road may be necessary as well as any trenching or ditching along the sides of said road to provide for surface water runoff as deemed appropriate by all landowners.
2. If the road is substantially damaged by the activities of one landowner (including his employees or agents), that landowner shall be responsible for repairing the damage at his own expense.
3. Road maintenance will be performed on any section of the road when a majority of the voting members (one vote per lot) vote to perform such improvements.

B. METHOD OF ASSESSING COSTS

Costs for the road maintenance described herein shall be assessed equally among all landowners served by said private road, regardless of lot size.

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