

141655

BOOK 212 PAGE 250

FILED FOR RECORD  
SKAMANIA CO. WASH  
BY SKAMANIA CO. TITLE

JUL 11 2 47 PM '01  
GARY H. OLSON  
AUDITOR

**AFTER RECORDING MAIL TO:**

Name Edward & Tina Raphael  
Address 62 Little Road  
City/State Stevenson WA 98648  
SR 24076

Document Title(s): (or transactions contained therein)

1. Road Maintenance Agreement
- 2.
- 3.
- 4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page \_\_\_\_\_ of document

Grantor(s): (Last name first, then first name and initials)

1. RAPHAEL, EDWARD
2. RAPHAEL, TINA
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

Grantee(s): (Last name first, then first name and initials)

1. THE PUBLIC
- 2.
- 3.
- 4.

5. ☐ Additional names on page \_\_\_\_\_ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)  
Lot 5 of the Green Acres Subdivision, recorded in Book B of Plats, Page 82, in the County of Skamania, State of Washington.

☐ Complete legal description is on page \_\_\_\_\_ of document

Assessor's Property Tax Parcel / Account Number(s): 02-07-20-0-0-0219-00

WA-1

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



First American Title  
Insurance Company

(this space for title company use only)

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HOMEOWNERS ROAD MAINTENANCE AGREEMENT

THIS AGREEMENT made this 10<sup>th</sup> day of July, 2001, for the purpose of establishing a policy and procedure for maintenance of Park Lane Road and Park Lane Place, private roads common to the parcels of property described herein and between the owner of record, hereinafter refer to as "owners", of the following described parcels of real property located in Skamania County, Washington and described as:

Lot 5 of the GREEN ACRES SUBDIVISION, recorded in Book B of Plats, Page 82, in the County of Skamania, State of Washington.

The property owners agree to provide for the maintenance of the private roads common to the above described real property as follows:

A. TYPE AND FREQUENCY OF MAINTENANCE.

That the roads designated as private roads shall be maintained in as satisfactory and useable condition as is practical. Said maintenance shall consist of, at minimum, the annual filling of all potholes, ruts, gullies, etc. that restrict travel on said roads, rocking or graveling and grading of said roads as the property owners unanimously desire, and the provision of trenching along the sides of said roads to provide for surface water runoff, where necessary and deemed appropriate by the property owners.

B. SNOW REMOVAL.

That the roads designated as private roads shall have the snow removed to facilitate access for fire and medical vehicles. Snow removal shall be authorized by the consent of any three property owners.

C. METHOD OF ASSESSING COSTS.

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

D. METHOD OF COLLECTION.

The property owners shall establish an account at a reputable bank or financial institution designated as Green Acres Homeowners Road Maintenance Account for the deposit and disbursements of all funds for the maintenance of the roads. Each property time, unanimously decide upon, but in any event, no less often than annually. The property owners shall designate three trustees among them to administer such account. One of the trustees will also be designated as the Treasurer to maintain the account. The property owners designated on the account may be changed at any time by a seventy-five (75) percent majority vote of the property owners. Any additional funds needed to cover the cost of maintenance or snow removal above the amount available in the account shall be assessed equally among all the property owners. This emergency assessment may only be authorized by a unanimous vote of the property owners.



E. DISBURSEMENT OF FUNDS.

Upon agreement of seventy-five (75) percent majority of the property owners to perform maintenance on the private roads, funds for road maintenance shall be disbursed within thirty (30) days of billing on any provider of road maintenance service or materials. Funds from the Green Acres Homeowners Road Maintenance Account must be authorized by two of the three trustees.

F. NON-PAYMENT OF COSTS - REMEDIES.

Any property owner who becomes delinquent in the payment of funds under this agreement for a period of thirty (30) days or more shall contribute a late penalty of \$1.00 per day to the road maintenance account for each day of delinquency. After ten (10) days written notice to the property owner, any or all of the other property owners shall be entitled to seek any remedy available at law including a suit for money owed. The prevailing party in such a lawsuit shall be entitled to a judgment against the non-prevailing party for all attorney's fees and costs expended in such action. The prevailing party shall also be entitled to attorney fees or costs incurred as a result of any action undertaken in the collection of money owed, either before or after suit is filed.

G. APPURTENANCE TO THE LAND.

This agreement shall be binding on all heirs, successors or assigns of any property owner and shall be appurtenant to the parcels of land herein described.

H. SEVERABILITY

If any provision of this agreement is held invalid for any reason, the remainder of this agreement is not affected.

Lot 5 Edward Raphael Owner  
Tina Raphael

STATE OF WASHINGTON, } ss  
County of Skamania

ACKNOWLEDGMENT - Individual

On this day personally appeared before me Edward Raphael notary  
Tim Raphael to me known  
to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that they  
signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 11 day of July 2001

Notary Public  
State of Washington  
JAMES R COPELAND, JR  
MY COMMISSION EXPIRES  
September 13, 2003

J. Raphael  
Notary Public in and for the State of Washington,  
residing at Stevenson

My appointment expires 9-13-03

STATE OF WASHINGTON, } ss  
County of \_\_\_\_\_

ACKNOWLEDGMENT - Corporate

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of  
Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_  
\_\_\_\_\_ and \_\_\_\_\_ to me known to be the  
\_\_\_\_\_ President and \_\_\_\_\_ Secretary, respectively, of \_\_\_\_\_  
\_\_\_\_\_ the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary  
act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that \_\_\_\_\_  
authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington,  
residing at \_\_\_\_\_

My appointment expires \_\_\_\_\_

WA-46A (11/96)

This jurat is page \_\_\_\_\_ of \_\_\_\_\_ and is attached to \_\_\_\_\_ dated \_\_\_\_\_