

## **PRIVATE DRIVE/ROAD MAINTENANCE AGREEMENT**

This Agreement, made [date], is between the owners of the property described as follows:

### **Recitals**

WHEREAS, the undersigned are owners of parcels of land which do not have frontage on a public road; and

WHEREAS, the only access to the owners' parcels is by means of a private drive/road easement which Marathon Township and the Lapeer County Road Commission are not obligated or permitted to maintain; and

WHEREAS, the undersigned have agreed to finance the maintenance of the private drive/road which provides access to their properties; and

WHEREAS, the private drive/road involved in this Agreement is described and shown on a survey recorded in Liber \_\_\_\_\_, Page(s) \_\_\_\_\_, Lapeer County Records.

NOW, THEREFORE, it is mutually agreed as follows:

1. **ANNUAL MEETING**. Each year, on or before December 31, the owners shall meet for the purpose of approving a maintenance program and budget for the coming year.
2. **ASSESSMENT**. Each landowner shall pay an assessment equal to the owner's proportional share of the approved budget.
3. **FAILURE TO PAY ASSESSMENT**. If any landowner defaults on any assessment payment, the remaining owners may place a lien against the property of the landowner and bring suit to collect the assessment, together with any costs of collection.
4. **MAINTENANCE AND REPAIR WORK**. The owners shall arrange for such maintenance and repair work as has been approved by majority vote.
5. **SUBSEQUENT OWNERS**. This Agreement shall run with the land and shall be binding on all future owners of land within the above-described property. Any owner selling land within the above-described property shall notify the purchaser of the terms of this Agreement and the fact that the new owner will be bound thereby.
6. **AMENDMENTS**. Amendments to this Agreement shall be subject to Township review and approval.

7. IN WITNESS WHEREOF, the parties have hereunto set their names the day and year first above written.

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STATE OF MICHIGAN)  
COUNTY OF LAPEER )

Subscribed and sworn to before me this \_\_\_\_ day of \_\_\_\_\_.

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Notary Public  
Lapeer County, Michigan Acting  
in Lapeer County

My Commission Expires: \_\_\_\_\_