**Agreement Regarding Joint Use Overwater Structure**

 Effective Date:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 This agreement regarding a joint-use pier, ramp, and float structure is made as of the date shown above between Tim McMahon and Cynthia Montagne husband and wife (hereinafter referred to as the owners Lots 10 & 11), the owners of the property commonly known as 15550 Sandy Hook Road Poulsbo, WA, tax account parcel # 4383-001-010-0104, more particularly described in Exhibit A attached hereto, and Tim McMahon and Cynthia Montagne husband and wife (hereinafter referred to as the owners of Lots 12 & 13) commonly known as 15550 Sandy Hook Road Poulsbo, WA, tax account parcel # 4383-001-012-0003, more particularly described in Exhibit B attached hereto. Lots 10, 11, 12 & 13 are shown on the attached plat map, Exhibit C attached hereto.

Whereas, the owners the owners of Lots 10 & 11 and Lots 12 & 13 have commenced with plans for the construction of a joint-use pier, ramp, and float structure to be located on

Lot 12.

Whereas, the owners wish to enter into an agreement to provide for the use, access, maintenance, costs and such other matters concerning the joint-use pier, ramp, and float structure.

Now, therefore, in consideration of the mutual benefits to be derived herefrom, the parties covenant and agree as follows:

1. Joint Use Restriction: The current and future owners of Lots 10, 11, 12 & 13 (hereinafter referred to as the Joint Use Owners) voluntarily agree to build no additional overwater structures on Lots 10, 11, 12 & 13, except for the maintenance or modification of the joint-use pier, ramp, and float structure located on Lot 12.
2. Joint Use Construction: The current and future Joint Use Owners agree to and recognize the requirements for construction, use and mitigation requirements associated with the joint-use pier, ramp, and float structure located on Lot 12.
3. Access Rights: The current and future Joint Use Owners hereby convey and warrant to the current owners and future owners of the affected parcels an access easement over and across the affected parcels as is reasonable and desirable to gain ingress and egress to the joint-use pier, ramp, and float structure.
4. Binding Effect: This agreement shall be binding upon and inure to the benefit of the current and future Joint Use Owners, their heirs, successors and assigns of the affected parcels, and all covenants contained herein shall run with the land and this join-use agreement shall be recorded on the deed or title for each parcel.
5. This agreement may not be amended without the written permission of all governmental agencies (in particular, the U.S. Army Corps of Engineers, Seattle District, Regulatory Branch) having jurisdiction over the joint-use pier, ramp, and float structure.

SO AGREED,

Current Owners of Lots 10 & 11 Tax # 4383-001-010-0104

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Print Name

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Signature Date

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Signature Date

Current Owners of Lots 12 & 13 Tax # 4383-001-012-0003

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Print Name

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Signature Date

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Print Name

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Signature Date

ATTACHMENTS:

Exhibit A: Legal description of Lots 10 & 11

Exhibit B: Legal description of Lots 12 & 13

Exhibit C: Map of Lots 10, 11, 12, and 13