

## **SHARED DRIVEWAY AND MAINTENANCE EASEMENT DECLARATION**

The Shared Roadway and Maintenance Easement Declaration dated this 18th day of December 2020 by Hovde Prestige Worldwide, LLC collectively referred to as **Users**.

### **Background of Agreement**

Users are owners of adjacent properties in the City of Orono, Hennepin County, MN. Hovde Prestige Worldwide, LLC is owner of the property known as Lot 3, Block 1, Scotch Pine Addition (2435 North Shore Drive). Hovde Prestige Worldwide, LLC is owner of the property known as Lot 2, Block 1, Scotch Pine Addition (2445 North Shore Drive), Scotch Pine Addition. The Users own properties that abut each other and have access from North Shore Drive. There is a driveway that serves both properties over:

### ***LEGAL DESCRIPTION OF DRIVE EASEMENT (Exhibit A and Exhibit B attached)***

***That part of Lot 3, Block 1, SCOTCH PINE ADDITION, Hennepin County, Minnesota, described as follows:***

*Lying northerly and northwesterly of Line "A" as described below; and lying southerly and southeasterly of Line "B" as described below:*

*Line "A" - Commencing at the northwest corner of said Lot 3; thence on an assumed bearing of South 15 degrees 35 minutes 34 seconds West, along the westerly line of said Lot 3, a distance of 20.08 feet to an angle point in the westerly line of said Lot 3; thence South 34 degrees 50 minutes 01 seconds West, along the westerly line of said Lot 3, a distance of 50.00 to the point of beginning of the line to be described; thence South 55 degrees 09 minutes 59 seconds East, a distance of 27.00 feet; thence North 42 degrees 57 minutes 36 seconds East, a distance of 23.58 feet; thence North 74 degrees 04 minutes 35 seconds East, a distance of 61.25 feet; thence North 51 degrees 15 minutes 39 seconds East, a distance of 20.98 feet; thence North 21 degrees 47 minutes 54 seconds East, a distance of 11.56 feet to the North line of said Lot 3 and there terminating.*

*Line "B" - Commencing at the northwest corner of said Lot 3; thence on an assumed bearing of South 15 degrees 35 minutes 34 seconds West, along the westerly line of said Lot 3, a distance of 20.08 feet to an angle point in the westerly line of said Lot 3; thence South 34 degrees 50 minutes 01 seconds West, along the westerly line of said Lot 3, a distance of 25.00 to the point of beginning of the line to be described; thence South 55 degrees 09 minutes 59 seconds East, a distance of 13.00 feet; thence North 57 degrees 07 minutes 41 seconds East, a distance of 15.55 feet; thence North 76 degrees 20 minutes 05 seconds East, a distance of 50.88 feet; thence North 51 degrees 44 minutes 20 seconds East, a distance of 18.56 feet to the North line of said Lot 3 and there terminating.*

The Users have determined that it is in their mutual interest to have executed and recorded and agreement for sharing the costs of maintenance and repair of the driveway. The purpose of this Agreement is to place into writing the mutual rights and obligations the users of the jointly used driveway.

#### **Agreement**

NOW THEREFORE, in consideration of their mutual promises and intending to be legally bound, the parties agree as follows:

1. **Grant of Easement.** Hovde Prestige Worldwide, LLC, owner of Lot 3, Block 1, Scotch Pine Addition (2435 North Shore Drive), grants, Hovde Prestige Worldwide, LLC, owner of Lot 2, Block 1, Scotch Pine Addition (2445 North Shore Drive) a permanent easement over and across **(SEE LEGAL DESCRIPTION ABOVE)** for the purpose in ingress and egress to their adjoining property.
2. **Sharing of Costs and Expenses.** The parties shall share the expenses as follows: Hovde Prestige Worldwide, LLC their successors and assigns shall pay one-half of the maintenance and repair of the driveway that is jointly used over the **(SEE LEGAL DESCRIPTION ABOVE)**.
4. **Binding Effect.** This Shared Driveway and Maintenance Agreement shall be dissolved upon any sale of Lot 3, Block 1, Scotch Pine Addition (2445 North Shore Drive), unless the buyer purchases both Lot 3, Block 1, Scotch Pine Addition (2445 North Shore Drive) and Lot 2, Block 1, Scotch Pine Addition (2435 North Shore Drive).

#### **Easement thru Outlot A**

This agreement does not give up ingress and egress to Lot 2, Block 1, Scotch Pine Addition thru Outlot A, Scotch Pine Addition.

DECLARANT:

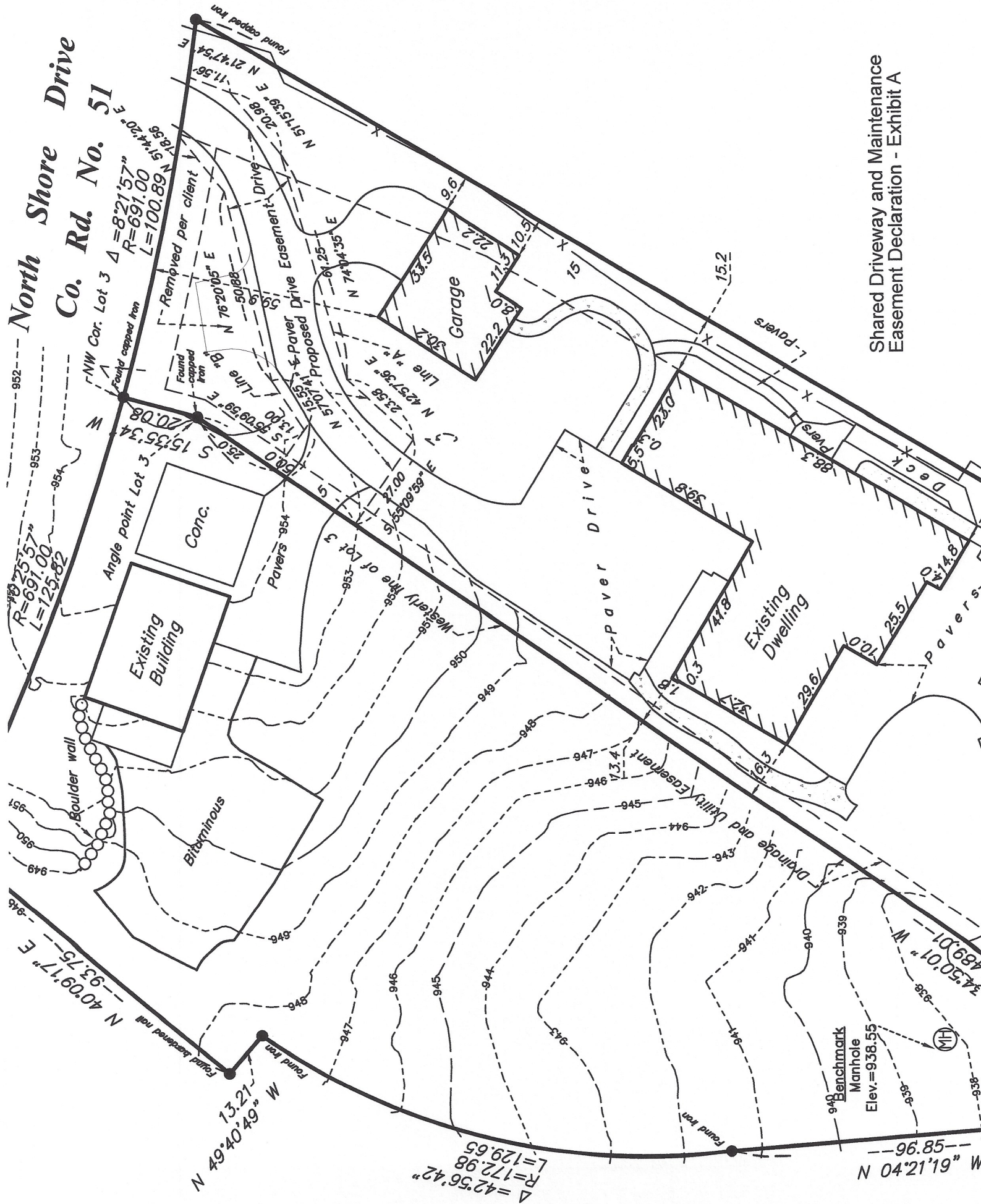
Hovde Prestige Worldwide, LLC

Kristen K. Schultz      Manager



**North Shore Drive**  
**Co. Rd. No. 51**

## Shared Driveway and Maintenance Easement Declaration - Exhibit A



PROPOSED LEGAL DESCRIPTION OF DRIVE EASEMENT:

That part of Lot 3, Block 1, SCOTCH PINE ADDITION, Hennepin County, Minnesota, described as follows:

Lying northerly and northwesterly of Line "A" as described below; and lying southerly and southeasterly of Line "B" as described below:

Line "A" - Commencing at the northwest corner of said Lot 3; thence on an assumed bearing of South 15 degrees 35 minutes 34 seconds West, along the westerly line of said Lot 3, a distance of 20.08 feet to an angle point in the westerly line of said Lot 3; thence South 34 degrees 50 minutes 01 seconds West, along the westerly line of said Lot 3, a distance of 50.00 to the point of beginning of the line to be described; thence South 55 degrees 09 minutes 59 seconds East, a distance of 27.00 feet; thence North 42 degrees 57 minutes 36 seconds East, a distance of 23.58 feet; thence North 74 degrees 04 minutes 35 seconds East, a distance of 61.25 feet; thence North 51 degrees 15 minutes 39 seconds East, a distance of 20.98 feet; thence North 21 degrees 47 minutes 54 seconds East, a distance of 11.56 feet to the North line of said Lot 3 and there terminating.

Line "B" - Commencing at the northwest corner of said Lot 3; thence on an assumed bearing of South 15 degrees 35 minutes 34 seconds West, along the westerly line of said Lot 3, a distance of 20.08 feet to an angle point in the westerly line of said Lot 3; thence South 34 degrees 50 minutes 01 seconds West, along the westerly line of said Lot 3, a distance of 25.00 to the point of beginning of the line to be described; thence South 55 degrees 09 minutes 59 seconds East, a distance of 13.00 feet; thence North 57 degrees 07 minutes 41 seconds East, a distance of 15.55 feet; thence North 76 degrees 20 minutes 05 seconds East, a distance of 50.88 feet; thence North 51 degrees 44 minutes 20 seconds East, a distance of 18.56 feet to the North line of said Lot 3 and there terminating.