

**BETHEL GRANT HOMEOWNERS ASSOCIATION
SPECIAL EASEMENT AGREEMENT**

Project Title » » »

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<i>Unit Owner</i>	<i>Unit #</i>	<i>Application Date</i>
<i>Address</i>	<i>Daytime Telephone</i>	
<i>City</i>	<i>State</i>	<i>Zip Code</i>
		<i>Evening Telephone</i>

The above mentioned Unit Owner herein applies to the Bethel Grant Homeowners Association for the grant of an easement for construction appurtenant to the above mentioned Unit in agreement with the following conditions, constraints, and requirements.

1. Easement will not be granted to any unit owner who is in arrears on the payment of any regular or special assessments, penalties, or interest.
2. All costs and risks of the construction will be borne by the unit owner and BETHEL GRANT HOMEOWNERS ASSOCIATION will be maintained free and clear by the Unit Owner of any fault or liability arising from said construction.
3. Construction must be in accordance with the specifications set and/or approved by council. A copy of these specifications is attached and is part of this agreement.
4. Pre-construction approval of the site dimensions and bounds must be granted by a majority vote of council after an on-site inspection by one or more council members.
5. Construction must be completed within 30 days of the agreement date and acceptance made by a majority vote of council after an on-site inspection by one or more council members.
6. If proposed construction is to be made on any part of the Bethel Grant Common Element, title to the construction will remain with BETHEL GRANT HOMEOWNERS ASSOCIATION as part of the Common Element.
7. Liability for the maintenance of the constructed area will remain with the unit owner and to his or her assignees until such time as the area is returned to its original state.
8. Should council, by majority vote, deem the maintenance of said construction to be in default, the unit owner will be given a written statement of the deficiencies and will be allowed 30 days from issuance of said statement to correct the deficiencies and to request re-inspection by one or more council members. Failure to make acceptable correction of the deficiencies within the specified time will cause council to have the construction removed with the costs chargeable to the unit owner together with applicable interest and penalties.
9. In the event unit owner sells this above mentioned unit, the assignee must accept the bindings of this agreement or the construction must be removed by the selling unit owner and accepted by council by majority vote before completion of sale.

Applicant unit owner is free of any outstanding arrears in payment of all regular and/or special assessments, interest, or penalties as of this date.

<i>Signature – Treasurer for the Council</i>	<i>Unit #</i>	<i>Date</i>
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I, the above mentioned applicant unit owner, acknowledge receipt of council's specifications for the proposed construction and agree to and accept the conditions, constraints, and requirements herein listed.

<i>Signature – Unit Owner</i>	<i>Unit #</i>	<i>Application Date</i>
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Pre-construction inspection has been made and following are the site dimensions and bounds for the proposed construction

Signature – Inspecting Council Member

Unit #

Inspection Date

Bethel Grant Homeowners Association council, in regular session, has approved, by majority vote, the application of said unit owner for an easement agreement for this construction.

Signature – Secretary of the Council

Unit #

Agreement Date

Post-construction inspection has been made and council approval is recommended.

Signature – Inspecting Council Member

Unit #

Inspection Date

Bethel Grant Homeowners Association council, in regular session, has approved, by majority vote, this completed construction.

Signature – Secretary of the Council

Unit #

Agreement Date

TITLE ASSIGNEE BINDER ACCEPTANCE

Pursuant to paragraph 9 on page 1 of this agreement, this Binder Acceptance must be acknowledged and signed by the Title Assignee or his / her Authorized agent to the closing on the sale and assignment of title on this above mentioned Bethel Grant Unit.

Title Assignee (new Unit Owner)

Unit #

Acceptance Date

Address

Daytime Telephone

City

State

Zip Code

Evening Telephone

I, the above mentioned Title Assignee, acknowledge receipt of a complete copy of this Special Easement Agreement appurtenant to the above mentioned Unit and accept the bindings of this agreement.

*Title Assignee (New Unit Owner)
or Authorized Agent*

Unit #

Acceptance Date