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Right of Way and Maintenance Agreement

For

The Monaco Plan of Lots

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0-984
21.50

CERTIFY THIS
DOCUMENT RECORDED
ALLEGHENY COUNTY, PA

2002 MAR 13 AM 11:14

Valerie McDonald
VALERIE McDONALD ROBERTS

MAIL to:

8228 STEUBENVILLE PIKE
MCDONALD, PA 15057

DEED REGISTRY

02 MAR 20 AM 10:07

COUNTY OF
ALLEGHENY

**RIGHT OF WAY AND MAINTENANCE AGREEMENT
THE MONACO PLAN OF LOTS**

This Agreement, dated this 4th day of March 2002 by Samuel L. Monaco and Barbara J. Monaco.


WHEREAS, Samuel L. Monaco and Barbara J. Monaco are the owners of real estate located in the Township of North Fayette, County of Allegheny, Pennsylvania being known as Lot No 1,2,3,4 and 5 in the Monaco Plan of Lots as the same is recorded in the Office of the Recorder of Allegheny County, Pennsylvania in Plan Book Volume 232 pages 34 and 35, and

WHEREAS, the Monaco Plan of Lots provides for an "Access Easement" across Lot Nos 5,4, and 1 for the purpose of ingress, egress and regress by owners of Lot Nos 5,4,3, and 1 in said plan to and from the public highway known as Steubenville Pike, and


WHEREAS, Samuel L. Monaco and Barbara J. Monaco are desirous of providing public notice of the Right of Way and the responsibilities and obligations of the owners of Lot Nos 5,4,3, and 1 for the maintenance and up-keep of the said Right of Way,

NOW THEREFORE, Samuel L. Monaco and Barbara J. Monaco with the intention of being legally bound for themselves, their heirs, successors and or assigns do hereby covenant the following:

- 1.) The owners of Lot Nos 5,4, and 1 in the Monaco Plan of Lots to hereby grant a right of way to the owners of Lot Nos 5,4,3 and 1 in the Monaco Plan of Lots for the purpose of ingress, egress and regress from a public road known as Steubenville Pike to their respective lot in the Monaco Plan of Lots. Said right of way shall be as now located within the "Access Easement" as shown on the Monaco Plan of Lots as recorded in Plan Book Volume 232 pages 34 and 35 in the Office of the Recorder of Allegheny County, Pennsylvania.
 - 2.) The cost of maintenance and up-keep of the right of way within the "Access Easement", including but not limited to grading, paving, resurfacing, tree or shrub removal and snow removal, shall be divided equally by the owners of Lot Nos 5,4,3 and 1.
 - 3.) The owners of Lot Nos 4 and 5 shall be individually responsible for maintenance and up-keep of that portion of the right of way used by construction vehicles going to or from their respective lot.
 - 4.) The maintenance and up-keep of that portion of any driveway or access road to the individual dwellings or out buildings of Lot Nos 5,4,3 and 1 which is not within the "Access Easement" as shown on the recorded Monaco Plan of Lots shall be solely the responsibility of the individual lot owner without recourse to any other lot owner.
 - 5.) Owners of Lot Nos 5,4,3 and 1, as common users of the right of way, shall not in any way hinder or obstruct access over, along or through the right of way so as to prevent free and full access to and from the public highway by the other users.
 - 6.) This agreement shall be a covenant running with the land.
- In witness whereof, the parties hereunto set their hand and seal the day and year first above set out.



Samuel L. Monaco



Barbara J. Monaco

Commonwealth of Pennsylvania
County of ALLEGHENY

On this the 4 of March 2002, before me a notary public, the undersigned officer, personally appeared SAMUEL L. MONACO AND BARBARA J. MONACO, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and that they executed the same for the purpose therein contained.



Notary Public

My Commission Expires:

Notarial Seal
Nancy J. Bonati, Notary Public
Pittsburgh, Allegheny County
My Commission Expires Oct. 11, 2003
Member, Pennsylvania Association of Notaries