

PMPO Easement Project: Road Marker 28

North from the left of the Lodge

Road Marker 28 has an easement that is owned by the last cabin to the north. Each parcel along the way shows that they are burdened with a 15 foot wide easement all the way from Crestline Road to that cabin (see map below). There are no exceptions. Where the properties abut, there is a 15 foot easement on each side giving a total of a potential of a 30 foot wide road. This was a surveyed, existing easement so it saves thousands of dollars if we had to have it done now.

This easement is recorded for the sole use of the last cabin to the north, even though ALL properties have given up their land for the legal easement. Some of the title reports tell us that they border a 'Public Road' (even though there is NOT a Public Road that we can find of record so this doesn't hold up).

What we are attempting to do through the title company is use the existing legal description of the easement to apply to all the property owners that travel the road. The title company's language for the deed to grant to "the property owners of record of Section 14", which includes all properties which use the roads in the area for access. As properties change ownership in the future, the title records would be very clear with recorded, plotted, deeded easements that would 'run with the land'.

What needs to be done now?

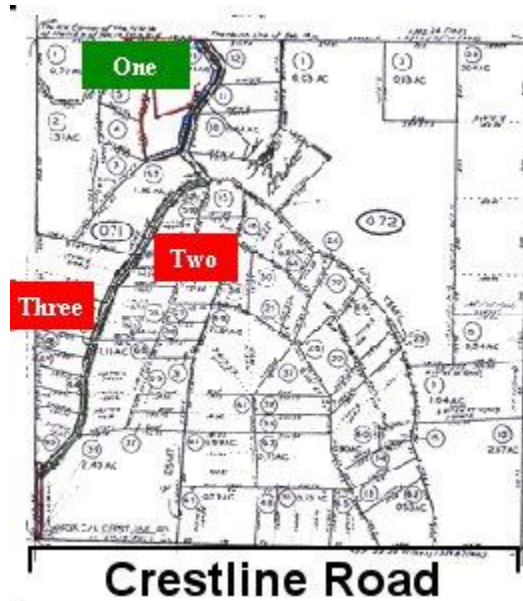
1. A small portion of the road at the north east will need to be surveyed by the three affected property owners and included with the legal description for the deeds and map. (One property owner has already ordered the survey, the other two property owners still need to be contacted to share in the expense).
2. Fees would need to be taken care of, deeds drawn up granting the use, signed, notarized, subordinated if needed, and recorded.

Question: "Would I be giving up any land to sign off on this easement?"

Answer: No. Absolutely not. Each property on Road Marker 28 has already given 15 feet to the existing road.

Why is this Easement Project needed?

Cabin Two and **Three** (see map at right) are burdened by a 15 foot easement on their property line that borders the road (see map at right). However, they do not have a deeded easement out to Crestline. But, **Cabin One** does have a deeded easement all the way to Crestline and they pass right by the other cabins, driving on land OWNED by those cabin owners. ALL property owners along the way have already deeded 15 feet of their land for the road, DECADES ago. However only **Cabin One** has the deed recorded properly to USE the road. Yes, everyone else may all have prescriptive rights to the road, but in the case of a fire, to rebuild with a permit, according to the County, they want a deeded easement to a public road. Also some lenders now require a deeded easement to a public road for a purchase or re-finance.



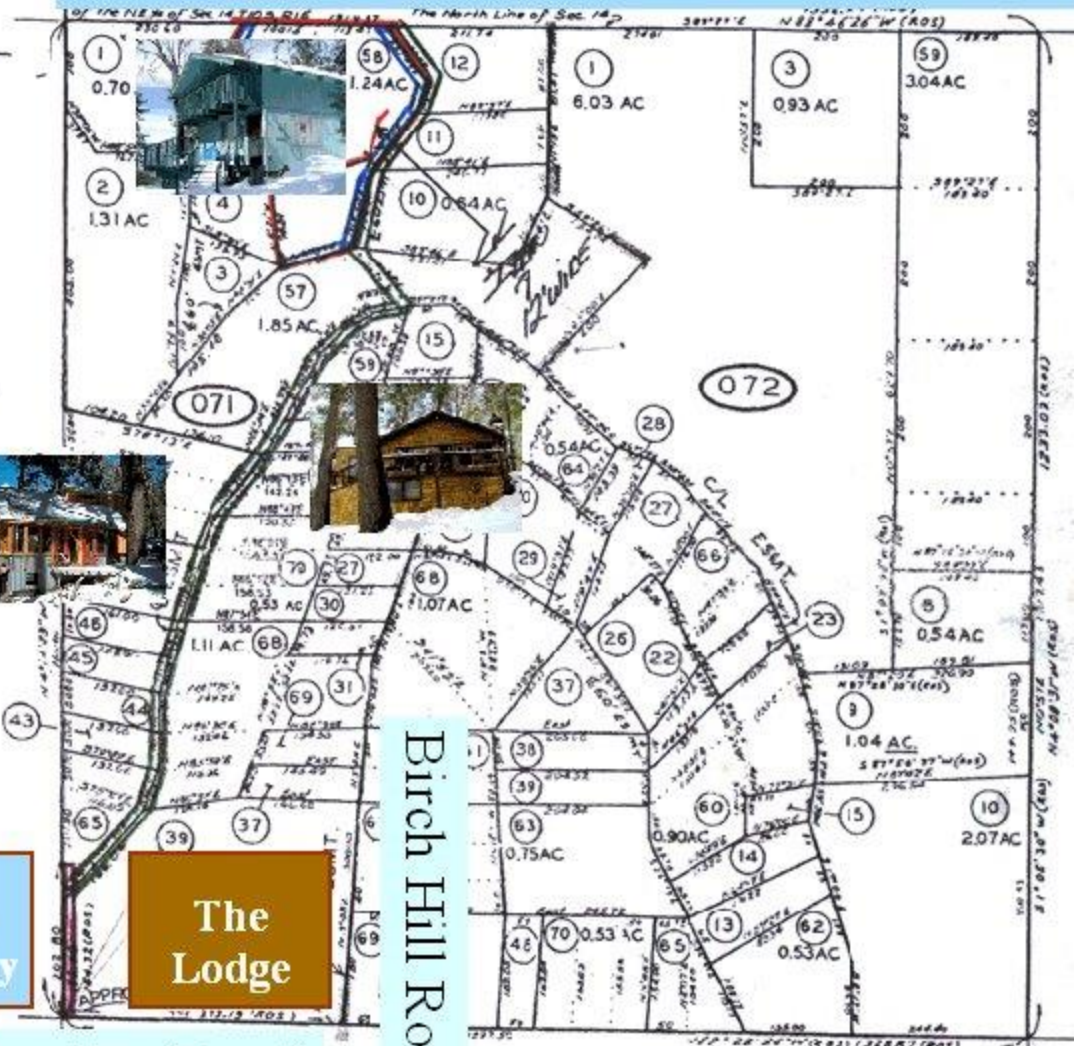
Since we have so much of the information needed, it can be applied to landowners on the entire road to get this easement done for all with much less time and money involved than if it was done on a case-by-case basis.

The map below shows the easement plotted for the cabin pictured at the top. That cabin owner drives by other cabins and land the middle of the map, to get to Crestline. Title records show that each property owner along the way has already granted a 15 foot wide strip of their land for an easement for a 'Public Road'. However, cabin and land owners were not granted the right to USE the road and their property shows up as 'land locked'. Looking closely at the map, with the easement plotted by a title company, ALL the properties, on each side of the road have granted 15 feet of their land for the road (totaling 30 feet wide). From what we have found so far, only one other cabin has a plotted easement even though all have used the road for decades.

Doctor's Pond - Many people in the area know of this property that joins at the north with several cabins on their 40 acres. Even though this road ends right at their gate, we have yet to find any reference to their right to use the road. Their property shows up on county records, just like most others as "land locked" even though they have been using this road for decades.

LEGEND

- P/A
- P/B
- P/C
- 15' WIDE
- 15' WIDE



Water Company

The Lodge

Crestline Road

Birch Hill Road