

RECORDED: 09/18/2002 1:30 BOOK: 276 RECORDS PAGE: 179

CLERK AND RECORDER BY: *Deane Miller* FEE: \$30.00

DELIVER TO: LINCOLN COUNTY TITLE CO. 115 W. 5TH ST., SPOKANE, MONTANA 59923

ROAD MAINTENANCE AGREEMENT

THIS AGREEMENT made this 18 day of August, 2002, by and between DELBERT BONTRAGER AND ALVIN BONTRAGER, of 800 Border Lane, Rexford, Mt. 59930-9703, Parties of the First Part, and ANDREW L. KIEM AND EDWARD C. MILLER of 676 Border Lane, Rexford, Mt. 59930-9702, Parties of the Second Part, and ALLEN J. MILLER AND BARBARA ANN MILLER, of 500 Border Lane, Rexford, Mt. 59930-9727, Parties of the Third Part, and SUNDAE R. GOODPASTOR AND JOSEPH LAVERGNE, of 1314 169th St. S., Spanaway, WA 98387-8998, Parties of the Fourth Part, and IVAN A. MILLER, 250 Border Lane Dr., Rexford, Mt. 59930-9716, Party of the Fifth Part, and EDWIN I. MILLER, of 55 Border Lane, Rexford, Mt. 59930-9702, Party of the Sixth Part, and ELLA A. MILLER, of 250 Border Lane, Rexford, Mt. 59930-9727, Party of the Seventh Part, and DUANE I. MILLER, Party of the Eight Part WITNESSETH:

WHEREAS, Parties of the First Part are the owners of the following property in Lincoln County, Montana:

East Half of the Northwest Quarter of the Southwest Quarter
in Section 11, Township 37 North, Range 28 West, P.M.M., Lincoln County,
Montana.

WHEREAS, Parties of the Second Part are the owners of the following property in Lincoln County, Montana:

Parcel 1 of Court Ordered Division as set out in Book 273 Page 950,
microfilm records of Lincoln County, Montana.
and
Parcel 2 of Court Ordered Division as set out in Book 273 Page 950,
microfilm records of Lincoln County, Montana.

WHEREAS, Parties of the Third Part are the owners of the following property in Lincoln County, Montana:

East Half of the Northeast Quarter of the Southeast Quarter in Section 10, Township
37 North, Range 28 West, P.M.M., Lincoln County, Montana.

WHEREAS, Parties of the Fourth Part are the owners of the following property in Lincoln County, Montana:

Parcel A of C.S. No. 1456 in the Northwest Quarter of Section 14, Township 37
North, Range 28 West, P.M.M., Lincoln County, Montana.

WHEREAS, Party of the Fifth Part is the owner of the following property in Lincoln County, Montana:

Remainder Parcel of C.S. No. 3090 in the Southwest Quarter of the Southwest
Quarter in Section 11, Township 37 North, Range 28 West, P.M.M., Lincoln
County, Montana.

WHEREAS, Party of the Sixth Part is the owner of the following property in Lincoln County, Montana:

Parcel A of C.S. No. 3090, records of Lincoln County, Montana.

WHEREAS, Party of the Seventh Part is the owner of the following property in Lincoln County, Montana:

Parcel B of C.S. No. 3090, records of Lincoln County, Montana.

WHEREAS, Party of the Eighth Part is the owner of the following property in Lincoln County, Montana:

Parcel C of the C.S. No. 3090, records of Lincoln County, Montana.

WHEREAS, a private access road crosses Parties of the Fifth Part's property and provides access to the parcels of land owned by all eight parties.

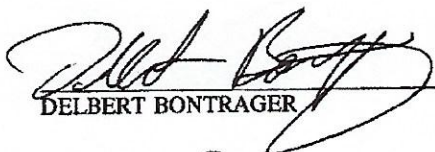
NOW THEREFORE, in consideration of the mutual promises herein contained, it is agreed:

1. The access roadway shall be maintained in a good, passable condition under all traffic and weather conditions, and that cost of maintenance shall be shared equally by the parties using said roadway. The owners shall agree on a fair proportion of the costs of such maintenance to be paid by the owners of each lot using said road, by a simple majority of the owners of lots using said road.

2. Necessary repairs or maintenance on the roadway and ditches shall be required only with the mutual consent of all parties hereto.

3. This Agreement is intended to run with the land and shall be binding upon the heirs, successors and assigns of the parties.

IN WITNESS WHEREOF, we have executed this instrument this 29 day of August, 2002.


DELBERT BONTRAGER

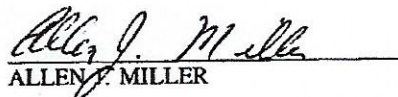

ANDREW L. KIERN


ALVIN BONTRAGER


EDWARD C. MILLER

PARTIES OF THE FIRST PART

PARTIES OF THE SECOND PART


ALLEN J. MILLER

SUNDAE R. GOODPASTOR


BARBARA ANN MILLER


JOSEPH LaVERGNE

PARTIES OF THE THIRD PART

PARTIES OF THE FOURTH PART


IVAN A. MILLER

PARTY OF THE FIFTH PART


EDWIN I. MILLER
Edwin

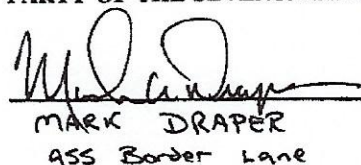
PARTY OF THE SIXTH PART

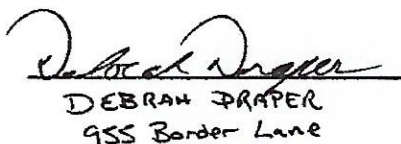

ELLA A. MILLER

PARTY OF THE SEVENTH PART


DUANE I. MILLER

PARTY OF THE EIGHT PART


MARK DRAPER
955 Border Lane


DEBRAH DRAPER
955 Border Lane

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared DELBERT BONTRAGER AND ALVIN BONTRAGER, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jan 2005

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared ANDREW L. KIEM AND EDWARD C. MILLER, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jan 2005

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared ALLEN J. MILLER AND BARBARA ANN MILLER, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jan 2005

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared IVAN A. MILLER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jan 2005

STATE OF WASHINGTON)
)ss.
County of _____)

On this ____ day of August, 2002, before me, a Notary Public in and for said State, personally appeared SUNDAE R. GOODPASTOR AND JOSEPH LaVERGNE, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Washington
Residing at _____ Washington
My commission expires _____

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared EDWIN I. MILLER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal the day and year first above written.



Steven D. Mangold
Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jan 2005

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 29 day of August, 2002, before me, a Notary Public in and for said State, personally appeared ELLA A. MILLER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal
the day and year first above written.



Notary Public for State of Montana
Residing at Eureka Montana
My commission expires Jun 2006

STATE OF MONTANA)
)ss.
County of Lincoln)

On this 21 day of August, 2002, before me, a Notary Public in and for said State, personally appeared DUANE I. MILLER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal
the day and year first above written.



Notary Public for State of Montana
Residing at Enuka Montana
My commission expires Jan 2005

ADDENDUM:

County of Lincoln

On this day of Sept 16, 2002, before me, a Notary Public in and for said State of Montana, personally appeared Mark and Debrah DRAPER, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same. In witness whereof, I have hereunto set my hand + affixed my Notary Seal the day and year first above written.



Steven D Mangel
Notary Public / Montana
Residing at Eureka Montana
Commission Expires Jan 2005