**PRIVATE POND EASEMENT AND MAINTENANCE AGREEMENT**

 An agreement made this original date of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019, applicable to the undersigned parcel owners,

**RECITALS**

 **WHEREAS,** body of water (3.5+/- acre pond) is a private pond situated in Albemarle County, State of Virginia.

 **WHEREAS**, the undersigned parcel owners are the owners of the body of water (3.5+/- acre pond) situated in Albemarle County, State of Virginia and described as follows:

 **1) APN #00-800-00-00-034B0 Deed Book: 2686, Page 133,**

 **3.50+/- Acres with improvements.**

 **(2) APN #00-800-00-00-035C0 Deed Book: 2686 Page 130,**

 **20.33+/- Acres of Vacant Land.**

 **WHEREAS**, the parties desire to enter into an Agreement regarding the shared use and maintenance costs of the 3.5+/- Acre Pond that is located on the above two parcels.

 **WHEREAS**, it is agreed that the new parcel owners will add their signatures to this document before the transfer of the land and the document will be recorded in Albemarle County.

**NOW THEREFORE, IT IS HEREBY AGREED AS FOLLOWS:**

Each parcel owner will have full use of the pond accessible from their specific parcel of land. Both parties agree to share equal maintenance cost related to the body of water itself (3.5+/- acre pond) not to exceed a total cost of One Thousand Dollars ($1,000.00). Any maintenance/improvements exceeding One Thousand Dollars ($1,000.00) must be mutually agreed upon by both parties.

 **The Effective Term.** This Agreement shall be perpetual, and shall encumber and run with the land.

 **Binding Agreement**. This Agreement shall be binding upon the parties hereto, their respective heirs, executors, administrators and assigns.

Signed,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Owner, Parcel 1

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Owner, Parcel 2