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EASEMENT AND ENCROACHMENT AGREEMENT

This Agreement, made this 27th day of August, 1991, by and between Eagle Bend Company, a Montana corporation, hereinafter Eagle Bend, and Stanley M. Fisher and Beverly J. Fisher, husband and wife, hereinafter Fisher,

WITNESSETH

That Fisher is the owner of Lot 97, and Eagle Bend is the owner of Lot 96, of the Amended Plat of the Amended Subdivision Plat of Eagle Bend, according to the map or plat thereof on file and of record in the office of the Clerk and Recorder of Flathead County, Montana.

That Fisher has constructed a driveway serving Lot 97, which driveway encroaches approximately 15 feet into Lot 96;

That it is the desire of the parties to provide for an easement for such encroachment and for the joint use and maintenance of such driveway to serve both Lots 96 and 97;

Now therefore, for and in consideration of the premises and the mutual covenants and grants herein contained, the parties do hereby agree, and do hereby grant each to the other, an equal, non-exclusive easement for the use of such driveway as it crosses the property of the other, as said driveway now exists and is located; and further the parties agree to share equally the future costs of maintaining, repairing and plowing said driveway. The burden of the easement hereby granted shall not be increased by either party individually, without the written consent of the other party, either by re-subdivision of the existing Lot or extension of the existing driveway to other properties.

In witness whereof, the parties hereto have hereunto set their hands the day and year first above written.

Eagle Bend Company

By: _____

_____ _____

Stanley M. Fisher Beverly J. Fisher

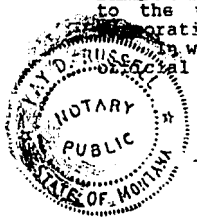
STATE OF MONTANA

S.S.

COUNTY OF FLATHEAD

On this 27th day of August, 1991, before me, the undersigned, a Notary Public in and for the State of Montana, personally appeared Stephen M. Zelt, known to me to be the Vice President of the corporation whose name is subscribed to the within instrument, and acknowledged to me that such corporation executed the same.

In witness whereof, I have hereunto set my hand and affixed my official seal the day and year last above written.



Kay D. Russell
Notary Public, State of Montana
Residing at ~~Kalispell~~ Bigfork
My commission expires 6-19-92

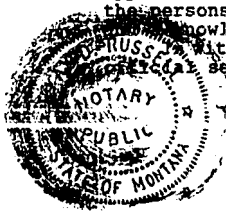
STATE OF MONTANA

S.S.

COUNTY OF FLATHEAD

On this 27th day of August, 1991, before me, the undersigned, a Notary Public in and for the State of Montana, personally appeared Stanley M. Fisher and Beverly J. Fisher, 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 official seal the day and year last above written.



Kay D. Russell
Notary Public, State of Montana
Residing at Bigfork
My commission expires 6-19-92

RETURN TO:
EAGLE BEND COMPANY
P. O. BOX 906
BIGFORK, MT 59911

STATE OF MONTANA,
County of Flathead } ss

Recorded at the request of C.G.T.C.
this 3rd day of Sept 1991 at 4:06 o'clock PM and recorded in the records of Flathead County, State of Montana.
Fee $12.00 Pd.

Susan A. Hafer Field
Flathead County Clerk and Recorder

RECEPTION NO. 9124616060

RETURN TO

Jean L. Sahrenai
Deputy