

CITY OF EL CAJON

AGREEMENT GRANTING EASEMENTS FOR JOINT USE
AND MAINTENANCE OF COMMON DRIVEWAY
JOINT USE DRIVEWAY AGREEMENT

INSTRUCTIONS TO APPLICANT

The attached Joint Use Driveway Agreement is the suggested format to be used in satisfying the City of El Cajon's requirement for such an agreement.

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To complete the form, follow these instructions:

1. Exhibits "A" and "B" consist of complete and accurate legal descriptions of the subject properties. You should not attach a copy of a grant deed containing a legal description, but retype the description and label it Exhibit "A" or "B" as appropriate.
2. Exhibits "C" and "D" consist of legal descriptions of the portions of properties to be utilized as a joint use driveway. If your joint use driveway was established by a specific plan, you may delete the phrase:

 ".....Exhibit "C: (or "D"), attached hereto and incorporated herein by this reference consisting of"

and replace it with these words:

 "Specific Plan No. _____ (Exhibit "____") on file in the Office of the City Clerk, City of El Cajon, California, and incorporated herein by this reference".

3. Submit a draft copy of the agreement for Planning Division approval.
4. Both parties must sign the original agreement in the presence of a Notary Public.
5. Record the original with the County Recorder, San Diego County.
6. Submit a photocopy of the recorded document to the Planning Division.

AGREEMENT GRANTING EASEMENTS FOR JOINT USE AND
MAINTENANCE OF COMMON DRIVEWAY

THIS AGREEMENT entered into this ____ day of _____, 20__, by and between _____ (hereinafter referred to as "A"), and _____ (hereinafter referred to as "B"). Said parties hereby covenant and agree as follows:

RECITALS:

Properties.

"A" is the owner of certain real property commonly known (or described) as:

located in the City of El Cajon, California, more particularly described in Exhibit "A", attached hereto and incorporated herein by this reference.

"B" is the owner of certain real property commonly known (or described) as:

located in the City of El Cajon, California, more particularly described in Exhibit "B", attached hereto and incorporated herein by this reference.

Intent.

It is the intent of the parties, in entering into this Agreement, to provide mutual easements for ingress and egress over a common driveway for the subject properties, and to provide for the joint use and maintenance thereof, by the parties thereto.

AGREEMENT

1. Grant of Easements.

"A" hereby grants to "B", its successors and assigns, a right-of-way and easement for ingress and egress, and purposes incidental thereto, on and over that portion of "A"'s property, more particularly described in Exhibit "C", attached hereto and incorporated herein by this reference, consisting of:

“B” hereby grants to “A”, its successors and assigns, a right-of-way and easement for ingress and egress, and purposes incidental thereto, on and over that portion of “B”’s property, more particularly described in Exhibit “D”, attached hereto and incorporated herein by this reference, consisting of:

2. Joint Use.

The easements granted in Paragraph 1 above are mutual and are intended to provide a common driveway for the joint use of the parties hereto. The easements herein granted shall be appurtenant to and run with the land.

3. Maintenance.

The parties hereby further agree, for themselves, their successors and assigns, that they shall cooperate to maintain the common driveway herein created, in a manner which is consistent with the public health, safety and welfare, to provide an adequate surface over the driveway, and to maintain said surface in at least as good condition as of the date of this Agreement.

4. This Agreement shall be binding upon and shall inure to the benefit of the heirs, executors, assigns, and successors in interest of the parties hereof.

IN WITNESS THEREOF the parties hereby have executed this Agreement the day and year first herein above written.

“A”

“B”

(Attach Notarial acknowledgments)

Notarize and Record

ALL PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)ss.
COUNTY OF _____)

On _____ before me, _____,
personally appeared _____,
personally known to me (or proved to me on the basis of satisfactory evidence) to be the
person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to
me that he/she/they executed the same in his/her/their authorized capacity(ies), and that
by his/her/their signatures(s) on the instrument the person(s) or the entity upon behalf of
which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that
the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

(This area for official notarial seal)

Signature _____
Signature of Notary Public