


JOINT USE ACCESS AGREEMENT

Permit No. _____


June
May

THIS JOINT USE ACCESS AGREEMENT ("Agreement") is made this 3 day of ~~May~~, 2020, by and between **Cook Living Trust** ("Owner A"), and **Mark Dunkel** ("Owner B") (collectively, the "Parties").

WHEREAS, Owner A owns that certain property situated in the Southeast Quarter of the Northwest Quarter, of Section 3, Township 59, Range 1 West, Boise Meridian, Bonner County, Idaho, as more particularly described on **EXHIBIT A** attached hereto and by this reference made a part hereof;

WHEREAS, Owner B owns that certain property situated in the Southeast Quarter of the Northwest Quarter, of Section 3, Township 59, Range 1 West, Boise Meridian, Bonner County, Idaho, as more particularly described on **EXHIBIT B** attached hereto and by this reference made a part hereof;

WHEREAS, the State of Idaho, Idaho Transportation Department ("ITD") requires that a recorded joint use access agreement signed by all deeded owners or their authorized representatives accompany any request for a joint use approach, pursuant to IDAPA 39.03.42 Section 300.03.

WHEREAS, the Parties desire to obtain a permit from the State of Idaho, Idaho Transportation Department ("ITD") for a joint use approach;

NOW, THEREFORE, in consideration of the mutual benefits to be derived, Owner A and Owner B do hereby promise and agree as follows:

1. THAT each and both Parties hereto shall have the unrestricted right to jointly use the whole of the hereinbefore mentioned and designated approach as permitted by the State of Idaho, and access road and any land belonging to each other reasonably necessary for the use thereof for the purpose of access to and from their respective properties to US95

2. THAT the Parties do hereby covenant that each lawfully own and possess the aforementioned adjoining tracts of land as set forth in **EXHIBIT A** and **EXHIBIT B**, and labeled as "Owner A Property" and "Owner B Property" to be served by the joint use approach, and that the Parties have good and lawful right to enter into this Agreement.

3. THAT the joint use approach permit to be granted by ITD pursuant to the request

RECORD AT THE REQUEST OF THE STATE OF IDAHO

FEE EXEMPT – I.C. 67-2301

of the Parties and in conjunction with this Joint Use Access Agreement is Permit No.

_____.

THIS AGREEMENT shall run with the land and be binding upon the heirs, successors and assigns of the Parties.

OWNER A:

Lauria H Cook

OWNER B:

[Signature]

RECORD AT THE REQUEST OF THE STATE OF IDAHO

FEE EXEMPT – I.C. 67-2301

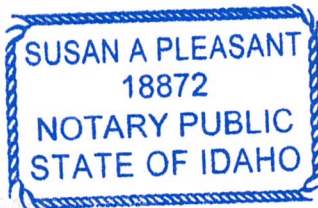
CHOOSE APPROPRIATE NOTARY BLOCK:

BUSINESS:

STATE OF IDAHO)
) ss.
County of BONNER)

On this 9 day of June, ^{2020 sp}~~2015~~, before me, the undersigned, a Notary Public in and for said State, personally appeared Lauria F. Cook, known or identified to me to be the Trustee of the Cook Living Trust, and the person who executed the foregoing instrument on behalf of said company and acknowledged to me that such company executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Susan A. Pleasant
Notary Public for SAD sp IDAHO
Residing at SANDPOINT
My commission expires 9-14-23

INDIVIDUAL:

STATE OF IDAHO)
) ss.
County of BONNER)

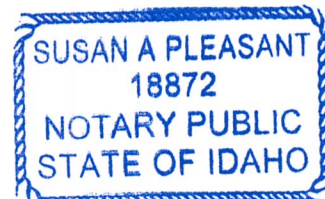
On this 3 day of June, ^{2020 sp}~~2015~~, before me, the undersigned, a Notary Public in and for said State, personally appeared mark Dunkel, known or identified to me to be the person who executed the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Susan A. Pleasant
Notary Public for IDAHO
Residing at SANDPOINT

RECORD AT THE REQUEST OF THE STATE OF IDAHO

FEE EXEMPT - I.C. 67-2301



(SEAL)

My commission expires 9-14-23

RECORD AT THE REQUEST OF THE STATE OF IDAHO

FEE EXEMPT – I.C. 67-2301

Exhibit A

After recording, please return to:
Stephen F. Smith
Attorney at Law, Chartered
P.O. Box C
Sandpoint, Idaho 83864

Instrument # 870963
BONNER COUNTY, SANDPOINT, IDAHO
3-16-2015 11:15:56 AM No. of Pages: 4
Recorded for : STEPHEN SMITH
MICHAEL W ROSEDALE Fee: 19.00
Ex-Officio Recorder Deputy *CB*
Index to: DEED

GRANT DEED TO TRUST

GRANTORS: Edgar Wilkins Cook, Jr., also known as Ed Cook, Edgar Cook, Edgar W. Cook and Edgar W. Cook, Jr., and Lauria F. Cook, also known as Laurie Cook, Laurie F. Cook and Lauria F. Cook, husband and wife, of 491476 Hwy 95 North, Sandpoint, Idaho 83864 (referred to collectively below as "grantor").

GRANTEE: Edgar Wilkins Cook, Jr. and Lauria F. Cook, not individually, but as co-trustees of The Ed and Lauria Cook Living Trust, UTA January 23, 2015, created by Edgar Wilkins Cook, Jr. and Lauria F. Cook as Settlers, and with Edgar Wilkins Cook, Jr. and Lauria F. Cook as co-trustees, dated January 23, 2015, the address of which is 491476 Hwy 95 North, Sandpoint, Idaho 83864 (referred to collectively below as "grantee").

For value received, grantor GIVES, GRANTS and CONVEYS to grantee, and to grantee's legal representatives, successors and assigns, all of grantor's interest in and to the following described real property in Bonner County, Idaho:

Parcel 1:

A parcel of land in Government Lot 3, Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho, described as follows:

Beginning at a point on the North line of said Section 3 at a point 643.94 West from the North quarter corner of said Section 3; thence westerly on the North line of said Section 3, 181.50 feet; thence South 240.00 feet; thence East 181.50 feet; thence North to the point of beginning.

Parcel 2:

A tract of land described as follows:

Beginning at the Southwest corner of said Section 3, Township 59 North, Range 1 West, Boise Meridian, thence East 179 feet along section line to

place of beginning; thence east 296 feet to an intersection with the west line of highway No. 95; thence Northeasterly along said west line of said Highway 1196 feet; thence due West 296 feet; thence Southwesterly to place of beginning. Containing 8.13 acres, more or less.

LESS A tract of land in Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho more specifically described as follows:

Commencing at the Southwest corner of said Section 3, thence East along the South line of said Section 3 a distance of 475 feet, more or less to the West right-of-way line of U.S. Highway No. 95 as now constructed; thence Northeasterly along said right-of-way line a distance of 903 feet to the TRUE POINT OF BEGINNING; thence continuing Northeasterly along said right-of-way line a distance of 293 feet; thence West a distance of 296 feet; thence Southwesterly on a line that would intersect the said South line of Section 3 at a point 179 feet East of said Southwest corner of said Section 3, a distance of 160 feet; thence Southeasterly a distance of 253 feet, more or less to the TRUE POINT OF BEGINNING.

LESS the South 234.9 feet (as measured at a right angle to the South line of Section 3) of the following described tract of land:

A tract of land in Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more specifically described as follows:

Commencing at the Southwest corner of said Section 3, thence East along the South line of said Section 3 a distance of 179 feet to the TRUE POINT OF BEGINNING; thence continuing East along said South line a distance of 296 feet, more or less to the West right-of-way line of U.S. Highway No. 95 as now constructed; thence Northeasterly along said right-of-way line a distance of 1196 feet; thence West a distance of 296 feet; thence Southwesterly a distance of 1198 feet, more or less to the TRUE POINT OF BEGINNING.

Parcel 3:

The South 234.9 feet (as measured at a right angle to the South line of Section 3) of the following described tract of land:

A tract of land in Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho, more specifically described as follows:

Commencing at the Southwest corner of said Section 3, thence East along the South line of said Section 3 a distance of 179 feet to the TRUE POINT OF BEGINNING; thence continuing East along said South line a distance of 296 feet, more or less to the West right-of-way line of U.S. Highway No. 95 as now constructed; thence Northeasterly along said right-of-way line a distance of 1196 feet; thence West a distance of 296 feet; thence Southwesterly a distance of 1198 feet, more or less to the TRUE POINT OF BEGINNING.

Parcel 4: Elmira Store

A tract of land in Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho more specifically described as follows:

Commencing at the Southwest corner of said Section 3, thence East along the South line of said Section 3 a distance of 475 feet, more or less to the West right-of-way line of U.S. Highway No. 95 as now constructed; thence Northeasterly along said right-of-way line a distance of 903 feet to the TRUE POINT OF BEGINNING; thence continuing Northeasterly along said right-of-way line a distance of 293 feet; thence West a distance of 296 feet; thence Southwesterly on a line that would intersect the said South line of Section 3 at a point 179 feet East of said Southwest corner of said Section 3, a distance of 160 feet; thence Southeasterly a distance of 253 feet, more or less to the TRUE POINT OF BEGINNING.

Parcel 5:

The Southeast quarter of the Northwest Quarter of Government Lot 3, West of Highway 95 North, Section 3, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

LESS a lot 40'x100' in Lot 3 of Sec. 3-59-1W; the starting point to be the NE corner of Lot 3, Sec. 3, Wly 40'; S of this point 100'; Ely 40'; Nly 100' to the point of beginning.

LESS in Township 59 North, Range 1 West, B.M. Section 3, Lot 3: Beginning at a point on the East boundary of the Bonneville Power Administration Power line, 893 feet SW of the NE corner of lot 3, Section 3; thence 90° East 460 feet to a point 50 feet West of center line of Hwy. 95; thence 250 feet SW, parallel to Hwy. 95 centerline; thence 480 feet NW; thence 250 feet NE, parallel to East edge of B.P.A. right-of-way to the point of beginning. (2.5 acres more or less.) This includes perpetual use of a B.P.A. access road, AR-20-1, as access to property; and use of existing road or roads as perpetual access to water of McArthur Reservoir.

LESS a parcel of land in Government Lot 3, Section 3, Township 59 North, Range 1 West, B.M. Bonner County, Idaho, described as follows: Beginning at a point on the North line of said Section 3 at a point 643.94 feet West from the North quarter corner of said Section 3; thence westerly on the North line of said Section 3, 181.50 feet; thence South 240.00 feet; thence East 181.50 feet; thence North to the point of beginning.

AND Government Lot 2, North and West of Highway 95N in Section 3, Township 59N, Range 1W, Boise Meridian, Bonner County, Idaho.

Parcel 6:

The Southwest quarter of the Northwest Quarter, Government Lot 4, Section 1, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

Parcel 7:

The Southeast quarter of the Northeast Quarter, Government Lot 1, Section 2, Township 59 North, Range 1 West, Boise Meridian, Bonner County, Idaho.

TOGETHER, with all tenements, hereditaments and appurtenances thereunto
belonging.

In construing this deed, and where the context so requires, the singular includes
the plural and the masculine, the feminine and the neuter.

Tax notices should be sent to the grantor at the grantor's address as set forth above.
For the purpose of preserving the homeowners' tax exemption, the grantor declares that
the above-named trust is revocable, the grantor is the beneficiary of that trust, and the
grantor resides in the home.

IN WITNESS WHEREOF, grantor has subscribed this instrument ^{March} ~~February~~
2, 2015.

Edgar Wilkins Cook, Jr.
Edgar Wilkins Cook, Jr., Grantor

Lauria F. Cook
Lauria F. Cook, Grantor

STATE OF IDAHO)
County of Bonner) ss

On this 2nd day of ^{March} ~~February~~, 2015 before me the undersigned, a Notary Public
in and for said State, personally appeared, Edgar Wilkins Cook, Jr. and Lauria F. Cook
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 seal the day and year
first above written.



Margaret L. Johnson
Notary Public
In and for the State of Idaho
Residing at: Sandpoint, ID
My commission expires: 11-2-2018

Exhibit B

When Recorded Return To:

504416

This Space For Recorder's Use:

John A. Finney
Finney Finney & Finney, P.A.
Attorneys at Law
Old Power House Building
120 East Lake Street, Suite 317
Sandpoint, Idaho 83864
Phone (208) 263-7712
Fax (208) 263-8211

Instrument # 872174

BONNER COUNTY, SANDPOINT, IDAHO
4-15-2015 03:12:50 PM No. of Pages: 2
Recorded for: FINNEY
MICHAEL W ROSEDALE
Ex-Officio Recorder Deputy *CB* Fee: 13.00
Index to: QUIT CLAIM DEED

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that Grantors, Mark Dunkel and Arlana Dunkel, husband and wife, for value and consideration received, do hereby QUITCLAIM unto the Grantee, Mark Dunkel, a married man as his sole and separate property pursuant to that certain Property Settlement Agreement dated 4/14, 2015, of P.O. Box 288, Ponderay, Idaho 83852, all of Grantors' right, title, claim and interest, in and to the following described real property, together with after acquired title, situated in the COUNTY OF BONNER, STATE OF IDAHO, to-wit:

In Township 59 North, Range 1 West, Section 3, Lot 3, Boise Meridian, Bonner County, Idaho:

Beginning at a point on the East boundary of the Bonneville Power Administration Power Line, 893 feet Southwest of the Northeast corner of Lot 3, Section 3;

thence 90 degrees East, 460 feet to a point 50 feet West of centerline of Highway 95;

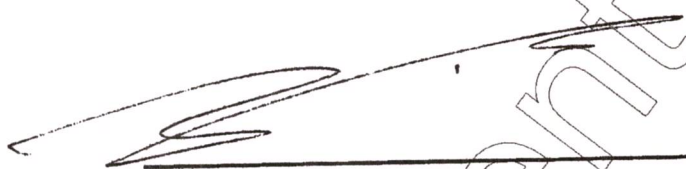
thence 250 feet Southwest, parallel to Highway 95 centerline;

thence 480 feet Northwest;

thence 250 feet Northeast, parallel to East edge of Bonneville Power Administration right of way to the point of beginning.

This includes perpetual use of the Bonneville Power Administration access road, AR-20-I, as access to property; and use of existing road or roads as perpetual access to waters of McArthur Reservoir.

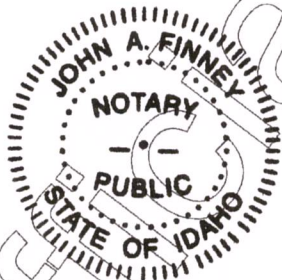
IN WITNESS WHEREOF, the Grantors have hereunto set their hands on this 14 day of April, 2015.

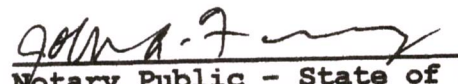

Mark Dunkel


Arlana Dunkel

STATE OF IDAHO)
 : ss
County of Bonner)

On this 14 day of April, 2015, before me, the undersigned Notary Public, personally appeared Mark Dunkel and Arlana Dunkel, husband and wife, known to me or proved to me on the basis of satisfactory evidence, to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.




Notary Public - State of Idaho
Residing at: Sandpoint
My Commission Expires: 10-15-2020