

LOWER ALLEN TOWNSHIP
COMMUNITY DEVELOPMENT DEPARTMENT

**SAMPLE FORM FOR DRIVEWAYS CONSTRUCTED LESS THAN
FIVE FEET FROM A PROPERTY LINE**

This agreement is a sample form provided by Lower Allen Township Department of Community Development. It is intended for use in conjunction with Codified Ordinance Section 220-224.A.(7). This zoning regulation requires written agreement between neighbors to construct a driveway less than five feet from a property line. Without an agreement, driveways must be constructed at least five feet from the property line. The intent of this regulation is to avoid future conflicts that may arise.

An agreement satisfying all requirements of Section 224.A.(7) must be recorded at the Cumberland County Courthouse (Recorder of Deeds Office) before a permit will be issued to construct a driveway less than five feet from a property line. It is recommended that we review your agreement and plot plan for compliance with the ordinance before you record them. This sample form is provided for convenience only, and is not intended as a substitute for advice from legal counsel.

Instructions for completion of agreement and grant of cross easement:

Insert an agreement date, then list affected property owners, their addresses and the address of the affected properties, if different from the owner's address.

- 1) Describe driveway, including length, width and type of material, in the next set of blank lines.
- 2) Insert the proposed distance that the driveway will be constructed from the common lot line in the next blank space (a dimension less than 5', can be 0').
- 3) Insert an easement width of at least (3) feet, then list owner or owners responsible for driveway maintenance.
- 4) All parties to the agreement must sign in the presence of a notary. All parties must make copies of the attached notary page if different notaries are attesting to the signatures of different property owners. Also, if any owners are corporations or partnerships, please print the title of the owner next to the owner's name.
- 5) When recording the agreement, first obtain a Uniform Parcel Identification Number (UIN) at the Tax Assessment Office (Old Courthouse, 1st floor) because a UIN is required to record a real estate document at the Recorder of Deeds Office across the street in the New Courthouse (1st floor). Provide a stamped envelope, addressed to Lower Allen Township, to the Recorder of Deeds.

AGREEMENT AND GRANT OF CROSS EASEMENT

This agreement is made this _____ day of _____, 20__ between or among _____

_____ who agree that a _____

_____ may be constructed _____ feet from the property line or lines separating the above-listed owners' properties, as indicated on the attached plot plan, labeled "Exhibit A".

Execution of this agreement indicates that the undersigned property owners agree about the location of the common lot line and proposed driveway as depicted on "Exhibit A". The undersigned also grant to each other a permanent cross easement of _____ feet for the purpose of maintenance and repair. Furthermore, _____ agrees to maintain the proposed driveway.

This agreement shall be binding upon and inure to the benefits of the parties and their respective heirs, executors, administrators, and assigns.

Print Owner's Name

Owner's Signature

Print Owner's Name

Owner's Signature

Print Owner's Name

Owner's Signature

Print Owner's Name

Owner's Signature

Print Owner's Name

Owner's Signature

Print Owner's Name

Owner's Signature

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CUMBERLAND

On this, the _____ day of _____, 20____ before a notary public, the undersigned, personally appeared _____, known to me (or satisfactorily proven) to be the persons whose names are subscribed to the within instrument and acknowledge that they executed the same for the purposes therein contained.

WITNESSETH, I hereunto set my hand and notarial seal the day and year first above written.

Notary Public

My Commission Expires:

Mail copy to: Lower Allen Township
Township Municipal Building
2233 Gettysburg Road
Camp Hill, PA 17011

RECORDING INFORMATION

Attach Certification Page provided by the Cumberland County Recorder of Deeds Office, verifying recording of this real estate document.