

TRAILS AND OPEN SPACE MAINTENANCE

1. The recreational trails, as described in the Exhibit ^DA of the agreement, Lynnesfield Planned Unit Development, shall be maintained by the Declarant.
2. This agreement specifically includes the off-site trail, along Jackman Street connecting the Lynnesfield PUD with the Transit Shelter at 45th Street.
3. Only those trails and open space areas which are constructed concurrent with clearing and grading permits for an "active" phase of the Lynnesfield Planned Unit Development are subject to this agreement. Existing, "informal" trails and undeveloped openspace will not be maintained subject to the terms of this agreement.
4. The trails and open space shall be maintained in the following manner:
 - A. Litter Control. The Declarant shall provide general litter control for the identified trail and open space areas at a minimum of one time every three month period. This litter control shall insure that all inappropriate materials such as trash, bottles, cans or other similar refuse be completely removed from the site.
 - B. Pruning and Grooming of Foliage. The Declarant shall prune foliage which is intruding on the trail pathway or open space area and rake the walking surface on an annual basis. The above-mentioned pruning shall limit the removal of plants, branches or tree limbs to those which directly hinder pedestrian passage.
 - C. Replacement of Surfacing. The Declarant shall install a new walking surface along the subject trail pathways every ten year period or as needed. The surface shall be installed consistent with the adopted trails plans attached as Exhibit D. If the City of Port Townsend determines within two years of the adoption of these Covenants, Conditions and Restrictions that the surfacing treatment is not an appropriate surfacing material due to lack of accessibility by wheelchairs, the Declarant shall re-surface the trail with appropriate material as mutually agreed upon by both the Declarant and the City.
 - D. Off-Site Trail. The Declarant agrees that the surfacing treatment on the off-site trail linking the Lynnesfield PUD with the 45th Street Transit Shelter will be reviewed prior to issuance of the 46th building permit. If the City determines that the crushed surfacing and maintenance to date is not adequate for wheelchair accessibility, a 2" inch asphalt surface shall be installed.

Exhibit E: Trails and Open Space Maintenance Agreement
Lynnesfield Planned Unit Development
Covenants, Conditions and Restrictions

The Declarant, at their own expense agrees to adhere to the above-mentioned maintenance standards on an continuing basis, commencing from the date of construction of the trails or open space areas

Joe Lloyd Campbell
Joe Campbell

7/31/96
Date

Lynette Campbell
Lynette Campbell

7/31/96
Date

Approved on behalf of the City of Port Townsend

for Cathy Koser
Director, Department of Public Works

8/1/96
Date