

Septic System Easement

Lot 1 is benefitted by and Lot 3 is burdened by a Replacement Septic Easement Area and a 25' Septic Easement as shown and depicted on the plat entitled, "Final Plat, Proposed Three Lot Subdivision for Peter M. Bingham, 59 Lower English Settlement Road, Underhill, Vermont," dated January 23, 2019, prepared by Bradford L. Holden, Land Surveyor, and recorded at Hanging File#--- of the Town of Underhill Land Records ("the Plat").

Lot 1 is permitted to use the Easements on Lot 3 to construct, install, operate, maintain, repair, improve, and replace a septic disposal system and pipelines, pump stations, leach fields, underground utility lines and any other equipment or appurtenances necessary or appropriate to the septic disposal system and/or pipelines (the foregoing together referred to as the "Septic System"). During the course of construction, maintenance, repair and/or replacement, Lot 1 shall have the right to use the Easement Area and any adjacent land as necessary to reasonably undertake such construction, maintenance, repair and/or replacement. In the event that Lot 1 shall install the Septic System, Lot 1 agrees to grade the ground surface to a reasonably level condition and to rake, mulch and seed the area with grass.

Lot 3 shall not use the surface or subsurface of the Easement Area for any purpose inconsistent with the use for the Septic System including, but not limited to, construction of any improvements in the Easement Area or planting of any trees, shrubs or other deep rooted plants. Lot 3 shall not do anything upon the surface or the subsurface of the Easement Area that would compact or otherwise adversely affect the soils of such Easement Area. Once the Septic System is installed, Lot 3 shall not use the surface or subsurface of the ground for any purpose except mowing the grass or other vegetation on the Easement Area either by hand or by machinery that will not adversely affect the Septic System. Further, Lot 3 shall not do anything upon the surrounding land which would affect the ability of Lot 1 to utilize the Easement Area for the permitted uses.

All construction, maintenance, repair and/or replacement of the Septic System shall be performed in conformance with Wastewater System and Potable Water Supply Permit No. WW-4-5198 and completed in as timely a fashion as is reasonably practicable. The surface shall be restored to its prior condition as is reasonably practicable.