THIS AGREEEMENT is made between [NAME 1] and [NAME 2]. [NAME 1] owns Whatcom County Parcel No. [\_\_\_] (“Parcel #1”) which he intends to enroll in the Conservation Reserve Enhancement Program (“CREP”) for a period of [\_\_\_] years. Through CREP, native trees and shrubs are established to enhance fish and wildlife habitat. During the period of enrollment it will be necessary for certain people to have access to the parcel for such activities as planning the project, preparing it for planting, planting, maintaining against weeds and inspecting it to ensure that the plantings are succeeding.

NAME 1’s parcel adjoins Whatcom County Assessor’s Parcel No. [\_\_\_] (“Parcel #2”) owned by [NAME 2]. [NAME 1] desires to acquire a right of way across Parcel #2 so that the CREP project can be more easily planned, planted, maintained and inspected. [NAME 2] is agreeable to granting the right of way subject to the limitations set forth in this document.

In consideration of one dollar and other valuable consideration paid, the receipt of which is hereby acknowledged, [NAME 2]hereby sells and conveys to [NAME 1], a private right of way subject to the following:

1. LOCATION. The right of way is limited to that shown on the attached Exhibit A.
2. USE. Use of the private right of way shall be limited to [NAME 1], representatives of the USDA Farm Service Agency and Whatcom Conservation District, and contractors performing the site preparation, planting and maintenance.
3. TERM. The term of the right of way begins on the last date set forth below and at will of NAME 2 after MONTH, DAY, YEAR.
4. BINDING. The grant of this right-of-way shall bind grantor, his [her] heirs and assigns, and run with the land.

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[NAME 1 [NAME 2]