

CITATION 14 CONTINUED

Condominium Property Regimes consisting of five (5) <sup>UNITS</sup> ~~acres~~ on the  
Claf Thronas property, four (4) on the ALLOTMENT C and nine (9)  
units on ALLOTMENT 1-A. Under the county rules and regulations  
regarding roads and subdivisions, MBR, in order to access the  
several building sites, would be required to install a road 50'  
in width with a paved surface area of at minimum 20', if it were  
to have such a subdivision approved.

Further, the Defendant Forester's parcel Unit E is greatly  
encumbered by the way as it is now located. The land intended by  
Forester to be the pasture for her cow is intersected by this  
Easement right through the middle of this pasture. Defendant  
Forester has sought to negotiate to relocate the way to the edge  
of her property. The Plaintiff MBR initially had agreed to the  
relocation but has now insisted on an extended width and use as a  
condition for the relocation.

When Forester has sought to explore satisfying the  
Plaintiff's demands in order to minimize the impact of the  
Easement on her land, she has been rebuffed by the other four (4)  
condominium unit owners who insist that there be no expanded use  
of this way by MBR.

The Declaration of Condominium Property Regime of the  
Defendant Forester provides that in order for any change or  
alterations in any of the ways or Easement of property that all  
the condominium property owners consent in writing. Forester has  
brought a Motion under Rule 19(a) and 21 seeking a joinder of the  
condominium owners as indispensable parties in this dispute.