

# AGREEMENT TO PARTITION REAL PROPERTY

Agreement made this 24th day of June, 1980,  
between JOHN V. GITTINS, a single man, of Carson, Skamania County,  
Washington, MYRON SCHWARTZ, a single man, of Skamania Route,  
Stevenson, Skamania County, Washington, and MELVIN G. PRICE and  
MARY SUE PRICE, husband and wife, of Skamania Route, Stevenson,  
Skamania County, Washington.

## RECITALS

A. The parties own, as tenants in common with equal shares,  
real property situated in the County of Skamania, State of  
Washington, more particularly described as follows:

Beginning at the Northwest corner of the South half  
of the South half of the Northwest quarter of the  
Northeast quarter of Section 28, Township 2 North,  
Range 6 East of the Willamette Meridian, and continu-  
ing South along the West line of the Northwest  
quarter of the Northeast quarter and the West line  
of the Southwest quarter of the Northeast quarter a  
distance of 416 feet; thence East parallel to the  
South line of the Northwest quarter of the Northeast  
quarter a distance of 208 feet; thence North parallel  
to the West line of the Northeast quarter a distance  
of 208 feet; thence East parallel to the South line  
of the South half of the Northwest quarter of the  
Northeast quarter a distance of 208 feet; thence  
North parallel to the West line of the Northwest  
quarter of the Northeast quarter a distance of 208  
feet; thence West along the South line of the North  
half of the South half of the Northwest quarter of  
the Northeast quarter to the point of beginning.

TOGETHER WITH an easement for purposes of ingress,  
egress and utilities across an existing road over  
the seller's adjoining property in the Northwest  
quarter of the Northeast quarter of said Section  
28, Township 2 North, Range 6 East of the Willamette  
Meridian, the exact location of which is to be  
determined by seller, to a private road which runs  
along the existing boundary of seller's property.  
Seller makes no warranty or guarantee of access over  
the private road above mentioned.

B. The parties desire to partition the property so that  
each party may own a part thereof in fee simple. The parties  
are in agreement as to the manner in which the property is to  
be divided.

In consideration of the mutual covenants set forth below,  
the parties agree as follows:



1. Partition of property. The property that is to go to JOHN V. GITTINGS, a single man, is described as follows:

The South 208 feet of the following described tract:

Beginning at the Northwest corner of the South Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 28, Township 2 North, Range 6 East of the Willamette Meridian, and continuing South along the West line of the Northwest Quarter of the Northeast Quarter and the West line of the Southwest Quarter of the Northeast Quarter a distance of 416 feet; thence East parallel to the South line of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence North parallel to the West line of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter a distance of 416 feet; thence West along the South line of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter to the point of beginning.

TOGETHER WITH an easement for purposes of ingress, egress and utilities across an existing road as described in that certain Warranty Fulfillment Deed wherein the Grantor is Steven R. Rosen, a single man, and the Grantees are John V. Gittins, a single man, Myron Schwartz, a single man, and Melvin G. Frice and Mary Sue Frice, husband and wife, recorded on September 22, 1978 in Book 75 of Deeds, Pages 401-402, under Auditor's File No. 87269, records of Skamania County, Washington;

together with all improvements thereon and all rights appurtenant thereto. The property that is to go to MYRON SCHWARTZ, a single man, is described as follows:

Commencing at the Northwest Corner of the South Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 28, Township 2 North, Range 6 East of the Willamette Meridian, and continuing South along the West line of the Northwest Quarter of the Northeast Quarter and the West line of the Southwest Quarter of the Northeast Quarter a distance of 416 feet; thence East parallel to the South line of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence North parallel to the West line of the Northeast Quarter a distance of 208 feet to the true point of beginning; thence East parallel to the South line of the South Half of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence North parallel to the West line of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence West along the South line of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence South parallel to the West line of the Northwest Quarter of the Northeast Quarter a distance of 208 feet to the true point of beginning.

TOGETHER WITH an easement for purposes of ingress, egress and utilities across an existing road as described in that certain Warranty Fulfillment Deed wherein the Grantor is Steven R. Rosen, a single man, and the Grantees are John V. Gittins, a single man, Myron Schwartz, a single man, and Melvin G. Frice and Mary Sue Frice, husband and wife, recorded on September 22, 1978 in Book 75 of Deeds, Pages 401-402, under Auditor's File No. 87269, records of Skamania County, Washington;

together with all improvements thereon and all rights appurtenant thereto. The property that is to go to MELVIN G. PRICE and MARY SUE PRICE, husband and wife, is described as follows:

The North 208 feet of the following described tract:

Beginning at the Northwest corner of the South Half of the South Half of the Northwest Quarter of the Northeast Quarter of Section 28, Township 2 North, Range 6 East of the Willamette Meridian, and continuing South along the West line of the Northwest Quarter of the Northeast Quarter and the West line of the Southwest Quarter of the Northeast Quarter a distance of 416 feet; thence East parallel to the South line of the Northwest Quarter of the Northeast Quarter a distance of 208 feet; thence North parallel to the West line of the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter a distance of 416 feet; thence West along the South line of the North Half of the South Half of the Northwest Quarter of the Northeast Quarter to the point of beginning.

TOGETHER WITH an easement for purposes of ingress, egress and utilities across an existing road as described in that certain Warranty Fulfillment Deed wherein the Grantor is Steven R. Rosen, a single man, and the Grantees are John V. Gittins, a single man, Myron Schwartz, a single man, and Melvin G. Frice and Mary Sue Frice, husband and wife, recorded on September 22, 1978 in Book 75 of Deeds, Pages 401-402, under Auditor's File No. 87269, records of Skamania County, Washington;

together with all improvements thereon and all rights appurtenant thereto.

2. Deeds. Within (30) days following execution of this agreement each party shall deliver to the others such deed or deeds and such other instruments as may be necessary and proper to effect the partition and to vest in the parties the respective portions allocated to them.



The parties shall be entitled to possession of the portion of the property allocated to them respectfully within five (5) days from the date of delivery of the deeds and other instruments referred to above.

3. Complete agreement; binding effect. The entire agreement of the parties is set forth in this instrument. There are no promises, terms, conditions, or obligations other than those contained herein. This agreement shall inure to the benefit of and be binding on the heirs, legal representatives and assigns of the parties.

IN WITNESS WHEREOF, the parties have executed this agreement at Stevenson, Washington, the day and year first above written.

John V. Gittins  
JOHN V. GITTINS

Myron Schwartz  
MYRON SCHWARTZ

Melvin G. Frice  
MELVIN G. FRICE

Mary Sue Frice  
MARY SUE FRICE

STATE OF WASHINGTON }  
County of Skamania } ss.

On this day personally appeared before me JOHN V. GITTINS, a single man, MYRON SCHWARTZ, a single man, and MELVIN G. FRICE and MARY SUE FRICE, husband and wife, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 24th day of

June, 1980.



John V. Gittins  
Notary Public in and for the  
State of Washington, residing  
at Stevenson.