

SK-13669
02-05-32-3-0-1000-00

RIGHT OF WAY EASEMENT

KNOW ALL MEN BY THESE PRESENTS: That the Grantors, ROGER MALFAIT and LORETTA L. MALFAIT, husband and wife, and GLEN L. SHOEMAKER and JOYCE L. SHOEMAKER, husband and wife, in consideration of One Dollar (\$1.00) and other valuable considerations, the receipt whereof is hereby acknowledged, do hereby grant, assign and set over to LINDA L. BARKFELT CASPER and WILLIAM HAROLD CASPER, her husband, Grantees, an easement fifteen (15) feet in width for the purpose of maintaining and operating an existing line of pipe as a drainfield for the septic sewer system serving Grantees' adjacent premises in and across that portion of Lot 47 of Washougal Riverside Tracts according to the plat thereof recorded in Book A of Plats at page 81, records of Skamania County, Washington described as follows:



Beginning at the most northerly corner of said Lot 47; thence South 48°04' West along the Northerly boundary line of said lot 15 feet; thence South 41°56' East and parallel with the Easterly boundary line of said Lot 47 136.5 feet; thence North 48°04' East 15 feet to the Easterly boundary line of said Lot 47; thence North 41°56' West 136.5 feet along the Easterly boundary line of said Lot 47 to the point of beginning.

The Grantees shall have the right to go upon said right of way at any time to make any and all minor repairs necessary in the operation and maintenance of said line of pipe.

The Grantors, their heirs, personal representatives, successors, and assigns shall have the right to utilize such strip for any purpose that does not interfere with the maintenance or operation of said line of pipe. It is agreed that in the event Grantors shall utilize said strip of land Grantees shall ^{be} ~~not~~ be liable for damage to Grantors' property as a result of operating, maintaining, repairing or inspecting said line of pipe.

This easement is granted on the condition that should said line of pipe serving as aforesaid become clogged to the extent it is required to be replaced, that the Grantees shall cause a line of pipe for drainage purposes to be installed on their adjacent

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real estate and, at that time, this easement shall terminate and be of no further force and effect. At the time said pipe line is replaced as aforesaid, Grantees shall cause to be prepared and executed, at their expense, an instrument releasing and quit claiming unto Grantors, their heirs or assigns, any and all interest they may have in the aforescribed real property.

The terms and conditions hereof shall be binding on the parties hereto, their respective heirs, personal representatives, successors and assigns.

IN WITNESS WHEREOF, the Grantors have executed this instrument this 28th day of January, 1985.

Roger Malfait
Roger Malfait

Loretta L. Malfait
Loretta L. Malfait

Glen L. Shoemaker
Glen L. Shoemaker

Joyce L. Shoemaker
Joyce L. Shoemaker

GRANTORS

STATE OF WASHINGTON)
) ss.
COUNTY OF CLARK)

On this day personally appeared before me ROGER MALFAIT and LORETTA L. MALFAIT 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 28th day of January, 1985.

Nancy J. Lucas
Notary Public in and for the State of Washington, Residing at Lawrence.

STATE OF WASHINGTON)
) ss.
COUNTY OF CLARK)

On this day personally appeared before me GLEN L. SHOEMAKER and JOYCE L. SHOEMAKER 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 28th day of January, 1985.

Nancy J. Lucas
Notary Public in and for the State of Washington, Residing at Lawrence.