

EASEMENT

THIS EASEMENT AGREEMENT is made as of the 1st day of Jan, 1987 between HENRY T. SWIGERT and ROBERT C. WARREN ("Grantor") and NANNIE S. WARREN, ERNEST C. SWIGERT, HENRY T. SWIGERT and ELIZABETH S. SNOW, as Trustees under that certain Prindle Trust Agreement dated January 21, 1961 as amended and restated in its entirety by Agreement of Amendment dated March 1, 1977, and as further amended by Agreement of Amendment dated July 1, 1978, and as further amended by Agreement of Amendment dated July 10, 1981 by and between Ernest G. Swigert, as Settlor, and said Ernest G. Swigert, as Trustee under said Trust ("Grantee").

W I T N E S S E T H:

WHEREAS, Grantor owns the real property in Skamania County, Washington described in the attached Exhibit A and Grantee owns the nearby real property in Skamania County, Washington described in the attached Exhibit B;

WHEREAS, the parties mutually desire to have two wells and a water storage tank constructed on Grantor's property for the withdrawal and storage of ground water for the noncommercial uses of Grantor and Grantee, and the parties desire to have Grantor convey to Grantee an

FILED FOR RECORD
SKAMANIA CO. WASH.
BY THOMAS J. ANDERSON
ATTORNEY AT LAW

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AUDITOR
CARYN NELSON

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easement for said wells, storage tank and a water pipeline across Grantor's property to Grantee's property;

WHEREAS, the parties mutually desire to have a septic tank and drainfield system installed on Grantor's property for the use and benefit of Grantor and Grantee, and the parties desire to have Grantor convey to Grantee an easement for said septic tank and drainfield and a sewer line across Grantor's property conveying waste from Grantee's property to said septic tank; and

WHEREAS, the parties mutually desire to have Grantee install an underground television cable from an existing satellite signal receiver on Grantor's property to Grantee's property, and Grantor desires to convey to Grantee an easement for said television cable across Grantor's property to Grantee's property;

NOW, THEREFORE, in consideration of the mutual promises herein made, Grantor conveys to Grantee, its successors and assigns, a perpetual nonexclusive easement for the following purposes:

1. To construct, at Grantee's expense, two wells, a water storage tank and a water pipeline on Grantor's property in the approximate locations shown on the map attached hereto as Exhibit C;

2. To have the right of ingress and egress to and from said wells and storage tank on Grantor's property, the right to pump water therefrom at Grantee's expense, and the joint use by Grantee, its successors and assigns, with Grantor, their heirs, successors and assigns, of the wells, well equipment and pumping machinery, casing, well pipe, storage tank and pipeline;

3. To install, at Grantee's expense, a septic tank, drainfield system, and sewer line on Grantor's property in the approximate locations shown on the map attached hereto as Exhibit C;

4. To have the right of ingress and egress to and from said septic tank and drainfield system on Grantor's property, the right, at Grantee's expense, to pump sewage and wastewater thereto, and the joint use by Grantee, its successors and assigns, with Grantor, their heirs and assigns, of the septic tank and drainfield system;


5. To install an underground television cable on Grantor's property in the approximate location shown on the map attached hereto as Exhibit C; and

6. To have the right of ingress and egress to and from the television satellite signal receiver on Grantor's

property and the joint use by Grantee, its successors and assigns, with Grantor, their heirs and assigns, of the satellite signal receiver.

The cost of installing and operating the wells, pumping machinery and equipment, the septic tank and drainfield, the cost of operating and maintaining the satellite signal receiver, and the cost of keeping the same in order and fair condition of repair shall be borne by Grantee; provided, however, to the extent Grantor uses said wells, pumping machinery, equipment, septic tank and drainfield and said satellite signal receiver, Grantor shall bear its fair share of the costs of operation and maintenance thereof.


DATED as of the date first hereinabove written.

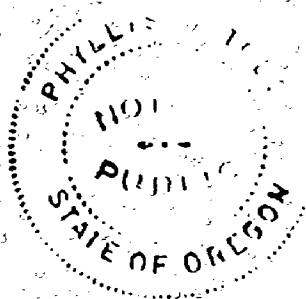

Henry T. Swigert


Robert C. Warren

STATE OF OREGON)
) ss.
County of Multnomah)

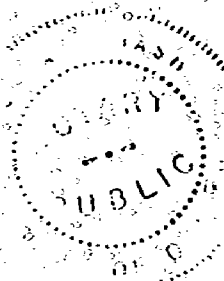
The foregoing instrument was acknowledged before me this 1st day of October, 1987 by the above-named HENRY T. SWIGERT.


Notary Public for Oregon
My commission expires: 6-29-89



STATE OF OREGON)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before
me this 7th day of October, 1987 by the above-named
ROBERT C. WARREN.



Lee Ann Hanks
Notary Public for Oregon
My commission expires: 4/14/91

EXHIBIT "A"

Parcel 1:

A tract of land located in Section 11, Township 1 North, Range 5 East of the Willamette Meridian, more particularly described as follows: Beginning at the Southwest corner of Lot 1 of Block B of the Townsite of Prindle according to the official plat thereof on file and of record at Page 28 of Book "A" of Plats, Records of Skamania County, Washington; thence North 32° 28' West along the West line of Block B of the Townsite of Prindle aforesaid 247.5 feet to an iron pipe at a fence corner, said point being on the West line of Lot 8 of the said Block B; thence South 59° 49' West along the existing fence line 379.78 feet to an iron pipe at a fence corner; thence South 24° 31' East 236.66 feet to intersection with the Northerly right of way line of the Spokane, Portland and Seattle Railway Company's right of way; thence North 68° 24' East following the Northerly line of said railway right of way 418.3 feet to intersection with the West line of the Townsite of Prindle aforesaid; thence North 32° 28' West 40.4 feet to the point of beginning.

Also: Lots 1, 2, 3, 4, 5, 6, 7, 8, 13, 14, 15 and 16 of Block B of the Townsite of Prindle according to the official plat thereof on file and of record at Page 28, Book "A" of Plats, Records of Skamania County, Washington.

TOGETHER WITH surface water rights granted by the State of Washington appurtenant to the above-described real property, certificate of surface water right No. 5227, and an easement for pipeline and water rights as more particularly described in that certain deed from Robert C. Prindle, et ux, to Clarence E. Boyie, et ux, dated September 18, 1950, recorded in Book 33 at Page 323, Records of Skamania County, Washington;

SUBJECT TO that certain easement granted to Earnest Swigert for a water pipeline recorded in Book 36 at Page 388, Records of Skamania County, Washington.

Parcel 2:

A tract of land in Section 11, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as: Beginning at the Southwest corner of Lot 1 Block B of the Townsite of Prindle, as shown on the official plat thereof recorded in Book "A" of plats on page 28, Skamania County Records; thence South 32° 28' East 40.4 feet to the North line of the railroad right of way; thence easterly along the North line of the railroad right of way, to the West line of Main Street in the plat of Prindle, aforesaid; thence northwesterly along the West line of Main Street to the Southeast corner of Lot 4, Block "B", plat of Prindle; thence westerly, along the South lines of Lots 4, 3, 2 and 1, said Block "B" to the point of beginning.

EXHIBIT B

The following described real property situated in
the County of Skamania, State of Washington, to wit:

Parcel 1:

Commencing at a point One Hundred and Ninety (190) feet North of Meander corner of section line between sections 11 and 12, Township One (1) North, Range Five (5) East of the Willamette Meridian, said point being initial point of survey and being the south line of the Right-of-way of the S. P. & S. Railway; thence along the said line S. 68° 24' west paralleling the center line of said S. P. & S. Railway 100 feet dist. four hundred and ninety feet. Thence south 43 degrees west two hundred (200) feet; thence south 15 degrees 30' east one hundred fifty (150) feet; thence following the meander line of river as follows: south 77 degrees 30' east ninety-nine (99) feet, north 77 degrees 15' east ninety-nine (99) feet. East One hundred and thirty two (132) feet, north 6 degrees 45' east ninety-nine (99) feet, north 63 degrees 30' east one hundred and ninety-eight (198) feet, north 10 degrees west 92.4 feet, south 80 degrees 30' east 52.4 feet to the meander corner above described; thence north along section line one hundred and ninety (190) feet to initial point and place of beginning;

TOGETHER WITH all shorelands of the second class situate in front of, abutting, adjacent or contiguous to the above described real property as described in deed from the State of Washington dated June 5, 1929, and recorded June 28, 1929 at page 208 of Book "W" of Deeds, Records of Skamania County, Washington; and

Parcel 2:

A tract of land located in government lots 3 and 4 in Section 11, Township 1 North, Range 5 E.W.M., described as follows:

Beginning at a point on the southerly boundary of the Spokane, Portland and Seattle Railway right of way 40 feet distant from the northwest corner of a tract of land conveyed to Rena G. Swigert by deed dated September 17, 1918 and recorded at page 563 of Book Q of Deeds, Records of Skamania County, Washington; thence in a southwesterly direction following the southerly boundary of said railroad right of way to the easterly line of a tract of land conveyed to D. McPherson by deed dated March 18, 1905, and recorded at page 116 of Book I of Deeds; thence south $46^{\circ} 15'$ east along the east line of said McPherson tract to intersection with the meander line of the Columbia River; thence northeasterly following the meander line of the Columbia River to a point 40 feet distant from the southwest corner of the said Swigert tract; thence northerly along a line 40 feet distant from and parallel to the westerly line of the said Swigert tract to the point of beginning; and

TOGETHER WITH all shorelands of the second class fronting and abutting upon the above described real property as described in deed from the State of Washington dated October 29, 1940, and recorded December 6, 1956, at page 39 of Book 43 of Deeds, Records of Skamania County, Washington; and

Parcel 3:

A strip of land 40 feet in width located in Government Lot 4 of Section 11, Township 1 North, Range 5 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point 190 feet North of the meander corner common to Sections 11 and 12, Township 1 North, Range 5 East of the Willamette Meridian, said point being on the

Southerly line of the Spokane, Portland and Seattle Railway Company's right of way; thence South $68^{\circ} 24'$ West following the Southerly line of said right of way 490 feet to the initial point of the tract hereby described; thence South 43° West 200 feet; thence South $15^{\circ} 31'$ East 150 feet to intersection with the meander line of the Columbia River; thence Westerly following the meander line of the Columbia River to a point 40 feet distant, measured at a right angle, from the last described course; thence Northerly along a line 40 feet distant from, and parallel to, the first two courses of the tract hereby described to intersection with the Southerly line of the aforesaid railway right of way; thence North $68^{\circ} 24'$ East to the initial point, TOGETHER WITH the tide or shorelands, if any, owned by Seller abutting said parcel,

which said respective parcels of real property are subject to any easements, and rights of way, presently of record in Skamania County.

EXHIBIT C

