

105673

BOOK 110 PAGE 632

905-11-02.210
Deed No. 356555460 - Road 125
Randle-Lewis River

RELINQUISHMENT OF OFF-HIGHWAY HAUL RIGHTS

THIS RELINQUISHMENT OF OFF-HIGHWAY HAUL RIGHTS dated this 12th day of August, 1988, from PLUM CREEK TIMBER COMPANY, INC., a Delaware Corporation, (successor-in-interest to Northern Pacific Railroad Company and Burlington Northern Railroad Company) hereinafter called Grantor, to the UNITED STATES OF AMERICA and assigns, hereinafter called Grantee,

WITNESSETH:

WHEREAS, Northern Pacific Railway Company granted to the United States of America an easement dated October 18, 1960, and recorded November 18, 1960, as instrument No. 57801 in Book 48 of land records, page 172, County of Skamania, State of Washington, which easement contained the following condition and reservation:

"Grantors, for the purpose of hauling timber and other forest materials cut or produced from lands other than national forest lands, reserve the right until March 31, 2000 to operate over said road vehicles having a width up to and including eleven feet four inches and with a gross weight of vehicle and load not in excess of the present design capacity of the Swift Creek bridge; provided that vehicles having a greater width may be used from time to time when such use in the opinion of the Regional Forester will not unduly or unreasonably interfere with the use of the road by other users thereof" and

WHEREAS, the United States of America, acting by and through the Forest Service, Department of Agriculture, granted to Burlington Northern Railroad Company an easement for Road No's. N90, N92, and 125, dated January 13, 1982, and recorded March 11, 1982, in Book 80, p. 961, records of Skamania County, Washington, which easement contained the following provision:

"Grantee's right to use the road shall include, but shall not be limited to, use for the purpose of operating and moving specialized logging vehicles and other equipment subject to the following limitations:

"Use of vehicles of a weight not to exceed 160,000 pounds and equipped with bunks not to exceed 11 feet 4 inches in width is permissible until March 31, 2000." After said date, the Grantee's right to use the road shall be subject to compliance with legal dimensions and weights of motor vehicles imposed by State law on comparable public roads or highways. In any event, gross weights of equipment or vehicles shall not exceed the capacity of bridges and other structures, and cleared equipment shall not be used on paved roads" and

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12209
REAL ESTATE EXCISE TAX
11201-3
PAID EXempt
J. J. Dept.
TAX COLLECTOR

Registered E
Indexed, W
Indirect S
Filed S
Mailed S

FILED FOR RECORD
SKAMANIA CO. WASH
BY H.S.A.
H.S.A. Forest Service
Nov 26 2 40 PM '88
E. M. Olson
AUDITOR
GARY M. OLSON

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WHEREAS, Plum Creek Timber Company, Inc. desires to release its Off-Highway Haul rights, on those certain roads described as follows:

The Randle-Lewis River Road, Number 125, beginning at a point in Lot 1, Section 23, T. 7 N., R. 6 E., W.M. being approximately 0.42 miles in length, ending at a point in Lot 2, Section 24, T. 7 N., R. 6 E., W.M., including a new double-lane pre-stressed bridge over Pine Creek.

The above road located approximately as shown on attached Exhibit A.

NOW THEREFORE, this instrument is executed for the purpose of showing that Plum Creek Timber Company, Inc. has no further need for the Off-Highway Haul rights cited in the above easements, and that such rights have closed and terminated and are hereby cancelled on those roads hereinabove described.

This RELINQUISHMENT OF OFF-HIGHWAY HAUL RIGHTS shall, however, have no effect for the balance of those easements dated October 18, 1960 and recorded in Book 48, p. 172, and January 13, 1982, in Book 80, p. 961, records of Skamania County, Washington; all terms and conditions of which will remain in full force and effect.

IN WITNESS WHEREOF, the Grantor has executed this instrument the day and year first above written.

PLUM CREEK TIMBER COMPANY, INC.

By:

David D. Leland

Title: President and Chief Executive Officer

By:

Susanna N. Lyman

Title: Secretary

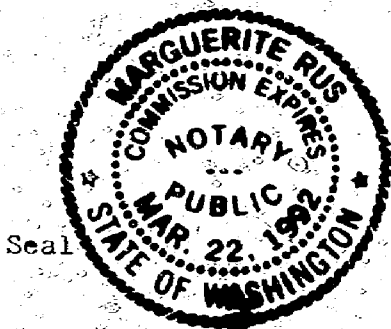
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ACKNOWLEDGMENT

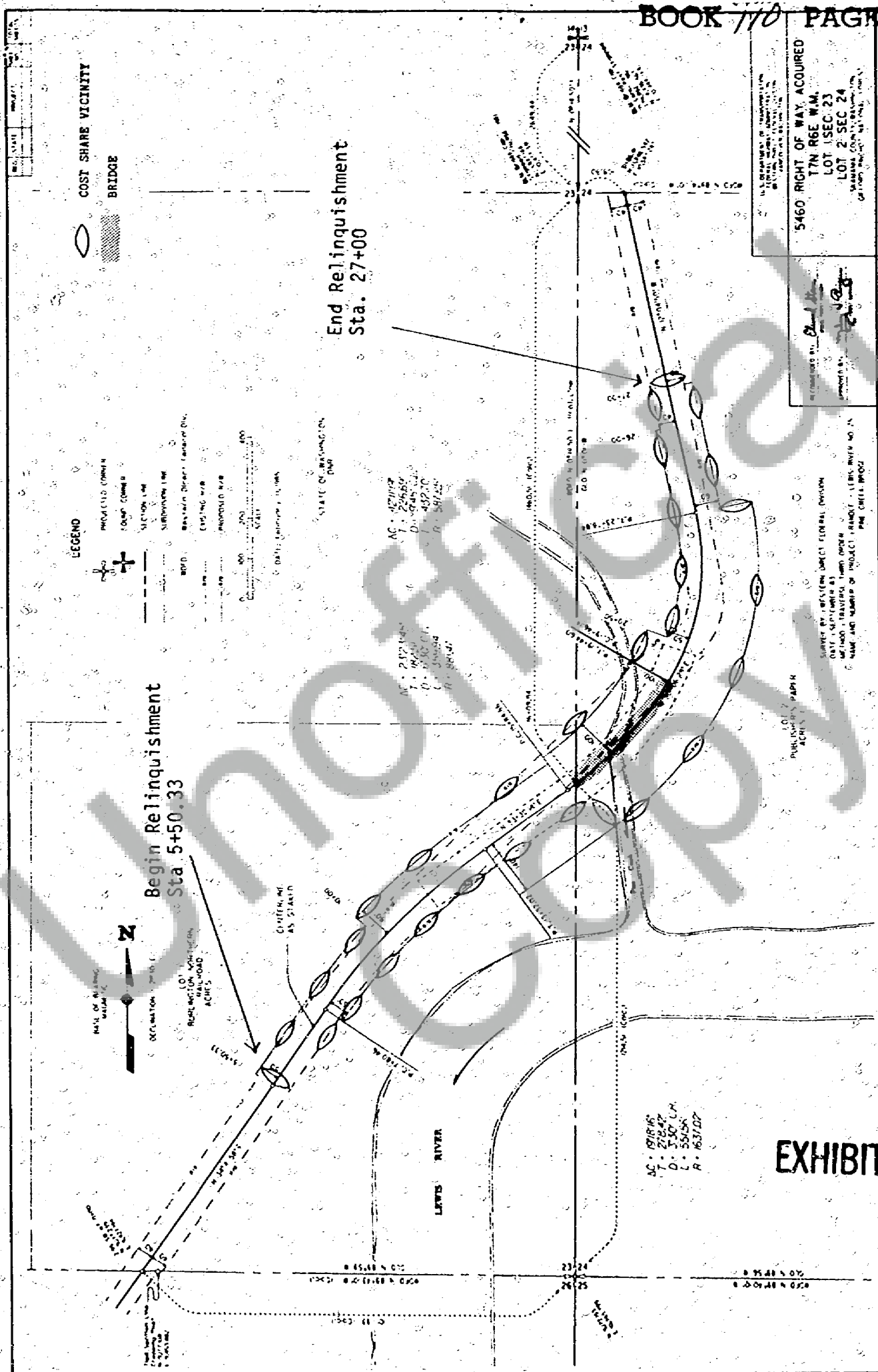
STATE OF Wash)
COUNTY OF King) ss

On the 18 day of August, 1986, before me Personally appeared Donald D. Helwig and Deborah N. Lynn to me know to be the President & CEO and Secretary of Plum Creek Timber Company, Inc., the corporation which executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Marguerite Rus
Notary Public in and for the State of
Washington
Residing at Seattle
My commission expires 3/22/92



RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT CONTAIN
FOUR PAGES

EXHIBIT A