

106371

BOOK 112 PAGE 369

TICOR TITLE INSURANCE

Filed for Record at Request of

AFTER RECORDING MAIL TO:

Theresa E. Dowell
1700 One Union Square
Seattle, Washington 98101

FILED FOR RECORD
 SKAMANIA CO. WASH.
 BY TERESA E. DOWELL
 THIS SPACE RESERVED FOR RECORDER'S USE
 DEC. 30, 1988 3:20 pm
 A. Dow, Dep.
 AUDITOR
 GARY M. OLSON

REVENUE STAMPS

FORM L-65A

Deed and Purchaser's Assignment of Real Estate Contract (CORPORATE FORM)

THE GRANTOR Tourist Facilities, Inc. a Washington corporation

for value received conveys and warrants to
 Wind River Resorts International, Inc.

, the grantee,

the following described real estate, situated in the County of Skamania

State of Washington including any interest therein which grantor may hereafter acquire:

That certain property described in Schedule C, attached hereto,
 subject to the encumbrances set forth in Exhibit E, attached hereto.

REAL ESTATE EXCISE TAX

CST 7113

PAID See Excise 1044

Shirley M. Day
 SKAMANIA COUNTY TREASURER

12457

REAL ESTATE EXCISE TAX

PAID Exempt

Shirley M. Day
 Jrd Deputy

and does hereby assign, transfer and set over to the grantee that certain real estate contract dated the 7th
 day of March, 1986 between Knappton Corporation

as seller and Tourist Facilities, Inc.

as purchaser for the sale and purchase of the above described real estate. The grantee hereby assume and
 agree to fulfill the conditions of said real estate contract and the grantor hereby covenants that there is
 now unpaid on the principal of said contract the sum of an undetermined amount.

IN WITNESS WHEREOF, said corporation has caused this instrument to be executed by its proper officers
 and its corporate seal to be hereunto affixed this

day of

TOURIST FACILITIES, INC.

By

President.

By

Secretary.

Registered S
 Indirect S
 Indirect S
 Filled
 Mailed

STATE OF WASHINGTON,

County of SKAMANIA

On this

28th

day of September, 1988

, before me, the undersigned,

a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared

John Thomas Day

and Shirley M. Day

to me known to be the

President and

Secretary, respectively, of Tourist Facilities, Inc.

the corporation that executed the 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
 authorized to execute the said instrument and that the seal affixed is the corporate seal of said
 corporation.

Witness my hand and official seal this day and year first above written.

Peggy S. Lowmy

Notary Public in and for the State of Washington,

residing at Carson

My Commission Expires 2/23/91

Glenda J. Kimmel, Skamania County Assessor
 By: DM Parcel # 3-8-27-500, 5801
 3-9-26-500
 3-10-23-2-3-1108

12/16/88 3:20 PM

SCHEDULE C

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The land referred to in this policy is situated in the State of Washington
County of Skamania

and is described as follows:

PARCEL 1:

All that portion of the following described real property lying Northerly of the right of way acquired by the Spokane, Portland and Seattle Railway Company; Beginning at the Southwest corner of Section 27, Township 3 North, Range 8, East of the Willamette Meridian; thence North 48° East 186 feet; thence North 24° East 330 feet; thence North 78° East 458 feet; thence North 89° East 175 feet; thence South 71° East 164 feet; thence South 76° East 95 feet; thence South 78° East 151 feet; thence North 86° East 212 feet; thence North 37° East 127 feet; thence North 08° East 289 feet; thence North 44° West 44 feet; thence North 15° West 50 feet; thence North 11° East 140 feet; thence North 34° East 68 feet; thence North 26° East 100 feet; thence North 02° West 200 feet; thence North 07° East 100 feet; thence North 01° East 150 feet; thence North 02° East 100 feet; thence North 24° West 142 feet; thence North 14° West 60 feet; thence North 23° West 93 feet; thence North 26° West 100 feet; thence North 44° West 200 feet; thence North 47° West 116 feet; thence North 43° West 100 feet to oak tree standing near the Southwest corner of Hatchery Buildings; thence West 80 feet to Southwest corner of Hatchery grounds; thence West to East bank of Wind River; thence Southwesterly along said East bank of Wind River to the intersection with the Section line between Sections 27 and 28, Township 3 North, Range 8, East of the Willamette Meridian; thence South on said Section line to the point of beginning. EXCEPTING THEREFROM, that portion conveyed to the State of Washington by deed recorded December 30, 1926 in Book V, page 150, Skamania County Deed Records, ALSO EXCEPTING THEREFROM, that portion conveyed to the State of Washington by deed recorded January 21, 1955, in Book 39, page 176, Auditor's File No. 48132, Skamania County Deed Records; ALSO EXCEPTING THEREFROM that portion conveyed to the State of Washington by deed recorded October 3, 1983 in Book 82, page 752, Auditor's File No. 96470, Skamania County Deed Records, ALSO EXCEPTING THEREFROM, that portion conveyed to Skamania County, by deed recorded March 5, 1984 in Book 83, page 196, Auditor's File No. 97222, Skamania County Deed Records.

PARCEL 2:

Government Lot 3, Section 27, Township 3 North, Range 8, East of the Willamette Meridian.

PARCEL 3:

Government Lot 2 of Section 26, Township 3 North, Range 9 East of the Willamette Meridian. ALSO all shorelands of the second class situate in front of, adjacent to or abutting upon Government Lot 2 of Section 26, Township 3 North, Range 9, East of the Willamette Meridian with a frontage of 22.13 lineal chains, more or less.

PARCEL 4:

Lots 8, 9, and 10 of Block 2 FIRST ADDITION TO THE TOWN OF UNDERWOOD according to the official Plat thereof, recorded in Book A, page 19, Skamania County Plat Records; EXCEPT that portion thereof conveyed to the Spokane, Portland and Seattle Railway Company, by deed recorded January 22, 1906 in Book I, page 413, Skamania County Deed Records.

PARCEL 5:

A tract of land in Government Lot 1 in Section 23, Township 3 North, Range 10 East of the Willamette Meridian described as follows: Beginning at the intersection of the Southerly right of way line of the Spokane, Portland and Seattle Railway Company with the West line of the said Section 23; thence South along the West line of said Section to the meander line of the Columbia River; thence following said meander line upstream to the West line of Lot 10 of Block 2 of the FIRST ADDITION TO THE TOWN OF UNDERWOOD according to the official Plat thereof; thence following the West line of the said Lot 10 and its prolongation North 06° 49' West to intersection with the Southerly line of said railroad right of way; thence following the Southerly line of said railroad right of way in a westerly direction to the point of beginning.

EXHIBIT E

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by public records.
5. Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
6. Any lien, or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
7. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
8. The lien of real estate excise sales tax upon any sale of said premises, if unpaid.
9. The rights of the Public in roads and highways.
10. The rights of the Public in and to that portion lying below the ordinary high water mark of the Columbia River, and the rights of the Public in and to that portion lying below the ordinary high water mark of the Bonneville Pool, also known as Lake Bonneville.
11. Easement, including the terms and provisions thereof, in favor of Northwestern Electric Company, recorded June 4, 1912 in Book N, page 585, Skamania County Deed Records. (Affects Parcel 3.)
12. Easement, including the terms and provisions thereof, in favor of Northwestern Electric Company, recorded November 25, 1912 in Book O, page 142, Skamania County Deed Records. (Affects Parcel 1.)

13. Easement, including the terms and provisions thereof, in favor of Northwestern Electric Company, recorded January 10, 1914 in Book O, page 521, Skamania County Deed Records. (Affects Parcel 3.)
14. Right of Way for road, including the terms and provisions thereof, in favor of Skamania County, recorded December 8, 1915 in Book P, page 418, Skamania County Deed Records. (Affects Parcel 2.)
15. Easement, including the terms and provisions thereof, in favor of Pacific Power & Light Company, recorded May 28, 1931 in Book W, page 629, Skamania County Deed Records. (Affects Parcel 3.)
16. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded September 12, 1936, in Book Y, page 633, Skamania County Deed Records. (Affects Parcel 3.)
17. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded October 16, 1936 in Book Z, page 51, Skamania County Deed Records. (Affects Parcel 1.)
18. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded September 20, 1937 in Book Z, page 416, Skamania County Deed Records. (Affects Parcel 5.)
19. Flowage Easement, including the terms and provisions thereof, as awarded to the United States of America, by virtue of Decree of Condemnation in United States District Court Case L-8567, a copy of which was recorded October 11, 1938 in Book 27, page 217, Auditor's File No. 26566, Skamania County Deed Records. (Affects a portion of Parcel 2.)
20. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded December 29, 1938 in Book 27, page 284, Skamania County Deed Records. (Affects Lots 8 & 9, Block 2, First Addition to Underwood.)
21. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded February 18, 1939 in Book 27, page 331, Skamania County Deed Records. (Affects Lot 10, Block 2, First Addition to Underwood.)
22. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded February 24, 1942 in Book 28, page 618, Auditor's File No. 31358, Skamania County Deed Records. (Affects a portion of Parcel 2.)

23. Flowage Easement, including the terms and provisions thereof, in favor of the United States of America, recorded February 24, 1942 in Book 28, page 619, Auditor's File No. 31359, Skamania County Deed Records. (Affects a portion of Parcel 2.)
24. Reservation of all mineral rights, including the terms and provisions thereof, as reserved in deed from the State of Washington to Gar R. Klinger, recorded February 18, 1946 in Book 30, page 616, Skamania County Deed Records. (Affects a portion of Parcel 3.)
25. Access restrictions, including the terms and provisions thereof, as conveyed to the State of Washington by deed recorded January 21, 1955, in Book 39, page 176, Auditor's File No. 48132, Skamania County Deed Records, and by deed recorded October 3, 1983 in Book 82, page 752, Auditor's File No. 96470, Skamania County Deed Records. (Affects Parcel 1.)
26. Reservation of all mineral rights, including the terms and provisions thereof; as reserved in deed from the State of Washington, recorded March 24, 1958 in Book 44, page 427, Auditor's File No. 53506, Skamania County Deed Records. (Affects Second Class Shorelands in Parcel 3.)
27. Perpetual right, power, privilege and easement permanently to overflow, flood and submerge that portion of Parcel 2 lying below elevation 82.70 feet mean sea level, including the terms and provisions thereof, as acquired by the United States of America by Declaration of Taking filed in the United States District Court for the Western District of Washington, in Case No. C74-215 T, a copy of which was recorded August 11, 1974 in Book 71, page 298, Auditor's File No. 82626, Skamania County Deed Records.
28. Perpetual right, power, privilege and easement permanently to overflow, flood and submerge that portion of Parcel 3, lying below elevation 82.70 feet mean sea level, including the terms and provisions thereof, as acquired by the United States of America by Declaration of Taking filed in the United States District Court for the Western District of Washington in Case No. C74-216 T, a copy of which was recorded August 11, 1974 in Book 71, page 308, Auditor's File No. 82627, Skamania County Deed Records.
29. Perpetual right, power, and privilege and easement permanently to overflow and submerge that portion of Parcels 4 and 5 lying below elevation 82.70 feet mean sea level, including the terms and provisions thereof, as acquired by the United States of America by Declaration of Taking filed in the United States District Court for the Western District of Washington, in Case No. C74-217 T, a copy of which was recorded August 11, 1974 in Book 71, page 351, Auditor's File No. 82633, Skamania County Deed Records.

30. Mortgage, including the terms and provisions thereof, executed by Knappton Corporation, a Delaware corporation, to United States National Bank of Oregon, a national banking association, dated April 4, 1984, recorded April 13, 1984, recorded in Book 60, page 247, Auditor's File No. 97428, Skamania County Mortgage Records, given to secure the payment of \$21,240,928.00. (Affects Parcel 3 and other property also.)

STATE OF WASHINGTON)
) SS
County of King)

On this ____ day of _____, 198____, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn personally appeared _____, to me known to be the _____ of Knappton Corporation, the corporation that executed the 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 are authorized to execute the said instrument.

Notary Public in and for the
State of Washington, residing
at _____
My commission expires _____