

113572

BOOK 124 PAGE 783

SETTLEMENT AGREEMENT

This agreement is made by and between Karla Talent, an individual, and Skamania County, a political subdivision of the State of Washington.

RECITALS

1. Ms. Talent owns the following described real property located in Skamania County in the State of Washington, and recorded in Book 66, page 646, under Auditor's File No. 77423, to wit:

Beginning at the West quarter corner of Section 2, T2N, R7 E.W.N., thence East 264 feet to intersect the southern edge of B.P.A. right of way, being the true point of beginning; thence East 86 feet; thence South 66 degrees 48' East 1,066 feet; thence North 60 degrees 45' 04" West 216 feet; thence North 66 degrees 43' West 911.3 feet more or less, to intersect the South right of way line of the B.P.A. power line; thence South 40 degrees 32' 30" West 707 feet more or less to the true point of beginning,

TOGETHER with an easement for ingress and egress over and across the existing private roadway commencing on the NW side of the above described tract at the end of the road known as the "East View Road," provided that the grantees, their heirs and assigns, share in the cost of maintenance of said road.

2. Skamania County owns real property which adjoins Ms. Talent's property, to wit:

Beginning at the North 1/4 corner of Section 2, Township 2, Range 7 E.W.M., thence N 88 deg. 30 min. 10 sec. W 130 ft.; thence S 24 deg. W 186 ft.; thence S 31 deg. W 100 ft.; thence S 16 deg. W 100 ft.; thence S 10 deg. W 47.50 ft.; thence S 7 deg. E 265.34 ft. to the TRUE POINT OF BEGINNING; thence S 23 deg. 51 min. 21 sec. E 134.92 ft.; thence S 35

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REAL ESTATE EXCISE TAX

MAY 26 1992

PAID NA

SKAMANIA COUNTY TREASURER

FILED FOR RECORD
STATE OF WASH.
BY SKAMANIA CO. TITLE
MAY 26 5 52 AM '92
GARY M. OLSON

Glenda J. Kimmel, Skamania County Auditor
By: J. L. Parcel # 2-7-2-606 3500

Registered
Indexed, Ur
Indirect
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Mailed

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deg. 22 min. 18 sec. E 377.84 ft.; thence S 66 deg. 26 min. E 236.37 ft.; thence S 12 deg. 11 min. 21 sec. W 117.78 ft.; thence S 72 deg. 56 min. E 207.62 ft.; thence N 12 deg. 11 min. 21 sec. E 194.93 ft.; thence S 73 deg. 56 min. E 72.19 ft.; thence S 56 deg. 30 min. E 475 ft.; thence S 76 deg. 15 min. E 132 ft.; thence E 74 ft.; thence S 132 ft.; thence East 190 ft. more or less to the center of Foster Creek Road; thence easterly along said Foster Creek Road 805 ft. more or less; thence S 46 deg. W 394 ft. to the division line of the Baughman D.L.C.; thence S 63 deg. 22 min. E along the division line to the center of Foster Creek Road; thence N 21 deg. 08 min. W 471.95 ft.; thence N 52 deg. 22 min. W 68.35 ft.; thence N 77 deg. 25 min. E 468 ft. more or less to the west side of Second Street Extension; thence following the west side of Second Street Extension as now constructed to State Hwy 14; thence westerly along State Hwy 14 to the west line of the Baughman D.L.C.; thence N 0 deg. 50 min. 59 sec. E 1525 ft. more or less; thence N 57 deg. 31 min. 40 sec. W 1811.79 ft.; thence S 59 deg. 54 min. 36 sec. W 365.90 ft.; thence N 79 deg. 40 min. W 97.60 ft.; thence N 36 deg. 30 min. W 122.61 ft.; thence N 60 deg. 45 min. 04 sec. W 216 ft.; thence 65 deg. 46 min. 40 sec. W 911.30 ft. to the southerly right-of-way line of the B.P.A.; thence N 40 deg. 32 min. 30 sec. E 2001.62 ft.; thence S 22 deg. 58 min. 29 sec. E 219.60 ft.; thence N 89 deg. 04 min. 16 sec. E; thence N 44 deg. 04 min. 36 sec. E 121.54 ft. to the point of beginning.

3. Ms. Talent, pursuant to the above described deed, owns a non-exclusive easement right of way for ingress and egress upon and over the existing private roadway, commonly known as "East View Road", which lies upon and across the above described real property now owned by Skamania County.

4. Skamania County wishes to develop its property and construct a public golf course and trail system on portions of its real property, which development and construction will

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 directly interfere with Ms. Talent's rights under the easement.

5. Accordingly, Skamania County wishes to terminate Ms. Talent's easement over the East View Road, grant her an alternative easement right-of-way over another portion of its real property, relocate the existing utilities serving her real property and construct and maintain a new driveway over the new easement.

6. Ms. Talent wishes to cooperate with the County's development plans, but, in return for relinquishing her easement to the East View Road, she requests that Skamania County also grant her a non-exclusive utilities easement, maintain the new driveway up to the point where the new driveway adjoins and connects^{with} the existing East View Road and file a petition with the Columbia River Gorge Commission to make a minor revision of the existing Stevenson urban area to include Ms. Talent's real property, which presently exists within the City of Stevenson's city limits.

7. The parties desire to resolve this matter without necessity of legal proceedings and to memorialize their agreement herein.

NOW, THEREFORE, and in consideration of the mutual promises contained herein, the parties agree as follows:

AGREEMENT

1. Ms. Talent agrees to release to Skamania County her above described easement over the portion of the East View Road which currently lies upon Skamania County's real property.

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2. Skamania County agrees to grant Ms. Talent a non-exclusive ingress and egress right-of-way and utilities easement deed over another portion of its property, described as follows, to wit:

SEE ATTACHED SCHEDULE "A" BY WHICH THIS REFERENCE IS INCORPORATED HEREIN.

3. Skamania County further agrees to relocate, at its own expense, the utilities currently serving the property and to relocate and construct a new right-of-way road up to the point where it adjoins and connects the existing East View Road.

4. Skamania County further agrees to regularly maintain the new driveway up to the point where it adjoins and connects the existing East View Road.

5. Skamania County further agrees to pay Ms. Talent the sum of \$7,500.

6. Skamania County further agrees, pursuant to 16 USC 544b(f), to file and support a petition to the Columbia River Gorge Commission to make a minor revision to the existing Stevenson Urban Area Boundary under the Columbia River Gorge National Scenic Area Act (16 USC 544, et seq.) to include all of Ms. Talent's above described property. Skamania County agrees to file this petition no later than October 30, 1992, unless the parties mutually agree in writing to an extension of time to file this petition.

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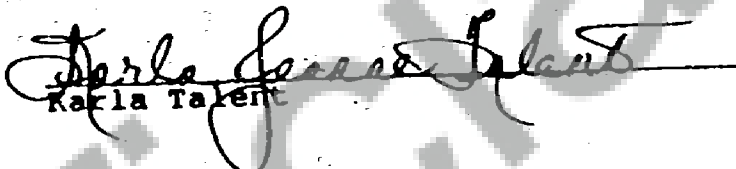
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7. This Settlement Agreement shall be construed and interpreted in accordance with the laws of the State of Washington.

8. All parties agree to cooperate fully and execute any and all supplementary documents, including the necessary deeds, and to take all additional actions which may be necessary or appropriate to make the basic terms and intent of the settlement agreement effective.

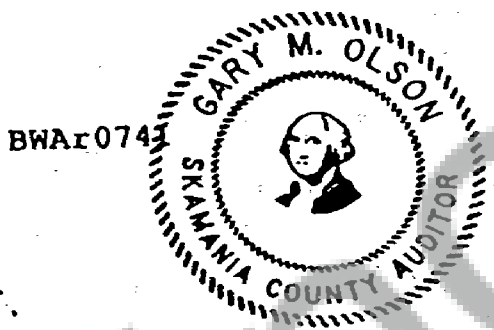
9. This Settlement Agreement shall become effective immediately following execution by all the parties.

DATED this 26 day of November, 1991.

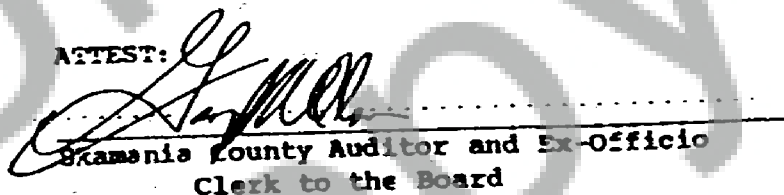

Karla Talent

SKAMANIA COUNTY


By: Ed Callahan, Chairman 11/26/91
Board of County Commissioners



ATTEST:


Skamania County Auditor and Ex-Officio
Clerk to the Board

APPROVED AS TO FORM:


Robert A. Lock
St. Co. Prosecutor

RECORDERS NOTE: NOT ORIGINAL SIGNATURE PAGE

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SCHEDULE "A"

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KARLA TALENT SETTLEMENT AGREEMENT

CENTERLINE DESCRIPTION OF NEW ACCESS ROAD FOR
PROPERTIES SOUTHWEST OF SKAMANIA LODGE

Beginning at the Skamania County brass cap marking the northwest corner of Section 1, Township 2 North, Range 7 East, W.M., thence S3°25'49"W, 3210.21 ft. to a 2" aluminum disc. Said point being the centerline point of curvature station 38+73.3 of Second Street Extension; thence N81°27'02"W, 50.00 feet to the westerly right-of-way of said Second Street Extension; thence N08°32'58"E, 56.59 ft. to the true point of beginning; thence along the following described centerline:

N80°49'24"W, 19.16 feet to a point of curvature; thence along a 240 foot radius curve to the left through a central angle of 30°02'17" (chord bears S84°09'28"W, 124.39 feet) a distance of 125.82 feet to a point of reverse curvature thence along a 147.85 foot radius curve to the right through a central angle of 50°28'18" (chord bears N85°37'32"W, 126.07 feet) a distance of 130.24 feet to a point of reverse curvature; thence along a 191.31 foot radius curve to the left through a central angle of 72°46'11" (chord bears S83°13'32"W, 226.98 feet) a distance of 242.98 feet to a point of tangency; thence S46°31'46"W, 90.14 feet to a point of curvature; thence along a 210.24 foot radius curve to the right, through a central angle of 57°25'26" (chord bears S74°51'28"W, 202.01 feet) a distance of 210.71 feet to a point of reverse curvature; thence along a 275.00 foot radius curve to the left through a central angle of 52°15'29" (chord bears S77°26'19"W, 242.22 feet) a distance of 250.82 feet to a point of reverse curvature; thence along a 115.56 foot radius to the right through a central angle of 102°45'05" (chord bears N77°03'56"W, 180.57 feet) a distance of 207.24 feet to a point of reverse curvature; thence along a 191.08 foot radius curve to the left through a central angle of 48°17'51" (chord bears N49°50'19"W, 156.34 feet) a distance of 161.07 feet to a point of reverse curvature; thence along a 120.27 foot radius curve to the right through a central angle of 51°52'45" (chord bears N48°02'51"W, 105.21 feet) a distance of 108.90 feet to a point of tangency; thence S73°37'06"W, 75.75 feet to a point of curvature; thence along a 205.00 foot radius curve to the right through a central angle of 48°07'49" (chord bears N82°18'59"W, 167.19 feet) a distance of 172.21 feet to a point of tangency; thence N58°15'04"W, 186.07 feet; thence along a 542.00 foot radius curve to the right through a central angle of 11°38'57" (chord bears N52°25'36"W, 110.01 feet) a distance of 110.20 feet to a point of reverse curvature; thence along a 245.00 foot radius curve to the left through a central angle of 31°09'43" (chord bears N62°10'59"W, 131.61 feet) a distance of 133.25 feet to a point of reverse curvature; thence along a 250.00 foot radius curve to the right through a central angle of 20°14'11" (chord bears N67°38'45"W, 87.84 feet) a distance of 88.30 feet to point of tangency; thence N57°31'40"W, 475.42 feet to a point of curvature; thence along a 130 foot radius curve to the right through a central angle of 41°03'25" (chord bears N36°59'37"W, 91.17 feet) a distance of 93.16 feet to a point of reverse curvature; thence along a 175.00 foot radius curve to the left through a central angle of 105°24'22" (chord bears N69°10'26"W, 278.43 feet) a distance of 321.94 feet to a point of tangency with the existing centerline of East View Road; thence continuing along the existing centerline of East View Road S58°07'23"W, 64.06 feet to a point; thence S67°42'06"W, 26.89 feet to a point; thence S63°38'58"W, 153.96 feet to a point; thence S49°26'51"W, 125.49 feet to a point; thence N80°45'14"W, 113.24 feet to a point; thence N38°44'39"W, 208.34 feet; thence N73°50'49"W, 177.56 feet to a point; thence S62°52'01"W, 1.10 feet more or less to a point lying on Karla Talent's northeasterly property line per Book 79, Page 826, Skamania County Deed Records. Said point lying N83°33'17"E, 1,529.34 feet, more or less, from a Skamania County brass cap marking the west quarter corner of Section 2, Township 2 North, Range 7 East, W.M. in Skamania County, Washington.