

Heinrich Kapp to Portland & Seattle Ry Co.

No. 70

Right of Way Agreement.

In consideration of the sum of One Dollar to the insured in hand paid, the receipt of which is hereby acknowledged, and the further sum of \$800.00 Eight hundred Dollars, to be paid on the execution of the deed hereinafter mentioned, the undersigned have agreed, and by these presents do agree, in written my act within six months from date, to sell and convey unto the Portland and Seattle Railway Company, a Washington corporation free and clear of all incumbrances, a right of way for its railroad, consisting of a strip of land one hundred feet in width, being fifty feet in width on each side of the center line of the railroad of said Railway Company as located, situated out and to be constructed over and across: - Lots one (1) Section Twenty-nine (29) and lots four (4) and five (5) Section thirty (30) all in Township Three (3) North of Range ten (10) East, W.M. and the shorelands adjacent thereto, including the preference right of the undersigned to purchase the portion of said shore lands contained within said strip, together with the privilege of obtaining necessary material for construction of said railroad across said premises from lands outside of and adjacent to the above described strip, and upon payment of said sum of \$800.00 Eight hundred Dollars agree to make a good and sufficient deed to said Company for said strip, the Company to have the right to enter and construct its road across said premises in the meantime.

In Witness Whereof, we have hereunto subscribed our names this eighteenth day of September 1905

In presence of

A. R. Upright.

Heinrich Kapp

Christiana Kapp.

State of Washington

County of Skamania } ss.

On this 18th day of September 1905, before me, the undersigned, a Notary Public in and for said State, personally appeared Heinrich Kapp and Christiana Kapp, his wife, to me personally known to be the individuals named in and who executed the within and foregoing instrument, and acknowledged to me that they signed and sealed and executed the same as their free act and deed, freely and voluntarily, for the uses and purposes therein mentioned.

In Witness Whereof, I have hereunto set my hand and official seal this day and date in this certificate first above written.

Notarial

Seal

A. R. Upright

Notary Public in and for the State of Washington
residing at Tacoma in said State

Filed for record by A. G. Avery on Sept 21. 1905 at 1.15 o'clock P. M.

A. Fleischman

Co. Auditor.