

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

YAKIMA BINDERY & PTO. CO. 155234

All of Government Lot 1, Section 28, Township 3 North Range 10 East of Willamette Meridian except that portion thereof heretofore deeded by George J. Johnson and Loleta M. Hopper Johnson, husband and wife, to Drano Flume & Lumber Company, by deed dated May 18th, 1927, and recorded in Book "Z" of Deeds, page 332, records of Skamania County, Washington.

And, Whereas, the Grantees are the owners of a certain flume now erected and in operation over and across the premises belonging to the Grantors as hereinbefore described which is used for the purpose of fluming and transporting timber and timber products to a planing mill owned by Grantees and located on a certain tract of land owned in fee simple by the Grantees and adjoining the land of the Grantors hereinabove described and lying in a general easterly direction from the premises of the grantors herein described, which said flume was heretofore erected, operated and maintained by the Grantees and their predecessors in interest, with the consent of and under a grant made by the Grantors,

And, Whereas, the Grantees desire to change the location of said flume from where the same is now erected to a new location across the lands of the Grantors and the Grantors have agreed, in consideration of the payment to them of the sum of \$350.00, to give and grant to the Grantees an easement and right-of-way for the erection, operation and maintenance of said flume in its new location, as hereinafter described, across the lands of the Grantors.

Now, Therefore, this indenture witnesseth that the said Grantors, in consideration of the payment to them of the sum of \$350.00, the receipt whereof is hereby acknowledged, do hereby GIVE, GRANT, AND CONVEY unto the Grantees, their heirs and assigns, a right-of-way over and across the lands of the Grantors for the erection, operation and maintenance of a water flume in which to flume and transport timber products, together with the right to enter upon said right-of-way hereby given and granted for the purpose of erecting, maintaining repairing and operating said water flume during the entire term covered by this easement.

The right-of-way and easement for the erection, maintenance and operation of said water flume is described as follows:

A tract of land 30 ft. in width being 15 ft. on each side of the following center line located in Lot 1, Sec. 28, T. 3, North of Range 10, East of Willamette Meridian, said center line being described as follows:

Beginning at a point in the easterly line of the Loleta M. H. Johnson and George J. Johnson property which bears S. 88° 58' W. 1517.96 ft. from the 1/4 section corner on the north line of Section 28, T. 3 N.R. 10 E., W. M.; thence S. 78° 23' W. 490.17 ft; thence S. 68° 12' W. 174.2 ft; thence S. 75° 57' W. 404.0 ft. to the center line of the present existing flume owned and operated by Grantees, thence continuing westerly along the center line of the present existing flume to the westerly line of the aforesaid Lot 1, all in Government Lot No. 1 in Section 28, T. 3 N. R. 10 E., W. M.; Skamania County, Washington.

It is understood that the right-of-way shall not extend more than three feet south of the south side of the flume.

The Grantors do further GIVE and GRANT to the Grantees the right to erect upon said right-of-way and to maintain the same during the entire term covered by this easement a water tank or reservoir for the purpose of storing water for fire protection and other incidental uses for said planing mill owned by the Grantees, with the right to construct, maintain and operate a pipe line over the right-of-way hereby granted and above described for the purpose of transporting water from said water tower or reservoir to said planing mill.

The Grantors do hereby further give and grant to the Grantees, their heirs and assigns, the right to cross the lands of the Grantors above described herein and not included or covered and described in the easement hereinbefore described, for the purpose of erecting and repairing said flume, water tower and pipe line and do further release the Grantees, their heirs and assigns, from any and all damages that may in any way be