

DEED RECORD 28

SKAMANIA COUNTY, WASHINGTON

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sferred to Northwestern Company hereby, said telephone circuit extending from Western Company's hydroelectric generating plant located on the Washougal River in Section 32, Township 2 North, Range 4 East of Willamette Meridian, in Clark County, Washington, to the residences and buildings of C. W. Cottrell and G. W. Cottrell in the Town of Washougal, in Clark County Washington.

(2) The entire Diesel or internal combustion engine electric generating plant now located, maintained, and operated by Western Company upon a tract of land owned by said C. W. Cottrell in said Town of Washougal, Washington, including all engines, generators, exciters, compressors, valves, fittings, fuel and other tanks, pumps, circuit breakers, switches, switchboards, transformers, meters, recording instruments, wiring, appliances and tools, and all other equipment and appurtenances of every kind and character owned and used by Western Company in connection with the maintenance, operation, and repair of said Diesel or internal combustion engine electric generating plant and equipment, together with the right to remove all of said plant and equipment from said tract of land at Northwestern Company's own cost and expense whenever it may so elect, or within a reasonable time after receipt of notice to vacate from the owner of said tract, but excluding any other right in respect to said tract of land or the building thereon in which said generating plant is housed.

(3) All of the poles heretofore set or erected for that certain proposed, but not yet completed, electric distribution line of Western Company, extending from a point at or near the steel bridge crossing the Washougal River, near the northeast corner of Section 6, Township 1 North, Range 5 East of Willamette Meridian, to the hydroelectric generating plant now in course of construction by G. W. Cottrell on McCloskey Creek at or near its junction with said Washougal River in Section 6, Township 2 North, Range 5 East of Willamette Meridian, in said Skamania County, together with all fixtures, thereon and all appurtenances thereof and all franchises, easements, rights of way, licenses, or permits owned or held by Western Company for the construction, maintenance and operation of such electric distribution line.

(4) One 1½ ton 1931 Ford truck, equipped with hand operated winch and with power operated winch, and one 1932 Chevrolet coupe.

(5) All office furniture, fixtures and equipment of every kind and nature now owned by Western Company and used by it in connection with the management and operation of the above described/^{electric} distribution lines and the furnishing of electric service by means thereof, together with all meter and other books, ledgers and records pertaining to Western Company's accounts with its customers for such electric service.

To Have and To Hold the property above described and conveyed and transferred hereby, together with all of the profits, proceeds, earnings and appurtenances thereof unto said Northwestern Electric Company, its successors and assigns forever.

And Western Company covenants to and with Northwestern Company, and the latter's successors and assigns, that Western Company is the lawful owner of all of the property above described and conveyed and transferred hereby; that it has good title to all franchises, easements or rights of way necessary for the maintenance, use and operation of said electric distribution lines; that it has the lawful right to sell and transfer said property to Northwestern Company as herein provided; that all of said property is free from all liens or encumbrances; and that Western Company and its successors and assigns will forever WARRANT and DEFEND the title to said property and every part thereof, against the lawful claims or demands of all persons whomsoever;

And said Western Company further covenants to and with said Northwestern Company, and the latter's successors and assigns, that Western Company will from time to time, at the request of said Northwestern Company or its assigns, execute and deliver any and all such further instruments for the further or more satisfactorily assuring and confirming the title to said property