

#31703

P. J. Vial et ux et al to United States.

U. S. DEPARTMENT OF THE INTERIOR
BONNEVILLE POWER ADMINISTRATIONTract No. BCV-AR-4
Parcel 3

ACCESS ROAD EASEMENT

For and in consideration of the sum of Ten Dollars (\$10.00) in hand paid, receipt of which is hereby acknowledged, we, PAUL J. VIAL and FLORENCE H. VIAL, husband and wife now and at the time of acquiring title, CLARISSE TUCKER, a widow now and at the time of acquiring title, present record owner, have granted, bargained, and sold and by these presents do hereby grant, bargain, sell, and convey unto the UNITED STATES OF AMERICA and its assigns, a permanent easement and right-of-way approximately 14 feet in width, with such additional widths as are necessary to provide for cuts, fills, and turnouts and for curves at the angle points, all over and across the lands of the undersigned in

Lot 5 of Section 5, Township 1 North of Range 6 East, Willamette Meridian, situate in the County of Skamania, State of Washington,

for the following purposes, namely: the right to enter and to clear of timber, endangering trees, and brush; to grade, level, cut, fill, drain, build, maintain, repair, and rebuild a road or highway and such culverts, bridges, turnouts, retaining walls, or other appurtenant structures as may be necessary, on, over, and across the land embraced within the right-of-way, the center line of which is described as follows:

Beginning at survey station 410+53.88, a point on the survey line of the Bonneville-Camas-Vancouver transmission line in the SW $\frac{1}{4}$ of Section 32, Township 2 North, Range 6 East of the Willamette Meridian, said point being 246.11 feet north and 1378.51 feet east of the southwest corner of said Section 32; thence S. 31° 10' W. 78.2 feet; thence S. 16° 07' E. 169.9 feet; thence S. 0° 25' W. 105.3 feet; thence N. 54° 35' W. 103.9 feet; thence N. 44° 06' W. 138.1 feet; thence N. 61° 17' W. 75.3 feet; thence N. 81° 18' W. 109.9 feet to survey station 414+25.38, a point on the survey line of said Bonneville-Camas-Vancouver transmission line in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 32, said point being 122.93 feet north and 1028.96 feet east of the southwest corner of said Section 32.

It is understood and agreed that the UNITED STATES OF AMERICA, its agents or assigns, shall have the right to appropriate from any lands of the undersigned, such timber and rock as may be necessary for the construction and repair of said road.

The undersigned will be permitted the right of ingress and egress over and across said road, and the right to pass and repass along and on said road insofar as the same extends across the lands of the undersigned, said right to be exercised in a manner that will not interfere with the use of the road by the United States of America, its agents or assigns.

It is understood and agreed that if said road is damaged by the United States of America, its officers, employees, contractors, or assigns, the United States of America or its assigns will repair such damage, provided, however, it is understood and agreed that by this agreement there shall be no admission or assumption of risk or liability on the part of the United States or any of its agencies, bureaus, or departments on account of any injury to person or livestock or any damage to other personal property by reason of the use of said road, but that such use shall be at the undersigned's own risk and liability.

It is further understood and agreed that the undersigned, their heirs, and assigns may erect or maintain fences across said road, provided adequate gates of not less than ten feet in width are installed, which may be kept locked, provided the United States of America is also permitted to install its own lock thereon.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns, forever.

It is further understood and agreed by the undersigned that the payment of such purchase price is accepted as full compensation for all damages incidental to the exercise of any of the rights above described.

We covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the lands aforesaid; have a good and lawful right and power to sell and convey the same;