

DEED RECORD No. 32

SKAMANIA COUNTY, WASHINGTON

236

YAKIMA BINDERY & PTO. CO. 188073

#38641

Henry Metzger et al to Frank Birkenfeld

THE GRANTORS, Henry Metzger, as owner, and vendor under contract of sale, and Katherine Haines, a widow, Maggie Ragan, a widow, and Aurelia Kelly and Eli Kelly, her husband, as vendees under executory contract of purchase for and in consideration of One Thousand and no/100 (\$1,000.00) dollars, in hand paid convey and warrant to Frank Birkenfeld, GRANTEE,

ALL Merchable timber having the diameter of 16 inches or more butt measurements standing and being upon the following described property in the County of Skamania, State of Washington, to-wit:

The E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec., 21, T. 3 N. R. 8 E. W. M. EXCEPTING therefrom that portion thereof conveyed to Peter Aalvik by the Treasurer of Skamania County, dated Nov., 22, 1941, as described in deed recorded at page 510 Book 28 of deeds records of Skamania County.

TOGETHER with the right of ingress and egress for the purposes of cutting, logging, and removing the said timber, for the term of five years from the date hereof.

This conveyance is subject to the limitation that the grantee his heirs, administrators executors or assigns shall cut, log, and remove the said timber in such manner as not to unnecessary damage the timber standing thereon having a butt measurment of less than 16 inches in diameter and in event he or they shall fail to keep and perform this condition the grantor shall have the right to immediately declare a forfeiture hereof and in such event all right, title privilege and interest of the Grantee shall cease and be determined.

This conveyance is given upon the express limitation that the said timber will be cut, logged, and removed, from the said premises within five years from the date hereof and that upon expiration said period all right, privilege, and easement conveyed hereby shall cease and be determined without any declaration of forfeiture being required and all timber whether standing or down shall become the property of the grantors their heirs or assigns.

IN TESTIMONY WHEREOF The parties hereto have executed these presents in duplicate this 22nd day of November, 1948.

Henry Metzger
Katherine Haines
Maggie Ragan
Amelia Kelly
Eli P. Kelly

STATE OF WASHINGTON)
(ss
County of Skamania)

I, the undersigned, a notary public in and for the state of Washington, hereby certify that on this 22nd day of November 1948, personally appeared before me Henry Metzger, Maggie Regan, Aurelia Kelly and Eli P. Kelly to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal the day and year last above written.

(Notarial seal affixed)

Raymond C. Sly
Notary Public in and for the State of Washington,
residing at Stevenson

STATE OF OREGON)
(ss
County of Multnomah)

I, the undersigned, a notary public in and for the state of Oregon, hereby certify that on this 24th day of Nov 19__ personally appeared before me Katherine Haines to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that she signed and sealed the same as her free and voluntary act and deed,