

DEED RECORD No. 32

SKAMANIA COUNTY, WASHINGTON

The said grantor, UNION PACIFIC RAILROAD COMPANY, for the consideration aforesaid, also CONVEYS AND QUITCLAIMS to said grantee, Harold W. McNeel, the following described real property situated in the County of Skamania, State of Washington:

All tide and shore lands of the second class situate in front of, adjacent to or upon that portion of the government meander line in Section 36, Township 3 North, Range 8 East of Willamette Meridian, heretofore conveyed to The Oregon Railroad and Navigation Company, a predecessor of the grantor herein, by that certain deed dated June 11, 1909, recorded in Book L, page 472, Deed Records of said Skamania County.

EXCEPTING AND RESERVING unto the grantor, its successors and assigns forever, all minerals and all mineral rights of every kind and character now known to exist or hereafter discovered, including, without limiting the generality of the foregoing, oil and gas and rights thereto, together with the sole, exclusive and perpetual right to explore for, remove and dispose of said minerals by any means or methods and at any time or times suitable to the grantor, its successors and assigns. There is also reserved to the grantor, its successors and assigns, the perpetual right to enter upon and use certain surface locations hereinafter defined, herein referred to as "Development Areas", (but without entering upon, using or in any manner damaging the surface of the remaining lands hereinbefore described) for the exploration for, removal and disposal of, minerals hereby excepted and reserved and minerals underlying other lands, with the perpetual right, for said purposes, to have any buildings, other structures and property removed from the Development Areas without expense to the grantor, its successors or assigns. As compensation for the use of Development Areas as herein provided, the record owners of such areas shall be paid an amount equaling in the aggregate two and one-half per cent (2½%) (and in no event exceeding a total aggregate of two and one-half per cent (2½%) by whomsoever paid) of the gross value of minerals produced and saved at the surface of said Development Areas; but on condition that the right to such payment shall not vest in said record owners any interest in said minerals or mineral rights or any control over the exploration for, removal or disposition of said minerals. The grantee and successors in interest in the Development Areas may use the same, subject always to the superior right of use herein reserved to the grantor, its successors and assigns. Subject to the proviso hereinafter contained, the Development Areas on and after the date hereof shall be and are specifically described as follows:

Beginning at the point of intersection of the southeasterly line of that certain parcel of land heretofore conveyed to the State of Washington by the Union Pacific Railroad Company by deed Dated March 4, 1938 with the northeasterly right of way line of State Road No. 8, which point is 60 ft. distant northeasterly, measured at right angles from the center line of said highway at Highway Survey Station 456 plus 00;

thence northeasterly along the southeasterly line of said parcel of land heretofore conveyed to the State of Washington by said deed dated March 4, 1938, a distance of 190 feet to a point thereon;

thence southeasterly at right angles, a distance of 100 feet;

thence southwesterly at right angles, a distance of 200 feet, more or less, to a point on the northeasterly right of way line of said highway which is 50 feet distant northeasterly, measured at right angles, from said center line of highway;

thence northwesterly along the northeasterly right of way line of said highway, which is parallel with and 50 feet distant northeasterly, measured at right angles, from said center line of highway, a distance of 100 feet;

thence northeasterly at right angles to said center line of highway a distance of 10 feet to the point of beginning; also,

Beginning at the point of intersection of the east line of said James M. Findley Donation Land Claim No. 37 with the northerly right of way line of said State Road No. 8, which northerly line is 40 feet distant northerly, measured radially from the center line of said highway;

thence north along the east line of said Donation Land Claim No. 37 a distance of 200 feet to a point thereon;

thence west at right angles a distance of 100 feet;

thence south at right angles a distance of 200 feet, more or less, to said northerly right of way line of State Road No. 8;

thence easterly along said northerly right of way line which is parallel with and 40 feet distant northerly, measured radially from said center line of highway, to the point of beginning.