

DEED RECORD No. 33

SKAMANIA COUNTY, WASHINGTON

YAKIMA BINDERY & PTD. CO. 182512

231

\$2.20 USIR and \$2.00 State Stamps affixed, cancelled "6/11/47".

Filed for record September 11, 1950 at 10-15 a.m. by Harbor Plywood Corp.

John C. Wachtel
Skamania County Auditor

#41445

Weyerhaeuser Timber Co. to Harbor Plywood Corp.

A G R E E M E N T

THIS AGREEMENT, made this 1st day of August, 1950, by and between WEYERHAEUSER TIMBER COMPANY, a Washington Corporation, of Tacoma, Washington, hereinafter designated as "Weyerhaeuser", and HARBOR PLYWOOD CORPORATION, a Delaware Corporation, with offices at Hoquiam, Washington, hereinafter designated as "Harbor", WITNESSETH:

I.

Weyerhaeuser hereby grants to Harbor, its successors and assigns, a right of way easement for, together with the right to construct, maintain, repair and use, a road upon, over and across the following described lands in Clark and Skamania Counties in the State of Washington, to wit:

Fr. W $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$	S 5	T 5N	R 4E of W.M.
S $\frac{1}{2}$ SE $\frac{1}{4}$	32	6N	4E " "
Lots 4 and 5	25	7N	4E " "
Lots 5, 1 and 3	35	7N	4E " "
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Lots 3, 4 and 1	25	7N	5E " "
N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Lot 3	27	7N	5E " "
Lots 7 and 8	29	7N	5E " "
Fr. N $\frac{1}{2}$ NE $\frac{1}{4}$, Lot 5, SE $\frac{1}{4}$ NW $\frac{1}{4}$	31	7N	5E " "

and the right to use the existing road upon, over and across W $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 7N, Range 5E of W.M.

The location of said right of way is shown on seven (7) maps hereto attached and made a part hereof, marked "Exhibit A" to "Exhibit G", respectively, and each further identified by the signature of E. J. Murnen, the location of said existing road being shown on said "Exhibit D".

Said right of way easement is subject to the following:

- (a) The reservation of minerals and rights of entry as made by the Northern Pacific Railway Company with respect to Fr. W $\frac{1}{2}$ of NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, of Section 5, Township 5N, Range 4E of W.M., Lots 5, 1 and 3 of Section 35, Township 7 N, Range 4E of W.M.
- (b) Easement for a telephone and telegraph line upon, over and across Lots 3, 4 and 1 of Section 25, and the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 27, Township 7N, Range 5E of W.M., as granted to the United States of America by Weyerhaeuser by an instrument dated April 14, 1919.
- (c) An easement for a road upon, over and across Lots 3, 4 and 1 of Section 25; the N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, and Lot 3 of Section 27, Township 7N, Range 5E of W. M., as granted to the United States of America by Weyerhaeuser by an instrument dated June 28, 1933.
- (d) An easement for a road upon, over and across Lots 7 and 8 of Section 29, Township 7N, Range 5E of W. M., as granted to Washington Veneer Company by Weyerhaeuser by an instrument dated June 5, 1947. Weyerhaeuser reserves the right to extend the termination thereof.

II.

Harbor hereby agrees that Weyerhaeuser, its successors and assigns, shall at all times have the right to use the road on the hereinabove described right of way and any other roads owned by Harbor (and roads which Harbor has the right to use) of which the road on said hereinabove described right of way forms an integral part upon the following terms and conditions:

- (a) Weyerhaeuser shall have the right to use said road and any other such road or roads in common with Harbor and other persons, firms and corporations lawfully possessed of the right to use the same, for the purposes of