

DEED RECORD No. 33

SKAMANIA COUNTY, WASHINGTON

and clear of all encumbrances except as above noted, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

AND FURTHER, for the consideration aforesaid, we, the grantors above named, hereby convey and quitclaim unto the said UNITED STATES OF AMERICA and its assigns, all right, title and interest which we may have in and to the banks, beds, and waters of any streams opposite to or fronting upon the lands above described, and in any alleys, roads, streets, ways, strips, gores or railroad rights of way abutting or adjoining the said lands, hereinabove described, and in any means of ingress or egress appurtenant thereto.

AND FURTHER, for the consideration aforesaid, we, A. R. MUSHLITZ and ALICE J. MUSHLITZ, husband and wife, the grantors above named, do hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA and its assigns, a perpetual easement and right-of-way for the purposes hereinafter stated over and through, under, along and across that certain parcel of land situate in the County of Skamania, State of Washington, described as follows to-wit:

A strip of land lying in that part of the Henry Shepard Donation Land Claim No. 43 in Section 36, Township 3 North, Range 7½ East of the Willamette Meridian in Skamania County, Washington, said strip of land being 12 feet in width, the center line of which is more particularly described as follows:

Commencing at a ½" iron pipe that is 1,092.0 feet south and 231.7 feet west from the northeast corner of the Henry Shepard Donation Land Claim No. 43 in Section 36 of said township and range; thence S. 88° 13' 30" W. 25.0 feet to the true point of beginning of this description; thence northwesterly, following a trail as now existing, a distance of 90 feet, more or less, to the south right-of-way line of an existing County Road at a point approximately 5 feet west of the west boundary of the land belonging to Mountain Lodge No. 172 I.O.O.F.

The strip of land above described contains 0.02 of an acre, more or less.

Subject only to the following rights outstanding in third parties, namely:

Flowage easement granted to the United States of America by instrument dated August 22, 1936, recorded January 20, 1937, in Book "Z", page 161, Deed Records of Skamania County, Washington.

The easement and right-of-way hereby conveyed are for the following purposes, namely: The perpetual right to enter upon the above described land and to construct, maintain, repair, operate, patrol, replace and/or remove an access road, including all appurtenances thereto: together with the right to trim, cut, fell and remove therefrom all trees and underbrush and obstructions and any other vegetation, structures or obstacles within the limits of the right-of-way and for such distance beyond said limits and adjacent thereto as is necessary to provide adequate clearance and to eliminate interference with, or hazards to the structures or utilities placed or constructed on, over, or under said land within the limits of said easement.

The consideration above mentioned is accepted as full compensation for all damages incidental to the exercise of the rights above granted.

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

We covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land described in the easement aforesaid; that the easement hereinabove described is free and clear of all encumbrances except as above indicated, and that we will forever warrant and defend the title thereto and quiet possession thereof against the lawful claims of all persons whomsoever.

Dated this 21 day of March, 1951.

A. R. Mushlitz
A. R. Mushlitz

Alice J. Mushlitz
Alice J. Mushlitz