

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS, That Weyerhaeuser Timber Company, a corporation organized and existing under the laws of the State of Washington, hereinafter called the "Grantor", does hereby grant and convey to the United States of America, acting by and through the Forest Service, U.S.D.A., and assigns, hereinafter called the "Government", an easement and right of way, including the right, privilege and authority to locate, construct, maintain, patrol and repair a roadway and electric and telephone transmission lines over, along and across the following described real property situated in the County of Skamania, State of Washington, to-wit:

Parcel #1 A strip of land 40 feet in width traversing the following described real property:

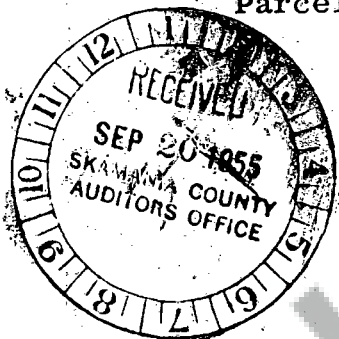
$N\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17, T. 7 N., R. 5 E., W. M.

The said strip being 20 feet in width on each side of a center line of an existing road as located on the ground and/or approximately designated in green on the attached map marked Exhibit C, which is hereto attached and made a part hereof.

Parcel #2 A strip of land 66 feet in width traversing the following described real property:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 9, and E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 17, T. 7 N., R. 5 E., W.M.

The said strip being 33 feet in width on each side of a center line of a road as located and to be constructed on the ground, with as much additional width as required for adequate protection of cuts and fills, said center line



is located as designated in red on Exhibits A, B and C which are hereto attached and made a part hereof.

Together with reasonable rights of ingress, egress and regress to and from said lands for the purposes designated.

This easement is subject to an easement dated September 30, 1953 granted by the grantor to Harbor Plywood Corporation for a road across the $N\frac{1}{2}$ $NE\frac{1}{4}$ and $SW\frac{1}{4}$ $SE\frac{1}{4}$ of Section 17, T. 7 N., R. 5 E., W.M., recorded December 3, 1953 in Volume 37 of Deeds, page 326, of Skamania County.

The Grantor reserves to itself, its successors and assigns, the right to cross and recross said strip of land at any place on grade or otherwise by any means and for any purpose and the right to use, maintain, patrol and reconstruct said road for any purpose in such manner as not unreasonably to interfere with the use of said roadway by the Government or its authorized users, or cause substantial injury thereto; Provided, that during periods when Grantor, its successors or assigns use said road it will perform its share of road maintenance on the portion so used, or will contribute to the cost of said maintenance, so that the road shall be left at the termination of each such use in a condition equal to that obtaining at the beginning thereof.

The Grantor reserves to itself, its successors and assigns, all timber on said right of way, provided that the Government or its timber purchasers shall have the right to remove timber upon the right of way to the extent necessary for the construction

or betterment of said road. Such timber shall be cut in logs of standard length with proper trim allowance and shall be decked horizontally along said right of way and shall be free from stumps, limbs or other debris. Grantor expressly reserves the right to enter upon such strip of land to remove said decked timber and remove standing timber in the usual and customary manner.

The rights, privileges and authorities herein granted are for full use and enjoyment by the Government for any and all purposes deemed necessary or desirable in connection with the control, management and administration of the national forests or the resources thereof, and, insofar as compatible therewith, the Government may extend such rights and privileges to others; Provided such use by others shall be controlled so it will not, in the opinion of the Regional Forester, interfere unduly with use of the road by the Grantor.

The rights, privileges and authorities herein granted shall continue as long as used for the purposes granted, but if the Government:

1. Shall cease for a period of five years to use the rights, privileges and authorities for the purposes granted;
2. Shall abandon the use of the easement herein granted; or
3. Shall refuse to permit the Grantor to use the Swift Creek Road System, as it presently exists as shown

on Exhibit D, or as it may be hereafter relocated or extended, for the purpose of managing its lands or hauling forest products,

then, in any such event, Grantor may terminate this easement and all rights hereunder shall revert to the holder of the fee title to the lands.

IN WITNESS WHEREOF, The Grantor has caused this instrument to be executed by its duly authorized officers and its corporate seal to be hereunto affixed this 2nd day of September, 1955.

WEYERHAEUSER TIMBER COMPANY

By J. P. Weyerhaeuser
President



STATE OF WASHINGTON)
) ss
COUNTY OF PIERCE)

On this 2nd day of September, 1955, before me personally appeared J. P. Weyerhaeuser, Jr. and George S. Long, Jr., to me known to be the President and the Secretary,

respectively, of the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by official seal the day and year herein first above written.

N. A. Dento

Notary Public in and for the State of Washington, residing at Tacoma.

My commission expires 10-21-58



UNOFFICIAL COPY

RIGHT OF WAY PLAT GIFFORD PINCHOT NATIONAL FOREST

T. 7N. R. 5E. W.M.
SKAMANIA COUNTY,
WASHINGTON

SCALE: 1 IN. = 400 FT.
REDUCED: 1 IN. = 800 FT.

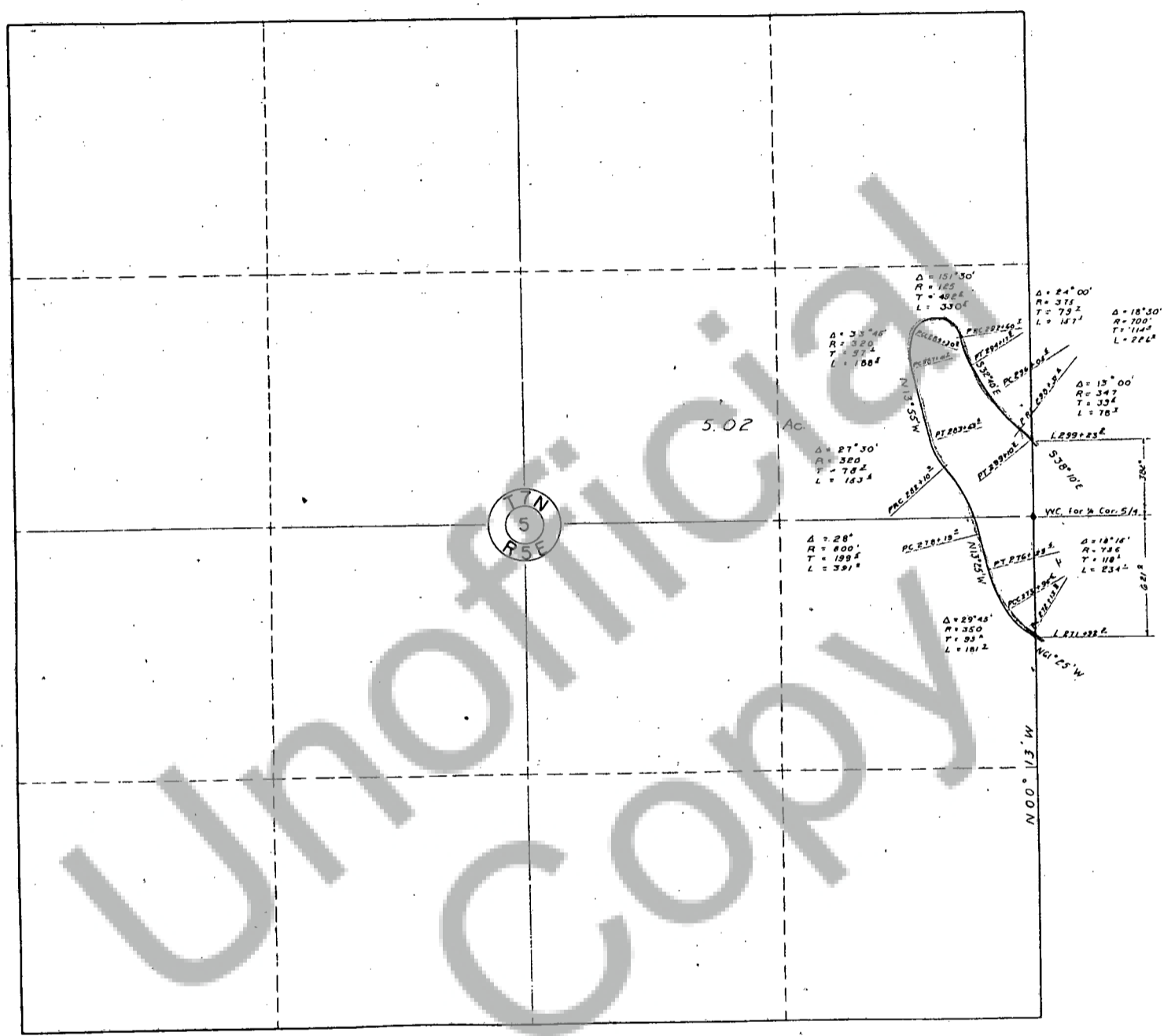


Exhibit A

RIGHT OF WAY PLAT BOOK 40 130
 GIFFORD PINCHOT NATIONAL FOREST

T. 7N. R. 5E. W.M.
 SKAMANIA COUNTY,
 WASHINGTON

SCALE: 1 IN. = 400 FT.
 REDUCED: 1 IN. = 800 FT.

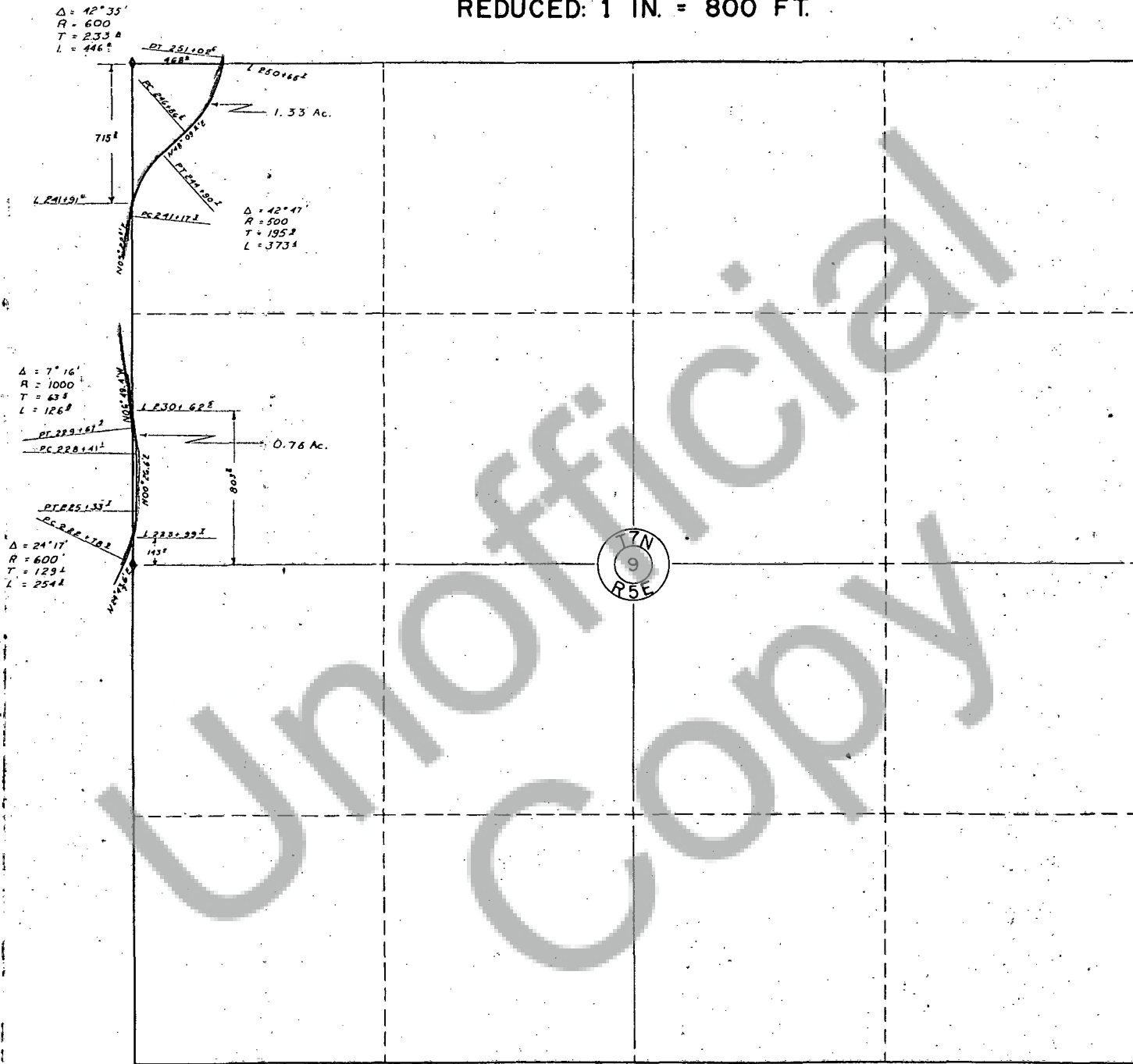


Exhibit B

RIGHT OF WAY PLAT
GIFFORD PINCHOT NATIONAL FOREST

BOOK 40 PAGE 131

T. 7 N. R. 5 E. W.M.
SKAMANIA COUNTY,
WASHINGTON

SCALE: 1 IN. = 400 FT.
REDUCED: 1 IN. = 800 FT.

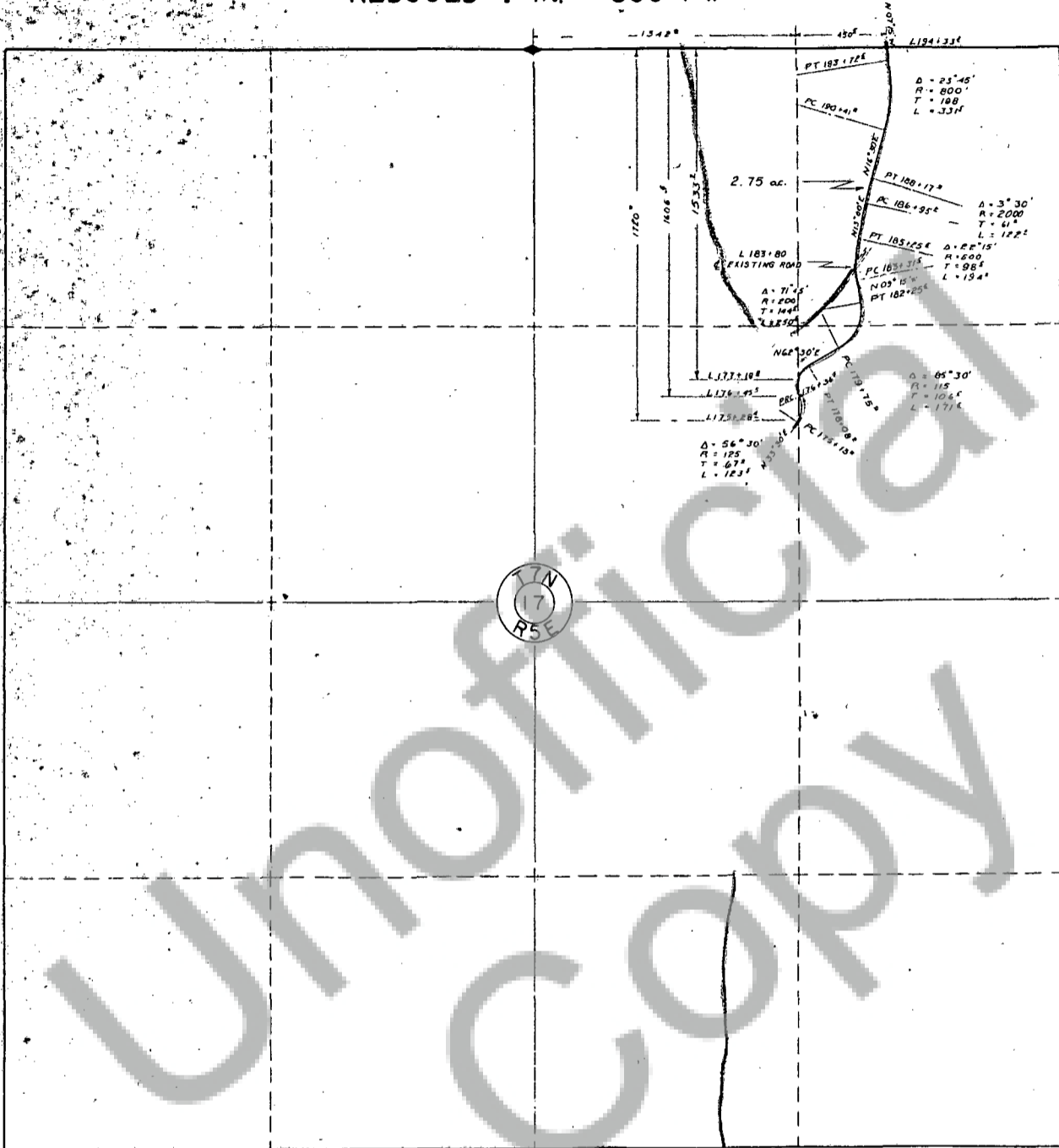


Exhibit C

T 7 N
R 5 E
6

T 7 N
R 5 E
5

T 7 N
R 5 E
7

T 7 N
R 5 E
8

T 7 N
R 5 E
18

T 7 N
R 5 E
17

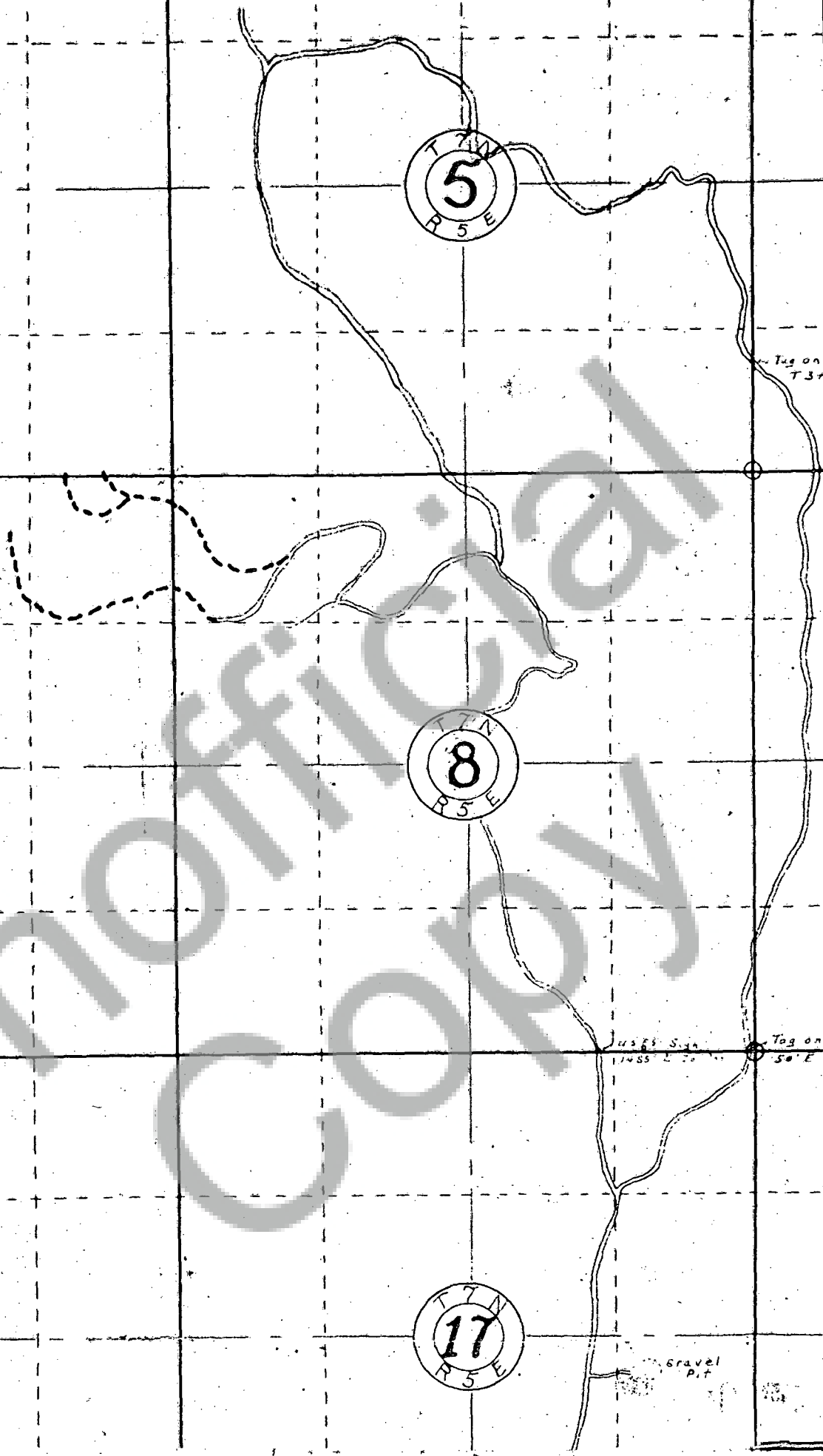
Tag on 40' WRT E
T 3rd 7/10 So
To Cor

Tag on 4
T 1+80 Pc

USGS Sta
11455 E To
Tag on 20' WRT E
So E To Cor

Gravel
Pit

UNOFFICIAL COPY



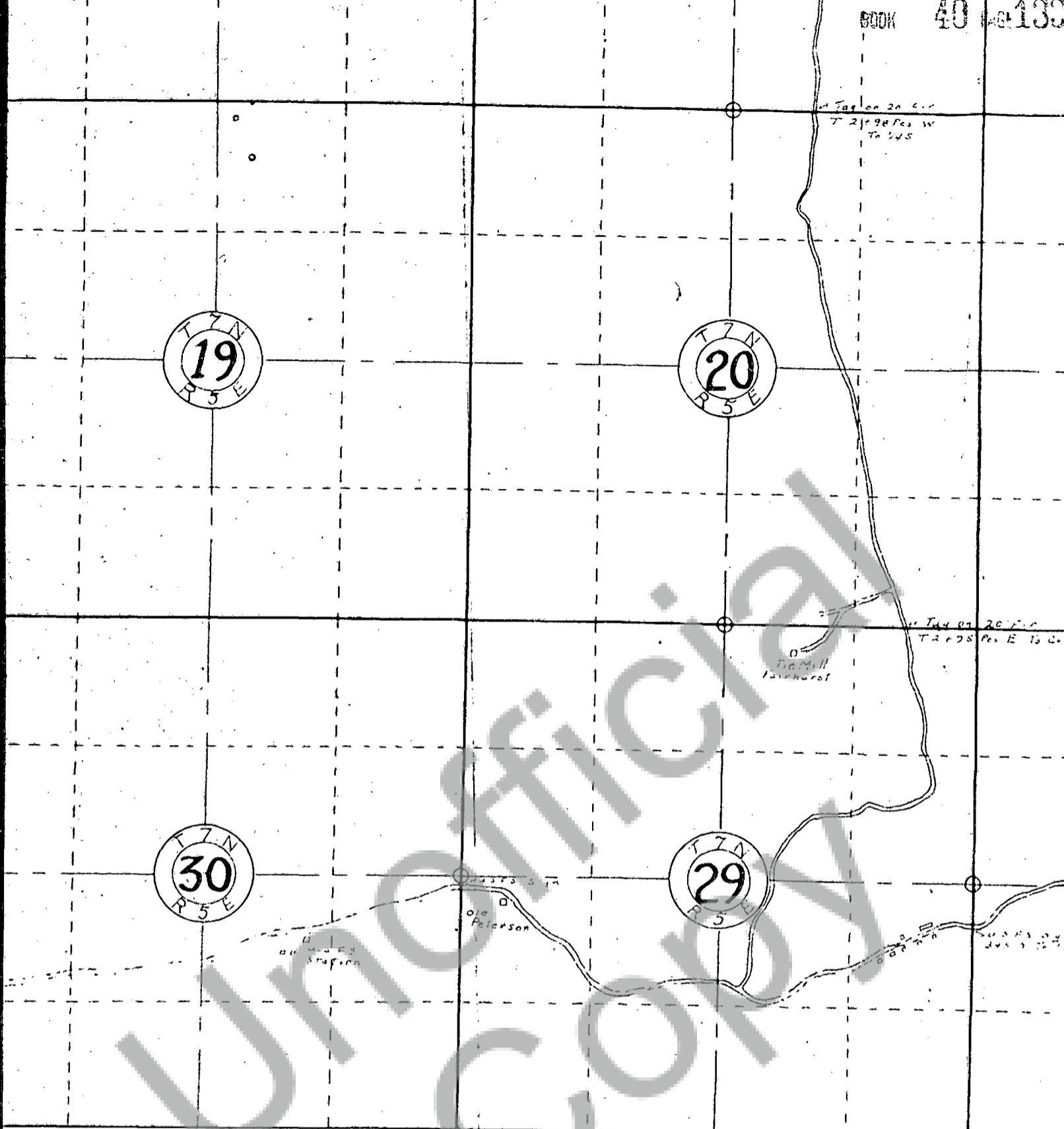


EXHIBIT "D"