

34514

STATE OF WASHINGTON

IN CONSIDERATION OF—Two hundred thirty-eight and 80/100—

(\$238.80)

Dollars,

the receipt of which is hereby acknowledged, the State of Washington does hereby grant, bargain, sell and convey unto—Shelby M. Payne, his—

heirs and assigns, the following described ~~tide~~ shore lands of the second class, as defined by Chapter 255 of the Session Laws of 1927, situate in—Skamania—County, Washington, to-wit:—

—All shore lands of the second class, owned by the State of Washington, situate in front of, adjacent to or abutting upon those parts of Lots 3 and 4, section 11, township 1 north, range 5 east, W.M., included in a tract described by metes and bounds as follows:

Beginning at a point on the south line of the right of way of Spokane, Portland and Seattle Railway which is S68°24'W 530 feet distant from the point of intersection of said right of way line with the east line of said section 11, said initial point being 40 feet westward from the northwest corner of the land owned by Rena G. Swigert; thence S68°24'W, along said right of way line, approximately 1500 feet to the east line of the D. McPherson tract; thence S46°15'E along said east line to the meander line of Columbia River; thence easterly along said meander line to a point within 40 feet of the southwest corner of said Rena G. Swigert tract; thence northerly parallel to the west line of said Swigert tract, to the place of beginning, with a frontage of 19.90 lineal chains, more or less, measured along the government meander line.

TRANSACTION EXCISE TAX

DEC - 6 1956

Amount Paid None
Malcolm G. Jeter
 Skamania County Treasurer
By Beverly J. Whitting

The above described lands are sold subject to all the provisions of Chapter 312 of the Session Laws of 1927, to which reference is hereby made, and which shall be as binding upon the grantee and any successor in interest of said grantee as though set out at length herein. The grantor hereby expressly saves, excepts and reserves out of the grant hereby made, unto itself, its successors and assigns forever, all oils, gases, coal, ores, minerals and fossils of every name, kind or description, and which may be in or upon said lands above described, or any part thereof, and the right to explore the same for such oil, gases, coal, ores, minerals and fossils; and it also hereby expressly saves and reserves out of the grant hereby made, unto itself, its successors and assigns forever the right to enter by itself, its agents, attorneys and servants upon said lands or any part or parts thereof, at any and all times, for the purpose of opening, developing and working mines thereon, and taking out and removing therefrom all such oils, gases, coal, ores, minerals and fossils, and to that end it further expressly reserves out of the grant hereby made, unto itself, its successors and assigns forever, the right by its or their agents, servants and attorneys at any and all times to erect, construct, maintain and use all such buildings, machinery, roads and railroads, sink such shafts, remove such soil, and to remain on said lands or any part thereof for the business of mining and to occupy as much of said land as may be necessary or convenient for the successful prosecution of such mining business hereby expressly reserving to itself, its successors and assigns, as aforesaid, generally all rights and powers in, to and over said lands, whether herein expressed or not, reasonably necessary or convenient to render beneficial and efficient the complete enjoyment of the property and rights hereby expressly reserved: *Provided*, that no rights shall be exercised under this reservation by the State, its successors or assigns, until provision has been made by the State, its successors or assigns to pay to the owner of the land upon which the rights herein reserved to the State, its successors or assigns are sought to be exercised, full payment for all damages sustained by said owner, by reason of entering upon said land.

—TO HAVE AND TO HOLD the said premises, with their appurtenances, unto the said—

Shelby M. Payne, his— heirs and assigns forever.

WITNESS the Seal of the State, affixed this 29th

day of October, 19 40.

[SEAL]



Lawrence S. Martin
 Governor.

Attest:

Charles B. Reed
 ASSISTANT Secretary of State.

App. No. — 8858 —

Cont. No. — 5906 —

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