

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES

In re: Application No. 2427 by
UNITED STATES of AMERICA, Gifford
Pinchot National Forest for Right
of Way for Road in Skamania County



ORDER

It appearing to the Commissioner of Public Lands at this time that Application No. 2427 was filed in this office by the United States of America, Gifford Pinchot National Forest, for a right of way for a road over the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 28, Township 4 North, Range 9 East, W.M., in Skamania County; that said application was filed in accordance with the provisions of Chapter 145, Session Laws of 1945, providing for the granting of rights of ways to the United States Government over state lands; and

It further appearing that a right of way 45 feet in width is desired; that there are no improvements or merchantable timber on the right of way; that no good reason exists why this right of way should not be granted; and the Commissioner being fully advised, it is therefore

ORDERED and DETERMINED that the plat showing survey of said right of way as filed with said Application No. 2427 be and the same is hereby approved as the official plat of said road; that an easement be and the same is hereby granted to the United States of America for a road over the following described lands:

Those portions of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$, SW $\frac{1}{4}$ of SE $\frac{1}{4}$ and NW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 28, Township 4 North, Range 9 East, W.M., included within a strip of land 45 feet in width and having 22.5 feet of such width on each side of the following described centerline:

Beginning at a point which is N 0° 03' W 56 feet from the southeast corner of said Section 28 and running thence N 30° 21' W 60.9 feet, thence on a 38° 12' curve to the left, a distance of 169.8 feet, thence S 84° 48' W 118.0 feet, thence on a 38° 12' curve to the right, a distance of 113.5 feet, thence N 51° 51' W 1627.6 feet, thence on a 9° 33' curve to the right, a distance of 193.9 feet, thence N 33° 20' W 878.4 feet, thence on an 8° 11' curve to the right, a distance of 108.2 feet, thence N 24° 29' W 506.8 feet to a point which is N 89° 50' E 117.6 feet from the center of said Section 28, which is N 0° 03' W 2640 feet more or less from a point which is S 89° 50' W 2649.3 feet from the southeast corner of said Section 28 and having an area of 3.90 acres as shown on the plat thereof on file in the office of the Commissioner of Public Lands at Olympia, Washington.

Subject, however, to the following provisions:

1. TERMINATION:

The rights, privileges and authorities herein granted shall continue for as long as used for the purposes granted, but if the grantee shall cease for a period of two years to use the rights, privileges and authorities for the purposes granted or shall abandon the use of the easement herein granted, then the State may terminate this easement and all rights hereunder shall revert to the State of Washington.

2. DAMAGE:

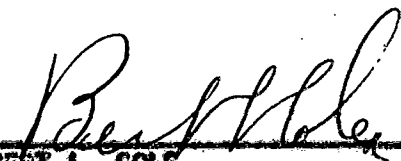
The grantee shall require, as a condition of each agreement with any of its contractors involved in clearing of said right of way or the use of said road, that said contractors take all reasonable precautions to protect adjacent state land, timber and reproduction. Damage to trees and/or reproduction, not included in the original grant, shall be appraised by the state. Said contractor or contractors shall be billed for these damages at the appraised rate, except double or triple damages may be charged in the event damage results from negligible acts of said contractors.

3. RESERVATIONS:

The State of Washington reserves to itself the right to use without cost, except for its share of road maintenance, all portions of this road system controlled by the grantee to haul state timber and to maintain, patrol, reconstruct and repair said roadway for any and all purposes deemed necessary or desirable in connection with the control, management, harvest and administration of state owned lands or the resources thereof, in such manner as will not unreasonably interfere with the use of said road by the grantee or its authorized users or cause substantial injury thereto; Provided, that during periods when the State of Washington or its assigns uses said road, it will perform its share of road maintenance on the portion so used or shall contribute to the cost of said maintenance, so that its proportionate share of the cost of maintaining the road to the extent necessary to restore the road to the condition existing at the start of the use will be paid or performed.

The rights, privileges and authorities herein granted are for full use and enjoyment of the grantee 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 grantee 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 State of Washington.

Dated this 15th day of September, A. D., 1959.


BERT L. COLE
Commissioner of Public Lands

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App. No. 2427

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Applicant
D. A.