

STATE OF WASHINGTON

DEPARTMENT OF NATURAL RESOURCES

In re: Application No. F-5081 by
UNITED STATES OF AMERICA, Gifford
Pinchot National Forest for Right
of Way for Road in Skamania County

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ORDER
AND
CERTIFICATE OF GRANT
OF
RIGHT OF WAY

November 3, 1960

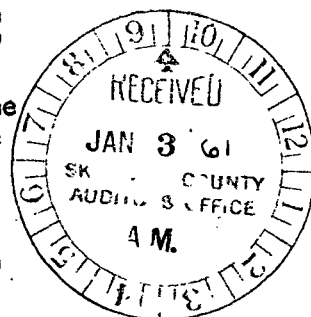
It appearing to the Commissioner of Public Lands at this time that Application No. F-5081 was filed in this office by the United States of America, Gifford Pinchot National Forest, for a right of way for a road over the $W\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 7 North, Range 6 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 way to the United States Government over State lands; and

It further appearing that a right of way 66 feet in width is desired; that there are no improvements but there is merchantable timber on the right of way; that damages to the timber by reason of the granting of this right of way do not exceed the sum of \$15,199.00; 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 the survey of said right of way as filed with said Application No. F-5081 be and the same is hereby approved as the official plat of said road; that damages to the timber by reason of the granting of said easement be and the same are hereby appraised at \$15,199.00; that the said amount has been paid, and 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 $W\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 7 North, Range 6 East, W.M., included within the limits of 2 strips of land each 66 feet in width and having 33 feet of such width on each side of the following described centerlines:

Beginning at a point on the west line of said Section 25 which is North 1967.6 feet from the southwest corner thereof and running thence S 25° 49' E 281.6 feet, thence on an 8° curve to the right 393.3 feet, thence S 5° 39' W 393.4 feet, thence on a 4° curve to the left 300.0 feet, thence S 6° 21' E 194.2 feet, thence on an 8° curve to the left 274.0 feet, thence S 28° 16' E 158.8 feet and thence on a 14° curve to the left 55.6 feet to a point on the south line of said Section 25, which is East 361.5 feet from the southwest corner thereof, the tangent to said curve at said point bears S 36° 03' E, and having an area of 3.10 acres, also



Beginning at a point on the south line of said Section 25, which is West 2002.1 feet from the southeast corner thereof and running thence N 64° 08' E 1051.14 feet, thence on a 4° curve to the left 442.1 feet, thence N 46° 27' E 165.3 feet, thence on a 4° curve to the left 262.9 feet, thence N 35° 56' E 292.8 feet, thence on a 14° curve to the left 283.5 feet, thence N 3° 45' W 38.0 feet, thence on a 26° curve to the right 260.5 feet and thence N 63° 59' E 35.5 feet to a point on the east line of said Section 25, which is North 1790.9 feet from the southeast corner thereof and having an area of 4.30 acres.

The above described rights of way have a total area of 7.40 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

1-1 The rights, privileges and authorities herein granted shall continue for as long as used for the purposes granted but if the United States 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. DANGER TREES

2-1 Occasional trees that are necessary to be cut in clearing for cuts and fills, but are located outside of the marked limits of said right of way, may be removed upon obtaining the written consent of the Commissioner of Public Lands, and payment in advance of falling of the appraised value thereof. Said trees must be removed via the right of way herein ordered.

3. RESERVATIONS


3-1 The State of Washington, by virtue of sharing construction costs in said road and/or entering into a share-cost agreement with the Forest Service, reserves to itself the right to use, 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.

3-2 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 there with, 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.

3-3 The State shall have the right to cross and recross the right of way herein granted without charge 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 and the State may extend such rights and privileges to others;

provided such crossing by others shall be controlled so it will not, in the opinion of the regional forester, interfere unduly with the use of said right of way by the grantee.

Dated this 3rd day of November, A.D., 1960.


BERT L. COLE
Commissioner of Public Lands

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App. No. F-5081

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