

## EASEMENT DEED

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FOR AND IN CONSIDERATION of the sum of ONE HUNDRED and NO/100 DOLLARS (\$100.00) in hand paid, receipt of which is hereby acknowledged, we, MERLE J. BURGESS and LILLIAN J. BURGESS, husband and wife; RONALD L. BURGESS and ANN E. BURGESS, husband and wife; JACK W. BURGESS and CHARLOTTE J. BURGESS, husband and wife; and, HAROLD W. MCNEEL and MATTIE A. MCNEEL, husband and wife, have granted, bargained, and sold and by these presents 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, in, upon, over and across all the following bounded and described real property situate in the County of Skamania in the State of Washington, to-wit:

TRACT WS-177E-1

A parcel of land lying in the Jas. M. Findley Donation Land Claim No. 39 in Section 36, Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington, said parcel being more particularly described as follows:

Beginning at a point that is 2,400.5 feet west and 934.5 feet north of a concrete monument on the east line of said Section 36, said monument being 48.78 feet northerly, measured along the section line, from the meander corner thereof; thence S. 36° 43' E. 265.63 feet; thence S. 17° 49' E. 341.81 feet; thence S. 45° 06' E. 317.49 feet; thence N. 44° 54' E. 200.0 feet; thence N. 45° 06' W. 110.32 feet; thence S. 44° 54' W. 35.0 feet; thence N. 57° 38' W. 46.10 feet; thence N. 38° 50' W. 237.37 feet; thence N. 10° 45' W. 257 feet, more or less, to the southwest boundary of the right of way of the Spokane, Portland and Seattle Railway Company; thence northwesterly following said boundary of right of way a distance of 260 feet, more or less, to a point that bears N. 53° 17' E. from the point of beginning; thence S. 53° 17' W. 135.0 feet to the point of beginning.

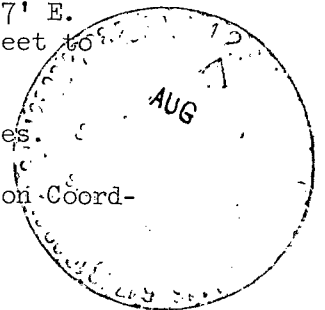
The parcel of land above described contains 3.27 acres.

The bearings used herein are based upon the Washington Coordinate System, South Zone.

TRACT WS-177E-2

A parcel of land lying in the Jas. M. Findley Donation Land Claim No. 39 in Section 36, Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington, said parcel being more particularly described as follows:

Beginning at a point on the east line of the grantor's property, said point being 19.3 feet north and 1,528.8 feet west of a concrete monument on the east line of said Section 36, said monument being 48.78 feet northerly, measured along the section line, from the meander corner thereof; thence N. 57° 23' W. 10.0 feet; thence S. 45° 24' W. 130.0 feet; thence S. 44° 36' E. 135 feet,



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more or less, to the east line of the grantor's property; thence northerly on said east line 178 feet, more or less, to the point of beginning.

The parcel of land above described contains 0.23 of an acre.

The bearings used herein are based upon the Washington Coordinate System, South Zone.

TRACT WS-178E-1

A parcel of land lying in that part of the Jas. M. Findley Donation Land Claim No. 39 in Section 36, Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington, said parcel being more particularly described as follows:

Beginning at a point on the west line of the grantor's property, said point being 19.3 feet north and 1,528.8 feet west of a concrete monument that is distant 48.78 feet northerly, measured along the east line of said Section 36, from the meander corner thereof; thence S. 57° 23' E. 66.91 feet; thence S. 70° 38' E. 128.08 feet; thence N. 52° 35' E. 144.54 feet; thence S. 20° 07' E. 168.0 feet; thence S. 69° 53' W. 304.30 feet; thence N. 44° 36' W. 100 feet, more or less, to the west boundary of the grantor's property; thence northerly on said west line 178 feet, more or less, to the point of beginning.

There is excepted therefrom that part thereof lying below the line of ordinary high water of the Columbia River.

The land above described contains a net area of 1.0 acre, more or less.

The bearings used herein are based upon the Washington Coordinate System, South Zone.

TRACT WS-178E-2

A parcel of land lying in the Jas. M. Findley Donation Land Claim being Claim No. 39 in Section 36, Township 3 North, Range 8 East and Claim No. 37 in Section 31, Township 3 North, Range 9 East, Willamette Meridian, in Skamania County, Washington, said parcel being more particularly described as follows:

Commencing at a concrete monument on the line between said Sections 31 and 36 distant 48.78 feet northerly, measured on the section line from the meander corner thereof; thence S. 48° 10' E. 25.0 feet to the true point of beginning of this description; thence N. 46° 54' E. 57.05 feet; thence N. 37° 45' E. 96.40 feet; thence S. 89° 15' E. 82.0 feet; thence S. 0° 45' W. 274.43 feet; thence S. 82° 55' W. 407.94 feet; thence N. 82° 29' W. 792.04 feet; thence N. 0° 46' E. 167.0 feet; thence S. 85° 13' E. 126.99 feet; thence S. 68° 28' E. 128.59 feet; thence N. 80° 57' E. 64.05 feet; thence S. 67° 13' E. 82.56 feet; thence S. 89° 46' E. 194.65 feet; thence S. 80° 35' E. 115.26 feet; thence N. 88° 53' E. 161.86 feet; thence N. 76° 39' E. 157.29 feet to the point of beginning.

There is excepted therefrom that part thereof lying below the line of ordinary high water of the Columbia River.

The land above described contains a net area of 4.2 acres, more or less.

The bearings used herein are based upon the Washington Coordinate System, South Zone.

Said easement and right of way are for the following purposes, namely: A perpetual and assignable right to enter upon the above described lands and to construct, reconstruct, maintain, repair, operate and patrol a bank protection project including all appurtenances thereto, together with any enlargement or reconstruction thereof, and to trim, cut, fell, and remove all such trees, brush, and other natural growth and obstructions as are 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 right of way.

It is expressly understood and agreed that in granting the easement and right of way hereinbefore described, there is included as an appurtenance the right of access thereto over and across other lands of the Grantors.

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

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

1. Existing easements for public roads and highways, public utilities, railroads and pipelines.
2. Reservations contained in patents from the United States of America.
3. Existing water rights, mining rights, and all matters relating thereto, if any.

TO HAVE AND TO HOLD the said easements and rights of way unto the UNITED STATES OF AMERICA and its assigns forever. We covenant to and with the above named grantee and its assigns that we are lawfully seized and possessed of the land aforesaid; that the easements hereinabove described are free 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 title thereto and possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 12 day of September 1962.

Merle J. Burgess  
Merle J. Burgess

Ronald L. Burgess  
Ronald L. Burgess

Lillian J. Burgess  
Lillian J. Burgess

Ann E. Burgess  
Ann E. Burgess

Jack W. Burgess  
Jack W. Burgess

Harold W. McNeel  
Harold W. McNeel

Charlotte J. Burgess  
Charlotte J. Burgess

Mattie A. McNeel  
Mattie A. McNeel

STATE OF WASHINGTON, )  
County of Clark } ss.

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I, Charles D. Snider a Notary Public in and for  
the said State, do hereby certify that on this 17th day of Sept,  
1962, personally appeared before me MERLE J. BURGESS and LILLIAN J. BURGESS,  
husband and wife, to me known to be the individuals described in and who  
executed the within instrument, and acknowledged that they signed and sealed  
the same as their free and voluntary act and deed, for the uses and purposes  
therein mentioned.

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

Charles D. Snider  
Notary Public in and for the State of  
Washington, residing at Wenatchee

STATE OF WASHINGTON, )  
County of Clark } ss.

I, Charles D. Snider a Notary Public in and for the  
said State, do hereby certify that on this 12 day of March, 1962,  
personally appeared before me RONALD L. BURGESS and ANN E. BURGESS, husband and  
wife, to me known to be the individuals described in and who executed the within  
instrument, and acknowledged that they signed and sealed the same as their free  
and voluntary act and deed, for the uses and purposes therein mentioned.

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

Charles D. Snider  
Notary Public in and for the State of  
Washington, residing at Wenatchee

STATE OF WASHINGTON, )  
County of Clark } ss.

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I, Claude C. Sudler a Notary Public in and for the  
said State, do hereby certify that on this 24<sup>th</sup> day of May, 1963,  
personally appeared before me JACK W. BURGESS and CHARLOTTE J. BURGESS, husband  
and wife, to me known to be the individuals described in and who executed the  
within instrument, and acknowledged that they signed and sealed the same as their  
free and voluntary act and deed, for the uses and purposes therein mentioned.

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

Claude C. Sudler

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

STATE OF WASHINGTON, )  
County of Clark } ss.

I, Claude C. Sudler a Notary Public in and for the said  
State, do hereby certify that on this 12 day of Sept, 1962, personally  
appeared before me HAROLD W. MCNEEL and MATTIE A. MCNEEL, husbnad and wife, to  
me known to be the individuals described in and who executed the within instrument,  
and acknowledged that they signed and sealed the same as their free and voluntary  
act and deed, for the uses and purposes therein mentioned.

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

Claude C. Sudler

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