

33-16

WATER EASEMENT

This WATER EASEMENT executed this date by RICHARD J. ROSS and THELMA S. ROSS, husband and wife,

W I T N E S S E T H:

WHEREAS, the undersigned Richard J. Ross and Thelma S. Ross, husband and wife, are the owners in fee of the following described real property situated in Skamania County, State of Washington, to-wit:

The Southwest quarter of the Northwest quarter of Section 33, Township 2 North, Range 5 East of the Willamette Meridian; EXCEPT the South 208 feet thereof platted as Preachers Row Lots according to the official plat thereof; AND EXCEPT that portion thereof lying Southerly of the County Road known and designated as the Salmon Falls Road; and EXCEPT that portion thereof described as follows: Beginning at the Northeast corner of Lot 20 of the said Preachers Row Lots; thence West 300 feet along the North line of said plat to the Northwest corner of Lot 15; thence North 300 feet; thence East 150 feet; thence Southeasterly 225 feet, more or less, to a point 75 feet North of the point of beginning; thence South 75 feet to the point of beginning.

WHEREAS, FRED HORNSHUH and BEULAH HORNSHUH, husband and wife, are the owners in fee of the following described real property situated in Skamania County, State of Washington, which real property is now subject to an executory contract of sale and purchase to Frank Gary, et ux, to-wit:

4368 Commencing at the intersection of the Northerly line of the Washougal River Road and the West line of the Southeast quarter of the Northwest quarter of Section 33, Township 2 North, Range 5 East of the Willamette Meridian; thence in a Northeasterly direction along the Northerly line of the said road a distance of 10 feet to the initial point of the tract herein described; thence North 100 feet; thence East 120 feet; thence South to the Northerly line of the said road; thence in a Southwesterly direction along the Northerly line of the said road to the initial point. Also non-exclusive water rights appurtenant thereto.

WHEREAS, HAROLD M. ELKINS, JR. and LONA ELKINS, husband and wife, are the owners of the following described real property

300X 53 17
situated in Skamania County, State of Washington, to-wit:

The Southeast quarter of the Northwest quarter of Section Thirty-three (33), Township Two (2) North, Range 5 East of the Willamette Meridian, EXCEPT therefrom the following described 2 lots, to-wit:

Commencing 10 feet East of the intersection of the Northerly line of the Washougal River Road and the West line of the aforesaid quarter section; thence in an Easterly direction along the Northerly line of said road 230 feet; thence North 100 feet; thence West 230 feet, more or less, to a point due North of the point of beginning; thence South 100 feet, more or less, to the point of beginning.

EXCEPT ALSO, the tract heretofore conveyed to the State of Washington.

WHEREAS, a pipeline is now established running from a spring on said lands of Richard J. Ross and Thelma S. Ross, husband and wife, to the single family residences situated on the lands of the said Fred Hornshuh and Beulah Hornshuh, husband and wife, and Harold M. Elkins, Jr. and Lona Elkins, husband and wife, as described above, and

WHEREAS, the predecessor in title to Richard J. Ross and Thelma S. Ross, husband and wife, as to their lands hereinabove described did heretofore execute a certain instrument providing certain water easement rights, which instrument is recorded in Book 35 of Deeds, page 300, records of said County, and the parties desiring to clarify and confirm such rights in the premises,

NOW THEREFORE, in consideration of the premises and the sum of ONE DOLLAR (\$1.00) in hand paid, the undersigned Richard J. Ross and Thelma S. Ross, husband and wife, do hereby grant unto the said Fred Hornshuh and Beulah Hornshuh, husband and wife, and unto the said Harold M. Elkins, Jr., and Lona Elkins, husband and wife, and unto their assigns and successors in interest, the perpetual right to lay and maintain a single water pipeline not exceeding a three-quarter inside diameter running from the aforesaid spring on the lands of the undersigned to the residences now situated on the lands of the said Fred

Hornshuh and Beulah Hornshuh, husband and wife, and Harold M. Elkins, Jr. and Lona Elkins, husband and wife, as hereinabove described, together with the right to go upon said lands for the necessary repair, cleaning and maintenance of said pipeline, spring and its appurtenances. The rights herein granted are for the purpose of a domestic supply of water only and are non-exclusive. The undersigned reserve the right to grant similar rights to other parties, including themselves and the rights of all parties to the waters from said spring shall be mutual and dependent upon the reasonable needs of all other parties lawfully using the same. The undersigned make no guarantee as to the quantity or quality of said water.

19th IN WITNESS WHEREOF, we have executed this instrument this day of January, 1962.

Richard J. Ross
Richard J. Ross
Thelma S. Ross
Thelma S. Ross

STATE OF WASHINGTON)
) ss
COUNTY OF CLARK)

On this day personally appeared before me RICHARD J. ROSS and THELMA S. ROSS, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 19th day of January, 1962.

[Signature]
Notary Public in and for the State
of Washington;
Residing at Camas, therein.