

OVERFLOW EASEMENT

THIS AGREEMENT, made this day by and between ARTHUR E. BELSHAW and MARY GRACE BELSHAW, husband and wife, hereinafter referred to as "first party", and Woodard Marina Estates, Inc., an Oregon corporation, hereinafter referred to as "second party", WITNESSETH:

WHEREAS, first party are the owners of certain land situated in Skamania County, State of Washington, through which flows a stream known as Bergstrom Creek; and

WHEREAS, the second party is the owner of certain lands situated on the shores of Shahala Lake into which the aforementioned Bergstrom Creek flows; and

WHEREAS, the second party has erected a dam at the outflow of said lake into the Columbia River causing water to overflow upon the land of the first party:

NOW, THEREFORE, in consideration of the sum of Three Hundred and no/100 Dollars, (\$300.00), the receipt of which is hereby acknowledged, the first party does hereby grant, bargain, sell, transfer, convey and warrant unto the second party, and its assigns, forever, a permanent easement and right to cause water from Shahala Lake to overflow and inundate the lands of the first party to a height of approximately 3.3 feet above the normal water level of the said Bergstrom Creek existing prior to the erection of the dam of second party at the outflow of Shahala Lake.

The land owned by the first party through which said creek flows and for which this easement is given is described as follows:

COUNTY OF SKAMANIA, STATE OF WASHINGTON

A tract of land in the West half of the Northeast quarter of the Northeast Quarter ( $W\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$ ) of Section 34, Township 2 North, Range 6 E.W.M. described as follows:  
Beginning at a point 662.6 feet west of the northeast corner of said Section 34; thence west 247.4 feet; thence south  $00^{\circ}13'$  east 728.5 feet; thence south  $42^{\circ}56'$  east 138.5 feet; thence south  $06^{\circ}54'$  west 121 feet to the initial point of the tract hereby described, said point being in the center of a certain county road known and designated as Butler Loop Road; thence west 97 feet; thence south  $00^{\circ}13'$  east 340 feet to the south line

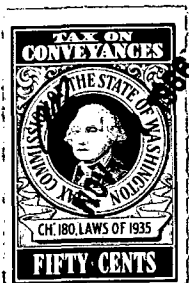
of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of the said Section 34; thence south 87°54' east 266 feet; thence north 00°13' west to intersection with the center of the said county road; thence following the center of the said county road in a northwesterly direction to the initial point;

A tract of land in the East half of the Northeast quarter of the Northeast Quarter (E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 34, Township 2 North, Range 6 E.W.M. described as follows:

Beginning at the southwest corner of the E $\frac{1}{2}$  NE $\frac{1}{4}$  NE $\frac{1}{4}$  of the said Section 34; thence north to the county road known and designated as the Bulter Loop Road; thence easterly along said road 4 chains, more or less, to a creek; thence following said creek down stream to the south line of the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of the said Section 34; thence west to the point of beginning;

That portion of the Southeast quarter of the Northeast quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ) of Section 34, Township 2 North, Range 6 E.W.M. described as follows:

Beginning at the northeast corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 34; thence west 1,320 feet, more or less, to the northwest corner of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 34; thence south 30 feet; thence south 41°15' east 600 feet; thence north 73°20' east 650 feet to the center of a certain creek; thence south 58° east and south 20° east following the westerly line of a tract of land more particularly described in deed dated December 11, 1907, and recorded at page 482 of Book K of Deeds, Records of Skamania County, Washington, to intersection with northerly right of way line of Spokane, Portland & Seattle Railway Company; thence north 70°09' East 198 feet following said railway right of way to east line of said Section 34; thence north to the point of beginning.



IN WITNESS WHEREOF, the first parties have set their hands

hereto this 4<sup>th</sup> day of August, 1966.

5205  
TRANSACTION EXCISE TAX

NOV 17 1966

Amount Paid 3.07  
Mildred Odell  
Skamania County Treasurer

Arthur E. Belshaw

Mary Grace Belshaw

STATE OF WASHINGTON )  
COUNTY OF SKAMANIA ) ss.

On this day personally appeared before me ARTHUR E. BELSHAW and MARY GRACE BELSHAW, to me known to be the individuals described in and who executed the within and foregoing instrument, and acknowledged that they signed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 4<sup>th</sup> day of August, 1966.

Robert W. Odell  
Notary Public in and for the State of Washington, Residing at Camas.

