

72917

Tracts Na-0-641;642;643;644;659;661;
 -AR-137-1,P.2;-137-2,P.1,2;-137-3;
 -AR-138-1,P.1,2;-139-1;-139-2;
 -AR-139-3; and -143-1.

TRANSMISSION LINE EASEMENT
 AND ACCESS ROAD EASEMENT

The Grantor, CROWN ZELLERBACH CORPORATION, a Nevada corporation, recognizing that public necessity requires that the herein-described rights be made available forthwith to Grantee, notwithstanding Grantor's wish to retain same, and desiring to avoid the delays and inconvenience incident to the acquisition of such rights by eminent domain, for and in consideration of the sum of FIFTEEN THOUSAND FIVE HUNDRED SIXTY-NINE DOLLARS (\$15,569.00), in hand paid by the UNITED STATES OF AMERICA, receipt of which is hereby acknowledged, hereby grants, bargains, sells and conveys to the UNITED STATES OF AMERICA and its assigns, a perpetual easement and right to enter and erect, maintain, repair, rebuild, operate, and patrol one line of electric power transmission structures and appurtenant signal lines, including the right to erect such poles, transmission structures, wires, cables, and appurtenances as are necessary thereto, in, over, upon, and across the parcels of land in the County of Skamania, in the State of Washington, described in Exhibit A, attached hereto and by this reference made a part hereof.

1. It is agreed that any damage to Grantor's agricultural crops, fences, or irrigation or drainage systems, on the right-of-way resulting from and in the course of construction, reconstruction or maintenance of the transmission line or lines shall be repaired, replaced or paid for by the Grantee or its contractor. Where payment is made, the amount of damages will be determined by an appraisal made by the Grantee.

2. For the purpose of preserving the natural appearance of the right-of-way it is agreed by the Grantor and the Grantee that the right-of-way shall not be used for the accumulation or dumping of litter, trash or other foreign material. The Grantee agrees that any such accumulations resulting from its entry upon the right-of-way for construction or maintenance purposes will be removed or disposed of by Grantee or its contractor.

As part of the consideration for this grant it is agreed that the foregoing provisions numbered 1 and 2, shall hereinafter also apply to the previously existing rights-of-way on Grantor's property described in the easement recorded in Book 43, page 203, under Auditor's File No. 52050, the easement recorded in Book 37, page 480, under Auditor's File No. 46559, and the easement recorded in Book 36, page 229, under Auditor's File No. 45155, all in Deed records of Skamania County, Washington.

The rights granted herein include the present and future right to clear said right-of-way and keep the same clear of brush, timber, structures, and fire hazards, provided that fire hazards shall not be interpreted to include any growing crops other than trees; and also the present right to top, limb or fell all growing and dead trees and snags (collectively called "danger trees") located on land owned by the Grantor adjacent to the above-described right-of-way, which could fall within 35 feet of any conductor of the electric transmission facilities hereinbefore described; provided, however, it is agreed that compensation is included in the consideration stated above for trees or snags within the strips of land shown colored in green in Exhibit B, attached hereto and by this reference made a part hereof, contiguous to said right-of-way that are (a) danger trees on August 20, 1970, (hereinafter called "present danger trees"). The right to top, limb or fell danger trees outside of said strips (hereinafter called "additional danger trees") may only be exercised within three years after all present danger trees have been cut, and the UNITED STATES OF AMERICA shall pay the person who is the owner thereof at the date of cutting such additional danger trees the market value prevailing at the date of cutting under authority of the UNITED STATES OF AMERICA, such payment to be made within a reasonable period of time after they have been so cut.

In addition, the UNITED STATES OF AMERICA has the right to top, limb, fell, or remove the following trees:

One 40-inch in diameter Douglas Fir, 25 feet outside of the right-of-way on the North side, opposite survey station 7289 + 50;

One 11-inch in diameter Douglas Fir, 35 feet outside of the right-of-way on the North side, opposite survey station 7323 + 25;

One 20-inch in diameter Douglas Fir, 50 feet outside of the right-of-way on the North side, opposite survey station 7330 + 55.

It is understood and agreed that all trees growing on the right-of-way two years after initial clearing and construction of each transmission line shall become the property of the CROWN ZELLERBACH CORPORATION and may be permitted to reach a height of 10 feet within strips of land 70 feet in width, 35 feet in width on each side of the centerline of each line of transmission structures, and 15 feet in height elsewhere on the right-of-way. If any such trees exceed these limits, the UNITED STATES OF AMERICA shall give notice of such fact in writing to CROWN ZELLERBACH CORPORATION. If any trees exceeding these limits remain for six months after such notice is given to CROWN ZELLERBACH CORPORATION, the UNITED STATES OF AMERICA shall have the right to cut said trees, or kill all trees by chemical means that are in the area where the trees exceeding these limits remain, irrespective of their height, except the Government shall not be responsible for damage to such trees during maintenance or reconstruction activities.

Grantor also hereby grants, bargains, sells, and conveys unto the UNITED STATES OF AMERICA, and its assigns, a permanent easement and right-of-way for the construction, operation, use and maintenance of roads approximately 50 feet in width in Tracts Ha-O-AR-137-3, Ha-O-AR-139-1 and Ha-O-AR-139-2, and approximately 20 feet in width in Tracts Ha-O-AR-137-1, Parcel 2, Ha-O-AR-137-2, Parcel 1, Ha-O-AR-137-2, Parcel 2, Ha-O-AR-138-1, Parcels 1 and 2, Ha-O-AR-139-3, and Ha-O-AR-143-1, on, over, and across the lands of the Grantor in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 14, Township 3 North, Range 8 East, Willamette Meridian; the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and S $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 15, Township 3 North, Range 8 East, Willamette Meridian, and Government Lot 9 of Section 24, Township 3 North, Range 7 $\frac{1}{2}$ East, Willamette Meridian, all in Skamania County, Washington, except any portion thereof lying within the Bonneville Power Administration's Hanford-Ostrander No. 1 transmission line right-of-way, for the following purposes, namely: the right to enter and to clear of timber, danger trees, and brush; to build, cut, fill, level, grade, drain, surface, use and maintain, repair and rebuild the roads and such culverts, bridges, turn-outs, retaining walls or other appurtenant structures as may be necessary, on, over, and across the land embraced within said right-of-way, as shown colored in red on drawings serially numbered 150437, 150438, 150439, and 150443 DTM-D, prepared by the United States Department of the Interior, Bonneville Power Administration, attached hereto and by this reference, made a part hereof.

The Grantor reserves the right of ingress and egress over and across said roads and the right to pass and repass along and on said roads insofar as the same extend across the lands of the Grantor, said right to be exercised in a manner that will not interfere with the use of the roads by the UNITED STATES OF AMERICA, its employees, contractors or assigns.

It is understood and agreed that if said roads are damaged by the UNITED STATES OF AMERICA, its employees, contractors, or assigns, the UNITED STATES OF AMERICA, subject to the availability of appropriations, or its assigns, will repair such damage. It is further understood and agreed that Grantor may erect or maintain fences across such roads, provided adequate gates of not less than 16 feet in width are installed, which may be kept locked, provided the UNITED STATES OF AMERICA is also permitted to install its own lock thereon.

The herein-described access roads may be used for ingress and egress to and from the Bonneville Power Administration's Hanford-Ostrander No. 1 transmission line and to and from any existing or future transmission lines which have been or may be constructed adjacent or nearly adjacent thereto.

The rights granted herein include all necessary and convenient access over, along and across existing roads on premises owned by the Grantor within existing Bonneville Power Administration easements.

TO HAVE AND TO HOLD said easement and rights unto the UNITED STATES OF AMERICA and its assigns, forever.

The Grantor covenants to and with the UNITED STATES OF AMERICA and its assigns that the title to all brush, timber or structures existing upon the rights-of-way on August 20, 1970, and the title to all present danger trees shall vest

in the UNITED STATES OF AMERICA on said date; and that title to any additional danger trees shall vest in the UNITED STATES OF AMERICA upon their being cut pursuant to the terms hereof; and that the consideration stated herein is accepted by the Grantor as full compensation for all damages incidental to the exercise of said easement and danger tree rights, except payment for any additional danger trees as defined hereinabove which may be cut under authority of the UNITED STATES OF AMERICA as herein provided.

The Grantor also covenants to and with the UNITED STATES OF AMERICA that Grantor is lawfully seized and possessed of the lands hereunto; and has a good and lawful right and power to sell and convey same; that the lands are free and clear of encumbrances, except as above indicated; and that Grantor will forever warrant and defend the title to said easement and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, CROWN ZELLERBACH CORPORATION has caused this instrument to be signed by its proper officers thereunto duly authorized and its corporate seal to be hereunto affixed this 3rd day of November, 1970.

CROWN ZELLERBACH CORPORATION

By M. S. DENMAN
VICE PRESIDENT (Title)

(SEAL)
CROWN ZELLERBACH CORPORATION
ATTENTED
Thomas M. Meyersieck
ASSISTANT Secretary

STATE OF CALIFORNIA
County of SAN FRANCISCO ss:

On this 3rd day of November, 1970, before me personally appeared
M. S. DENMAN and THOMAS M. MEYERSIECK, to me
known to be the VICE PRESIDENT and ASSISTANT SECRETARY of the
corporation that executed the foregoing instrument, and acknowledged said instru-
ment to be the free and voluntary act and deed of said corporation, for the uses
and purposes therein mentioned, and on oath stated they are authorized to execute
said instrument and that the seal affixed is the corporate seal of said corporation.

GIVEN under my hand and official seal the day and year last above written.

(SEAL)

Geraldine D. Cohen
Notary Public in and for the
State of California
Residing at San Francisco
My commission expires:
January 10, 1973

GERALDINE D. COHEN
NOTARY PUBLIC - CALIFORNIA
CITY AND COUNTY OF
SAN FRANCISCO
My Commission Expires January 10, 1973

After recording, please

Attention:
BONNEVILLE POWER ADMINISTRATION
BRANCH OF LAND
P. O. BOX 5471
PORTLAND, OREGON 97266



Ha-O-641
Ha-O-642
Ha-O-643
Ha-O-644

EXHIBIT A

Crown Zellerbach Corporation

3N-8E-14 & 15

That portion of the following-described tract which lies northerly of the existing 300-foot right of way of the U.S.A. Bonneville Power Administration's McNary-Ross transmission line (recorded in Book 43, page 285, File No. 52050, and Book 37, page 480, Deed Records) and southerly of a line which is 75 feet northerly from and parallel with the survey line of the U.S.A. Bonneville Power Administration's Hanford-Ostrander No. 1 transmission line:

The NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{4}$ N $\frac{1}{4}$ of Section 14 and the S $\frac{1}{4}$ N $\frac{1}{4}$ of Section 15, Township 3 North, Range 8 East, Willamette Meridian, Skamania County, Washington.

The survey line for said Hanford-Ostrander No. 1 transmission line is described as follows:

Beginning at survey station 7238+55.0 in the north-line of Section 13, said T & R, at a point which is S85°37'10"E, 1096.3 feet from the northwest corner of said Section 13; thence S52°18'00"W, 2878.3 feet to station 7267+33.3; thence S79°43'00"W, 2106.5 feet to station 7288+39.8; thence N87°51'00"W, 2102.9 feet to station 7309+42.7 back = 7311+24.6 ahead; thence N85°09'10"W, 1714.5 feet to station 7328+39.1 back = 7328+52.9 ahead; thence N79°52'00"W, 3186.7 feet to station 7360+39.6 in the west line of said Section 15 at a point which is S0°50'30"W, 1546.8 feet from the northwest corner of said Section 15.

The bearings of said survey line refer to the Washington Coordinate System-- South Zone.

EXHIBIT A Continued

Ha-0-659;-661

Crown Zellerbach Corporation

SN-74E-24

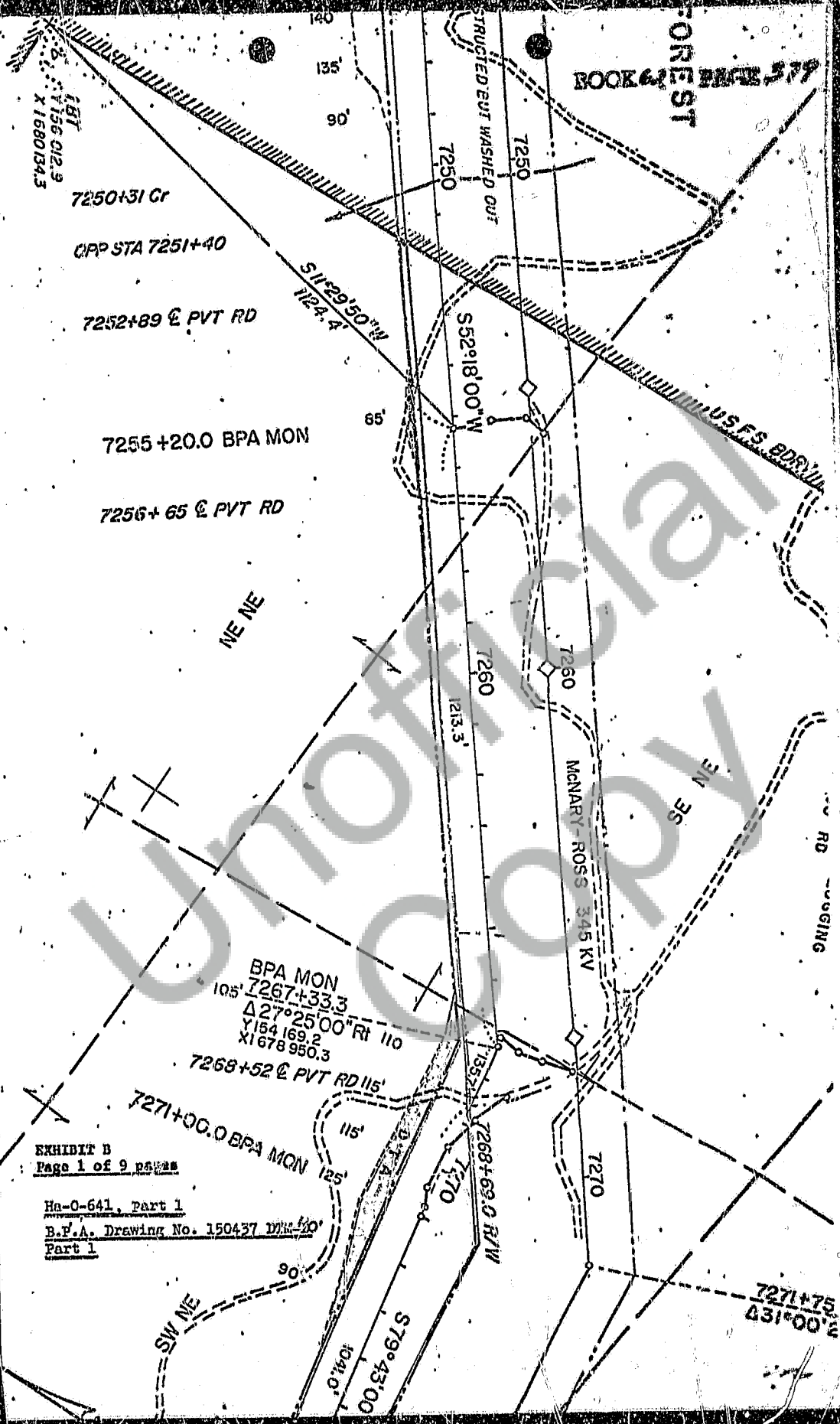
That portion of a strip of land 12.5 feet in width which lies within the following:

Government Lots 5, 6 and 9 of Section 24, Township 3 North,

Range 7½ East, Willamette Meridian, Skamania County, Washington.

Said strip of land lies on the northerly side of, runs parallel with and adjoins the existing 300 feet wide right of way of the Bonneville Power Administration's McNary-Ross transmission line. The location of said existing right of way is shown in the easement dated and recorded March 11, 1953 in Volume 36, page 229, under Auditor's File No. 43159, Book Records of said county.

FOREST



7250+31.0 Cr

OPP STA 7251+40

7252+89 @ PVT RD

7255+20.0 BPA MON

7256+65 @ PVT RD

NE NE

SE NE

RD - WASHING

MONARY-ROSS 345 KV

BPA MON
105' 7267+33.3
Δ 27°25'00" Rt 110
Y154 169.2
X1678 950.3

7268+52 @ PVT RD 115'

7271+00.0 BPA MON

EXHIBIT B
Page 1 of 9 pages

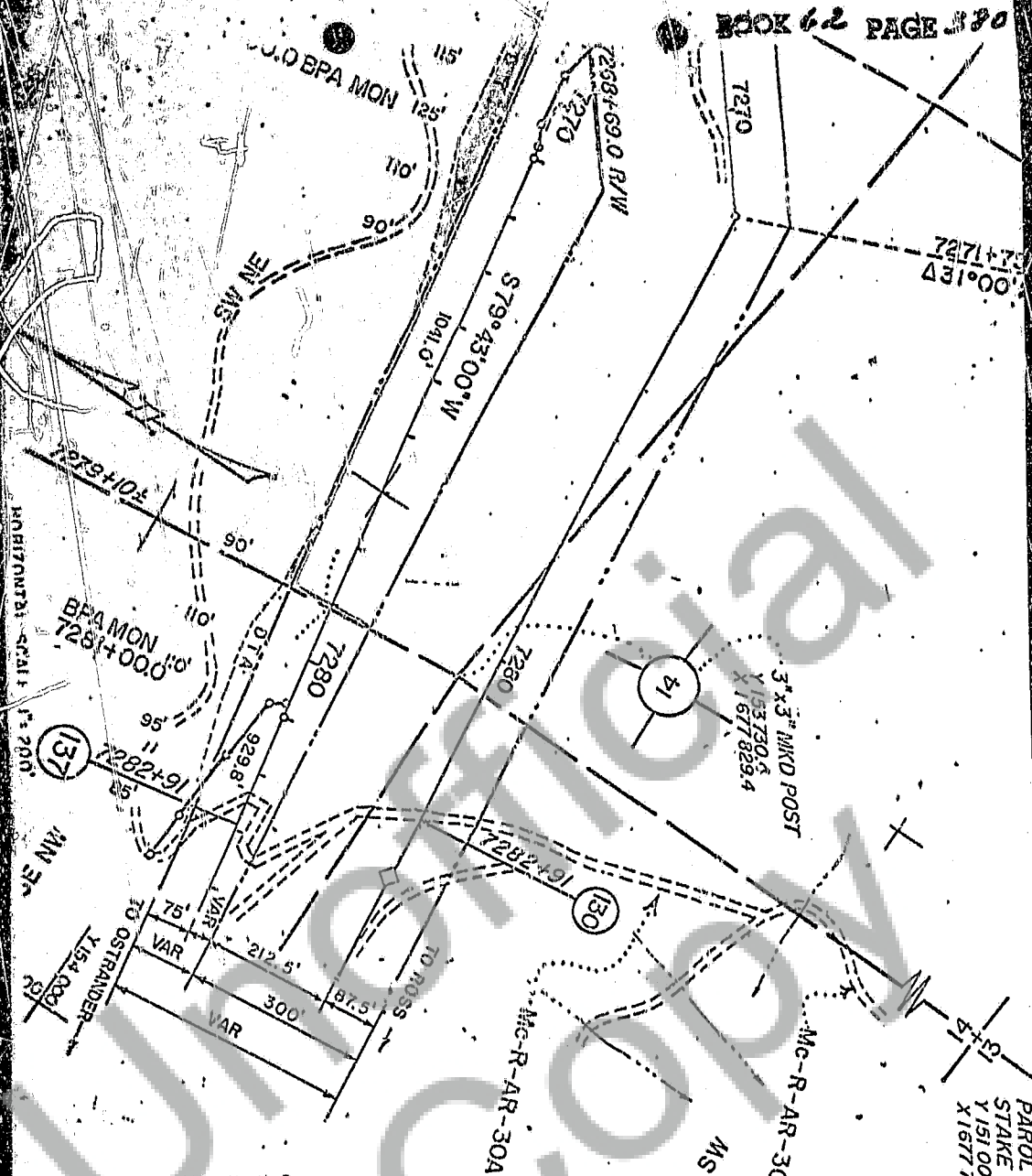
Ha-O-641, Part 1

B.F.A. Drawing No. 150437 D.M. 120'

Part 1

7271+75
Δ 31°00' S

S79°43'00"
1041.0'



Ha-0-641, Part 2
B.P.A. Drawing No. 150437 DTW-2
Part 2

EXHIBIT B Continued
Page 2 of 9 pages

TRACT NO STA TO STA	NAME
Ha-0-639 (Mc-R-105) OPP 7187+21 TO OPP 7200+50 7200+51.2 TO 7219+98.2 OPP 7220+90 TO OPP 7239+45	USA (FOREST SERVICE) (GILFORD PINCHOT NATIONAL FOREST)
Ha-0-640 (Mc-R-106) OPP 7239+45 TO OPP 7251+40	STATE OF WASHINGTON (STATE FOREST BOARD)
Ha-0-641 (Mc-R-107) OPP 7251+40 TO OPP 7257+33.3 7258+69.0 TO 7279+10	CROWN ZELLERBACH CORP
Ha-0-642 (Mc-R-108) 7279+10 TO 7296+14.6	CROWN ZELLERBACH CORP

HANFORD
BINGEN
500 KV
LONGSHORE
1

PAROL EVIDENCE
STAKE N-S3 E Fc
Y 151 006.6
X 1677 741.9

EXHIBIT
Page 3
Ha-0
B.P.
Par

MS&R-FC
65
419

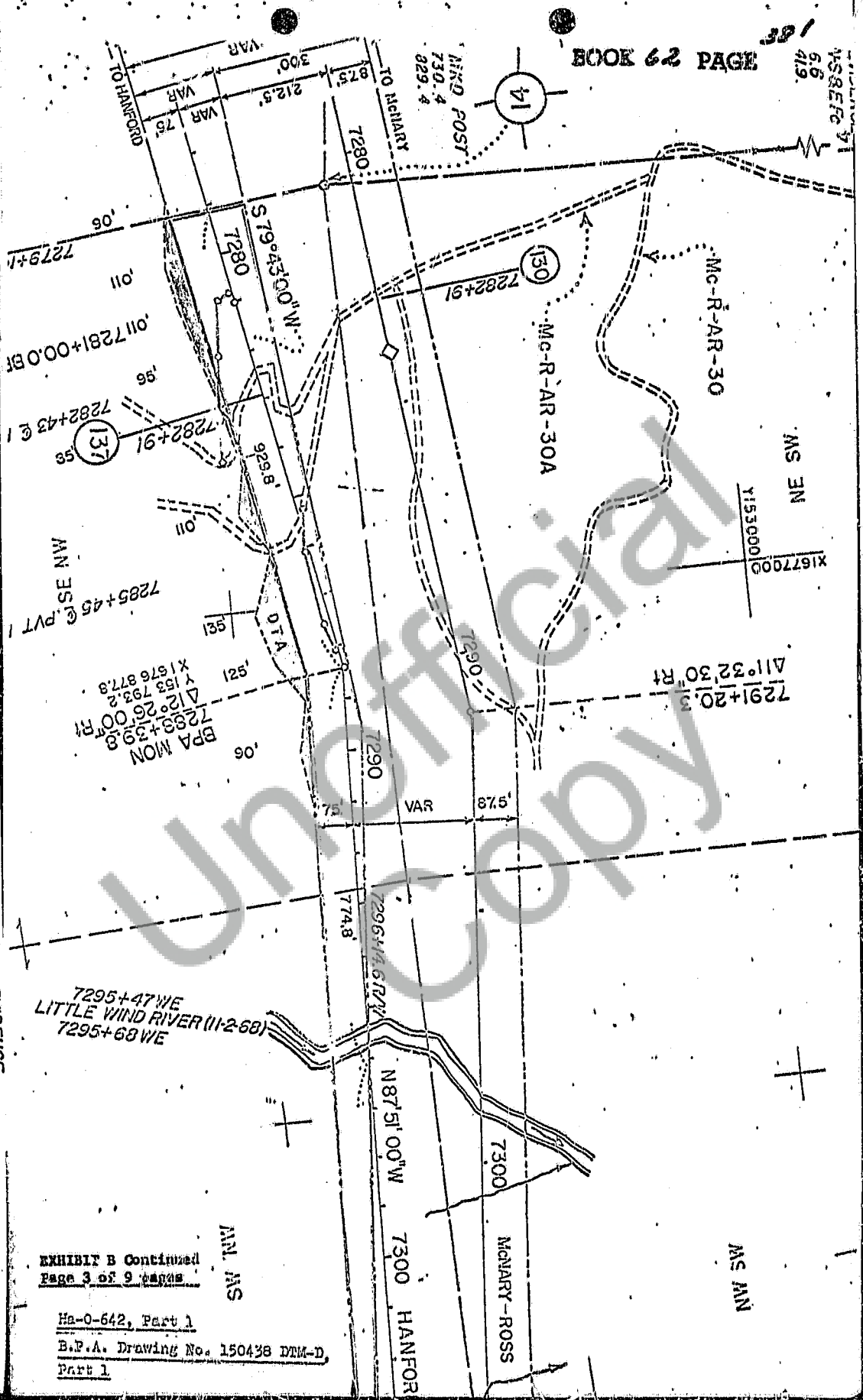


EXHIBIT B Continued
Page 3 of 9 pages

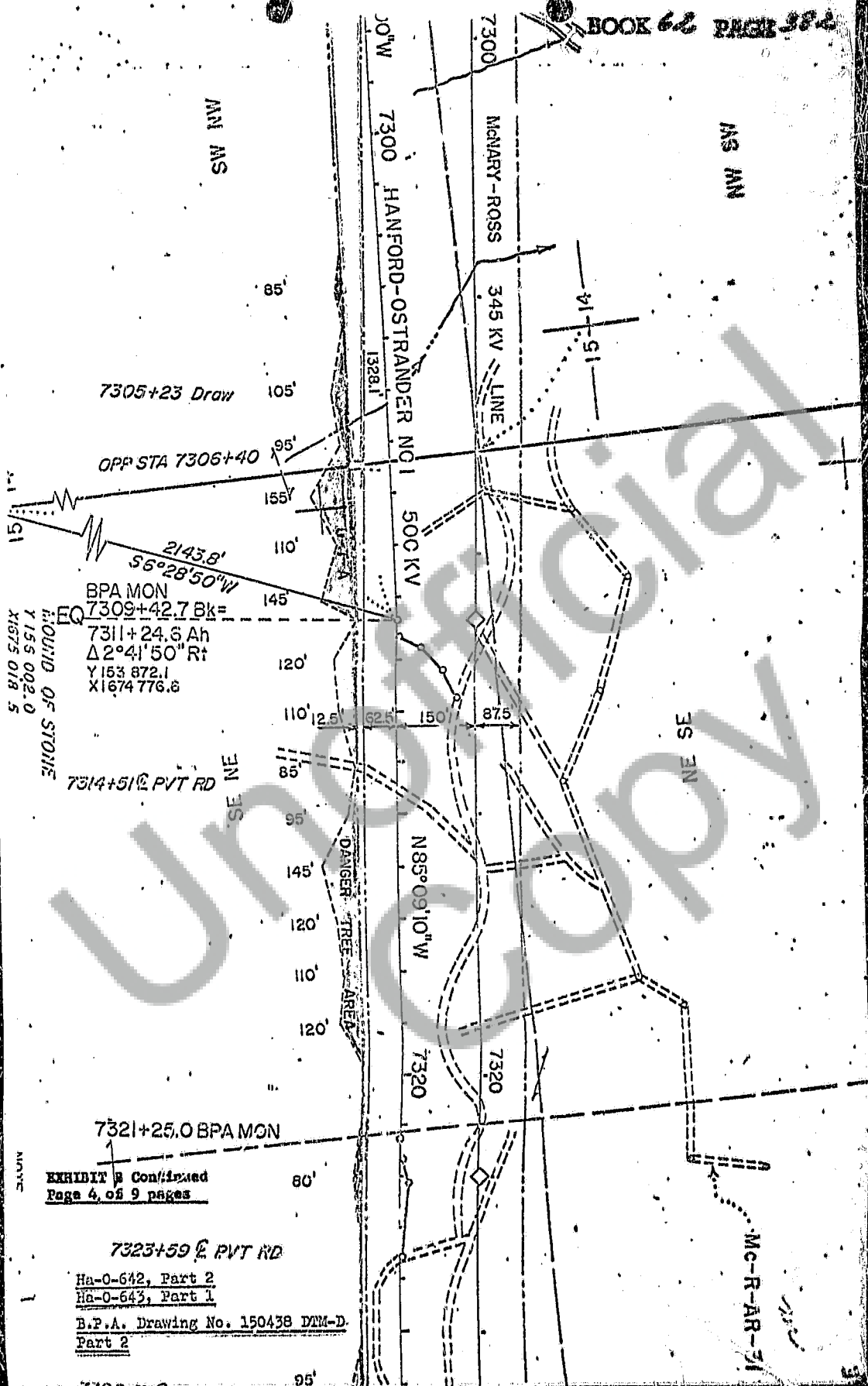
Ha-0-642, Part 1

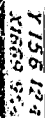
B.P.A. Drawing No. 150438 DTM-D
Part 1

PARCEL EVIDENCE

SE

1990





TRACT STA TO STA	Hs-0-542 (Mc-R-107) 7279+10.10 7296+14.6	Hs-0-543 (Mc-R-111) 7356+40 TO 7334+40
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FOR ACCESS ROADS:
THE QUANTITIES SHOWN ON
THIS MAP ARE APPROXIMATE

OPP STA 7334+40

(138)

7335+71

7337+90 E PVT RD

NW 35

Ha-O-AR-139-1

N65°58'W

2+55

S54°32'W

2+97

S32°26'W

4+31

S85°45'W

4+66

7347+10.0 BPA MON

N27°03'W

6+38

N66°37'W

7+80

N43°42'W

8+83

N23°02'W

9+66

N75°30'W

10+06

7350+30 Draw

S27°04'W

10+40

S44°50'W

12+30

7354+00.0 BPA MON

S27°04'W

115'

155'

145'

121'

90'

EXHIBIT B Continued
Page 4 of 9 pages

Ha-O-644, Part 1

B.P.A. Drawing No. 150430 DTM-D,
Part 1

2 B.T.S.

Y 156 124

X 1669 954.0

7358+90 Cr

DANGER TREE AREA

S74°14'E

0+35

0+82

0+10

0+15

0+20

0+25

0+30

0+35

0+40

0+45

0+50

0+55

0+60

0+65

0+70

0+75

0+80

0+85

0+90

0+95

1+00

1+05

1+10

1+15

1+20

1+25

1+30

1+35

1+40

1+45

1+50

1+55

1+60

1+65

1+70

1+75

1+80

1+85

1+90

1+95

2+00

2+05

2+10

2+15

2+20

2+25

2+30

2+35

2+40

2+45

2+50

2+55

2+60

2+65

2+70

2+75

2+80

2+85

2+90

2+95

3+00

3+05

3+10

3+15

3+20

3+25

3+30

3+35

3+40

3+45

3+50

3+55

3+60

3+65

3+70

3+75

3+80

3+85

3+90

3+95

4+00

4+05

4+10

4+15

4+20

4+25

4+30

4+35

4+40

4+45

4+50

4+55

4+60

4+65

4+70

4+75

4+80

4+85

4+90

4+95

5+00

5+05

5+10

5+15

5+20

5+25

5+30

5+35

5+40

5+45

5+50

5+55

5+60

5+65

5+70

5+75

5+80

5+85

5+90

5+95

6+00

6+05

6+10

6+15

6+20

6+25

6+30

6+35

6+40

6+45

6+50

6+55

6+60

6+65

6+70

6+75

6+80

6+85

6+90

6+95

7+00

7+05

7+10

7+15

7+20

7+25

7+30

7+35

7+40

7+45

7+50

7+55

7+60

7+65

7+70

7+75

7+80

7+85

7+90

7+95

8+00

8+05

8+10

8+15

8+20

8+25

8+30

8+35

8+40

8+45

8+50

8+55

8+60

8+65

8+70

8+75

8+80

8+85

8+90

8+95

9+00

9+05

9+10

9+15

9+20

9+25

9+30

9+35

9+40

9+45

9+50

9+55

9+60

9+65

9+70

9+75

9+80

9+85

9+90

9+95

10+00

10+05

10+10

10+15

10+20

10+25

10+30

10+35

10+40

10+45

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10+60

10+65

10+70

10+75

10+80

10+85

10+90

10+95

11+00

11+05

11+10

11+15

11+20

11+25

11+30

11+35

11+40

11+45

11+50

11+55

11+60

11+65

11+70

11+75

11+80

11+85

7354+00.0 BPA MON

NN NN

7358+90 Cr

OPP STA 7360+55

7360+75.0 BPA MON

7362+78 @ BPA AR

NO 620

NN MS

4122
S23°32'E
3+340
S10°36'E
2+66

S24°40'E
1+55
S8°08'E
0+82

S4°36'E
0+33
S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
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S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

S74°14'E
0+35

S8°08'E
0+82

S4°36'E
0+33

40+17 Mc-R-AR-32 =
9+00 Mc-R-AR-33 =
7361+09.4

7366+47 Cr
7366+80 Cr

7367+88 Cr
7368+28 Cr

MAGNARY-ROSS 345 KV

7370

7370

N79°52'00"W

NO 622

FORES

SE NE

SW NE

7372+00.0 BPA MON

EXHIBIT B Continued
Page 7 of 9 pages

Ha-0-644, Part 2

B.P.A. Drawing No. 150439 MM-D,
Part 2

7379+00 Cr

7379+45 @ BPA AR

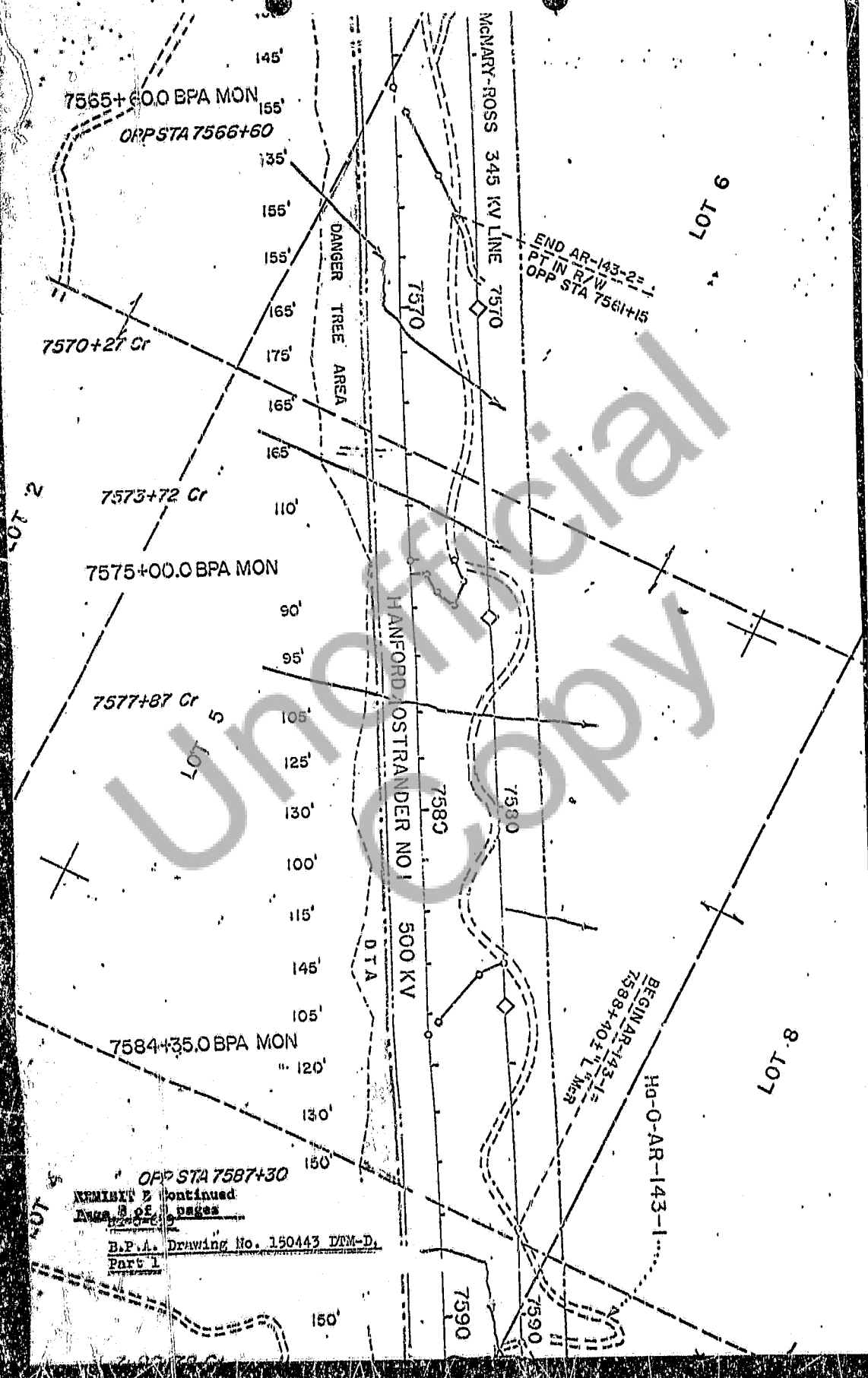
7380+45 Cr

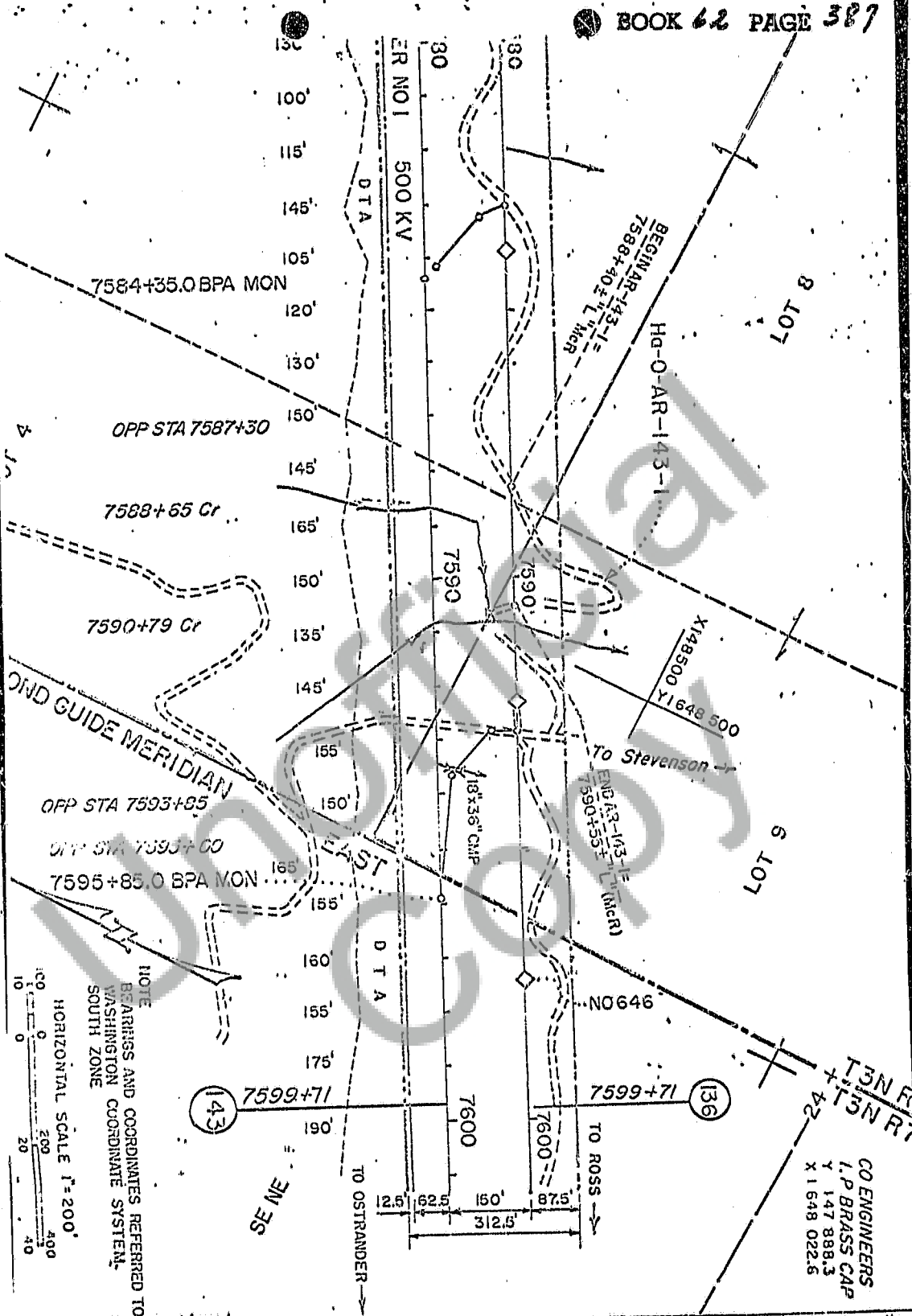
Mc-R-A

2 B.T.S.
7155124.3
X1669 954.0

51
51

51





NOTE
BEARINGS AND COORDINATES REFERRED TO
WASHINGTON COORDINATE SYSTEM,
SOUTH ZONE

HORIZONTAL SCALE 1"=200'

100 0 200 400
10 0 20 40

EXHIBIT B Continued
Page 9 of 9 pages

HA-0-661

B.P.A. Drawing No. 150443 DTA-D,
Part 2

HA-0-658-1 L.P. BRASS CAP COP 7539+50 TO COP 7569+60 X 1648 022.6	HA-0-659 COP 7566+60 TO COP 7587+30	HA-0-660 COP 7587+30 COP 7593+85	HA-0-661 COP 7593+85 TO COP 7595+60 MR-143-1	HA-0-662 COP 7595+60 TO COP 7613+50	SIA TO SIA
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