

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY, a corporation of the State of Washington, and its Lessee, BURLINGTON NORTHERN, INC., a corporation of the State of Delaware, hereinafter collectively called the "Railway Company," in consideration of the sum of THREE THOUSAND THREE HUNDRED and TEN (\$3,310.00) DOLLARS to it paid by the STATE OF WASHINGTON, acting through its Director of Highways, hereinafter called the "State," has given and granted and does hereby give and grant unto the State of Washington the right and easement to construct and maintain for highway purposes, across and upon the Railway Company's right of way described as follows:

All that portion of the E $\frac{1}{2}$ of Government Lot 1 and the W $\frac{1}{2}$ of Government Lot 2 in Section 23, Township 3 N., Range 10 E., W.M., in Skamania and Klickitat Counties, situated southerly of the Grantor's northerly railway right of way line and lying and being northerly of a line extending from Railway Station 685+16.51 southeasterly to Railway Station 675+11.11, said line being described as follows:

Beginning at a point 28.5 feet northerly of the centerline of the Grantor's main track, measured at right angles, at Railway Station 685+16.51 = Highway Engineers Station 714+00; thence southeasterly to a point 29.2 feet northerly of said centerline, measured at right angles, at Railway Station 684+16.51 = Highway Engineers Station 715+00; thence southeasterly to a point 27.0 feet northerly of said centerline, measured at right angles, at Railway Station 683+16.51 = Highway Engineers Station 716+00; thence southeasterly to a point 25.0 feet northerly of said centerline, measured at right angles, at Railway Station 682+16.51 = Highway Engineers Station 717+00; thence southeasterly to a point 24.0 feet northerly of said centerline, measured at right angles, at Railway Station 681+40.2 ES = Highway Engineers Station 717+76.31; thence southeasterly to a point 24.0 feet northerly of said centerline, measured at right angles, at Railway Station 677+16.51 = Highway Engineers Station 722+00; thence southeasterly to a point 23.0 feet northerly of said centerline, measured at right angles, at Railway Station 676+18.61 = Highway Engineers Station 723+00; thence southeasterly to a point 23.5 feet northerly of said centerline, measured at right angles, at Railway Station 675+11.11 = Highway Engineers Station 724+10 and the end of this line description.

This easement is made subject to and upon the following conditions:

1. If the State shall permanently cease to use the premises,

or any part thereof, for highway purposes, then that part of said premises so abandoned or vacated by law or otherwise shall revert to the Railway Company without notice or other proceedings on the part of the Railway Company, and the Railway Company may re-enter and hold said premises so abandoned or vacated.

2. This easement is subject to the terms and conditions contained in construction agreement dated May 14, 1970 between the Spokane, Portland and Seattle Railway Company, its Lessee, Burlington Northern, Inc. and the State of Washington, which agreement is by this reference incorporated herein and made a part hereof.

IN WITNESS WHEREOF, Spokane, Portland and Seattle Railway Company and Burlington Northern, Inc. have caused this instrument to be executed by its officers duly authorized and its corporate seal to be affixed this 30th day of June , 1970.

SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY

By [Signature]
Vice President

Attest [Signature]
Assistant Secretary

Accepted and approved [Signature]

STATE OF WASHINGTON
DEPARTMENT OF HIGHWAYS

By [Signature]
Chief Right of Way Agent.

No. 246
TRANSACTION EXCISE TAX

AUG 3 1970

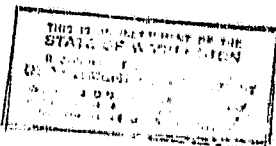
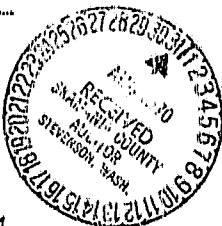
Amount Paid [Signature]
Skamania County Treasurer

By [Signature]

BURLINGTON NORTHERN, INC.

By [Signature]
Vice President

Attest [Signature]
Assistant Secretary



STATE OF MINNESOTA)
County of Ramsey) ss

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On this 30th day of June , 1970, before me the under-
signed, a Notary Public in and for said County and State, personally
appeared L. W. Menk and R. M. O'Kelly,
known to me to be the Vice President and Ass't. Secretary of SPOKANE, PORTLAND
AND SEATTLE RAILWAY COMPANY, the corporation that executed the within
instrument, known to me to be the persons who executed the within
instrument on behalf of the corporation therein named, and acknow-
ledged to me that such corporation executed the within instrument
pursuant to its bylaws or a resolution of its board of trustees.

WITNESS my hand and official seal,

Lyle V. Braitch
Notary Public in and for the
State of Minnesota

My Commission expires January 13, 1973

LYLE V. BRAITCH, Notary Public, Ramsey Co., Minn.
My Commission Expires January 13th, 1973.

STATE OF MINNESOTA)
County of Ramsey) ss

On this 30th day of June , 1970, before me the under-
signed, a Notary Public in and for said County and State, personally
appeared G. F. Defiel and G. F. Steinhibel,
known to me to be the Vice President and Ass't. Secretary of BURLINGTON NORTHERN,
INC., the corporation that executed the within instrument, known to
me to be the persons who executed the within instrument on behalf of
the corporation therein named, and acknowledged to me that such
corporation executed the within instrument pursuant to its bylaws
or a resolution of its board of directors.

WITNESS my hand and official seal.

Lyle V. Braitch
Notary Public in and for the
State of Minnesota

My Commission expires January 13, 1973

LYLE V. BRAITCH, Notary Public, Ramsey Co., Minn.
My Commission Expires January 13th, 1973.

