

77554

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RIGHT-OF-WAY EASEMENT DEED

THIS DEED, dated this 7th day of May, 1974, by and between Jerry D. Shepard and Barbara Shepard, his wife, hereinafter called the "Grantor," and the United States of America, hereinafter called the "Grantee,"

WITNESSETH, that the Grantor, for and in consideration of the nominal sum of Twenty Five Dollars, (\$25.00), the receipt of which is hereby acknowledged, does hereby grant and convey unto the Grantee and its assigns an exclusive easement for an underground drainage line to be located, constructed, used, maintained, and known as the Wind River Nursery Drainage System, over and across the following described premises situated in the County of Skamania, State of Washington, to-wit:

A strip of land 10 feet in width traversing the following described real property:

NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 4 North, Range 7 East, W.M.

Said premises are more specifically described by a centerline description contained in Exhibit A attached hereto.

The exact location of the underground drainage line upon construction is hereby deemed accepted by the Grantor.

Together with such reasonable rights of temporary use of the Grantor's lands immediately adjacent to said right-of-way as may be necessary for the construction, reconstruction, improvement, maintenance, and repair of said underground drainage line.

The acquiring agency is the Forest Service, Department of Agriculture.

This conveyance is made subject to the following reservations by the Grantor, his heirs and assigns:

The right to cross and recross the easement at any point and for any purpose in such manner as will not materially interfere with the underground drainage line. In the exercise of these rights, the Grantor, its successors or assigns will take reasonable precautions to protect said underground drainage line.

The rights, privileges, and authorities herein granted are for the use and enjoyment by the Government. Said rights, privileges, and authorities shall continue as long as used for the purposes granted, but if for a period of five years the Grantee shall cease to use the rights, privileges,

and authorities for the purposes granted, or shall abandon the use of the easement herein granted, then, in any such events, the premises traversed thereby shall be freed from said easement as fully and completely as if this deed had not been made. In the event of such non-use for the period stated, the Regional Forester shall furnish to the Grantor a statement in recordable form evidencing such nonuse.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal on the day and year first above written.

Jerry D. Shepard
Barbara Shepard

STATE OF Washington)
COUNTY OF Skamania) ss.

On this day personally appeared before me Jerry D. Shepard

Barbara Shepard
to me known to be the identical individuals described in and who executed the within and foregoing instrument and acknowledged to me that they signed and executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and seal this 7th day of May, 1974.



Steven Lyson
Notary Public in and for the

State of Washington

Stevenson
Residing at

August 25, 1977
My commission expires

Wind River Nursery
Drainage System

EXHIBIT A

Beginning at a point on the west line of NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 4 North, Range 7 East, W.M., said point being 2,619.43 feet east and 1,090.31 feet south of the northwest corner of Section 27; also being a distance of 480.40 feet at a bearing of N 20° 35' E from Point "A" on the baseline of a Monumentation Survey of the Wind River Nursery; said point being the true point of beginning; thence N 62° 15' E 44.3 feet; thence S 88° 30' E 52.0 feet; thence N 87° 00' E 79.3 feet; thence S 86° 00' E 44.4 feet; thence S 83° 45' E 81.2 feet; thence N 64° 15' E 67.3 feet; thence N 65° 15' E 85.2 feet; thence S 63° 30' E 33.2 feet; thence N 69° 15' E 32.1 feet; thence N 31° 45' E 40.9 feet; thence N 42° 45' E 30.1 feet; thence N 57° 45' E 25.7 feet, which point is the ending point, being N 75° 39' E 579.1 feet from the point of beginning.

The parcel of Grantor's property to which this description applies contains 0.14 acres, more or less.