

81545

EASEMENT

FOR AND IN CONSIDERATION of the sum of One (\$1.00) Dollar, receipt of which is hereby acknowledged, and the benefits agreed to herein which will accrue to the lands of the Grantor by the exercise of rights herein granted, HARRY O. GUSTAFSON and EMMA GUSTAFSON, husband and wife, do hereby grant, bargain, sell and convey unto MT. ST. HELENS WATER ASSOCIATION, a Washington non-profit corporation, and its assigns, a perpetual easement and right of way, for the purposes hereinafter stated, over and through, under, upon, along and across that certain parcel of land in the Northeast Quarter of Section 16, Township 9 North, Range 5 East, Willamette Meridian, in Skamania County, Washington, described as follows:

Beginning at the Northwest corner of Lot 1 of Gustafson's Mt. St. Helens View Lots, as recorded April 2, 1962, in Volume A of plats at page 113, records of Skamania County, Washington; thence North 1° 04' 50" West 230.48 feet to the true point of beginning, said point lying North 1° 10' 14" West of the Southeast corner of the Northwest Quarter of Section 16, Township 9 North, Range 5 East of the Willamette Meridian; thence North 85° 00' West 115.00 feet; thence North 5° 30' East 230.00 feet; thence South 85° 00' East 115.00 feet; thence South 5° 30' West 230.00 feet to the true point of beginning, and containing 0.61 acres, more or less.

TOGETHER WITH right of ingress and egress for maintenance of water lines on a strip of land 30 feet in width and being 15 feet on each side of the following center line, to-wit: Beginning at the Northwest corner of aforesaid Lot 1; thence North 1° 04' 50" West 230.48 feet to the point of beginning of the above-described property.

Said easement and right of way are for the following purposes, namely: The perpetual right to enter upon the above-described right of way and property to construct, reconstruct, maintain, repair and operate a water system to serve Mt. St. Helens View Lots and Spirit Lake View Lots, both subdivisions in

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AREA CODE 206 453-8877

Shamania County, Washington, together with the right to cut, fell and remove such trees, brush and other natural growth and obstructions as are necessary to eliminate interference with or hazards to the structures or utilities placed or constructed on, over, or under, said right of way.

It is expressly understood and agreed that in granting the easement and right of way hereinabove described, there is included as an appurtenance the right of access thereto over and across other lands of the Grantor.

It is also understood and agreed that the herein named Grantee, its agents or assigns, shall have the right to appropriate from the right of way hereinabove described such timber, rock, earth or gravel as may be necessary for the construction or repair of said water system, storage tank, reservoir, or dam.

As a part of the consideration hereof, the Grantor, their lessees, successors and assigns, shall be entitled to connection to said water system for the benefit of Spirit Lake Lodge by paying the same charges as other members of Mt. St. Helens Water Association. Such use shall be prior to all water rights of the Grantees; Grantors shall also be entitled to water connection to lots owned by them in said subdivisions for the same price as shall be charged organizing members of Mt. St. Helens Water Association. Provided, however, that such water use shall carry with it mandatory membership in the said Mt. St. Helens Water Association.

The consideration above-mentioned is accepted as full compensation for all damages incidental to the exercise of the rights above granted.

TO HAVE AND TO HOLD the said easement and right of way unto the Mt. St. Helens Water Association, a Washington non-profit corporation, and its assigns forever.

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AREA CODE 206 483-0200

Grantors covenant with the Grantee that they are lawfully seized and possessed of the land aforesaid; that the easement hereinabove described is free and clear of all encumbrances, except as above noted, and that they will forever warrant and defend the title thereto and quiet possession thereof against the lawful claim of all persons whomsoever.

IN WITNESS WHEREOF, we have set our hands this 20 day of October, 1975.

STATE OF WASHINGTON )  
Shawnee County, ss.  
County of Cowlitz )

On the 20 day of October, 1975, personally came before me, as Notary Public in and for said County and State, the within named HARRY O. GUSTAFSON and EMMA GUSTAFSON, husband and wife, to me personally known to be the identical persons described in and who executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

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

No. 3233  
TRANSACTION EXCISE TAX

DEC 23 1975

Amount Paid                     

Shawnee County Treasurer

By                     

Notary Public in and for the State of Washington, residing at                     

Oregon

Portland

