

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SKAMANIA

MANILE J. BURGESS and WILLIAM I.
BURGESS, husband and wife,

Plaintiffs,

vs.

BURLINGTON NORTHERN, a
corporation,

Defendant.

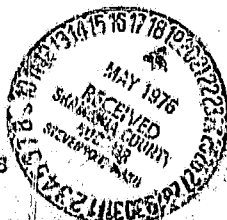
NO. 5900

LIS PENDENS

An action affecting the title to real property has been commenced in the Superior Court of Skamania County, Washington, and is now pending in said court. Said properties more particularly described on Exhibit "A" attached hereto and made a part hereof.

The object of said action is to acquire by condemnation the lands, real estate, premises and other property described, in fee, by Burlington Northern Inc. for the purpose of operating and maintaining its railroad facilities thereon.

ROGER J. CROSBY
DELBERT W. JOHNSON
1201 American Bank Building
Portland, Oregon 97205
(503) 221-1300



1 - LIS PENDENS

1 The name of the petitioner in the action is Burlington
2 Northern Inc. and the names of the others, encumbrances and
3 persons interested therein and parties to said action are
4 Merle J. Burgess and Lillian I. Burgess, husband and wife.

5 Dated this 12th day of May, 1976.

6
7 ROGER L. CROSSY
8 DELBERT W. JOHNSON

9 By Delbert W. Johnson
10 Delbert W. Johnson
11 of Attorneys for Petitioner

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14
15
16 STATE OF MICHIGAN
17 COUNTY OF MULTAHMAN) ss

18 AFFIDAVIT
19 OF MARRIAGE

20 The undersigned, being first duly sworn, on oath, states
21 that on this day affiant deposited in the state of the United
22 States of America's properly stamped and addressed envelope
23 directed to _____
24 attorney of record for the plaintiff/defendant, containing a
25 copy of the pleading or document to which this Affidavit is
26 attached.

27 Subscribed and sworn to before me this 12th day of

28 NDFOUW

29 NOTARY
30 PUBLIC

31 Notary Public in and for the State of
32 Michigan, at Portland, 8-9-78

33 2 - LIS PENDING

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF SKAMANIA

MINNIE J. BURGESS and WILLIAM I.
BURGESS, husband and wife,

Plaintiffs,

vs.

BURLINGTON NORTHERN, a
corporation,

Defendant.

NO. 5900

EXHIBIT "A"

Parcel 1. Lands situated in Sections 31 and 36,
Township 3 North, Range 9 East, W.M. Skamania
County, Washington and particularly described
as follows:

Beginning at the intersection of the east line
of the James M. Findley D.L.C. with the northerly
line of the Spokane, Portland & Seattle Railway
Company's right of way in Section 31, Township
3 North, Range 9 East, W.M.; thence westerly
following the northerly line of said railway
right of way to a point which is 100' easterly
of the center of a railroad culvert which is
also the center of Collins Creek; thence
due south to the meander line of the Columbia
River; thence westerly following the meander
line of the Columbia River to the S.W. Corner of
said Findley D.L.C.; thence northerly along

EXHIBIT "A"

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1 the west boundary of said Findley D.L.C. to the
2 southerly right of way line of State Highway 14;
3 thence in an easterly direction along the southerly
4 right of way line of State Highway 14 to the east
5 line of said Findley D.L.C.; thence southerly along
6 the east line of said Findley D.L.C. to the point of
7 beginning.

8 TOGETHER with easement for water pipeline as described
9 in Deed dated July 28, 1948, and recorded at page
10 115 of Book 32 of Deeds, records of Skamania County,
11 Washington; and together with all water rights
12 appurtenant to the above described real property
13 and existing rights of the grantors to cross right
14 of way of the Spokane, Portland & Seattle Railway
15 Company;

16 EXCEPT the west 660 feet of said Findley D.L.C.,
17 the right of way of the Spokane, Portland &
18 Seattle Railway Company, a pit and stockpile site
19 of the State of Washington described in a deed
20 recorded at page 560, Book 32 of Deeds, Records
21 of Skamania County, Washington, a tract of land
22 owned by Barbara J. Essex, sold under contract
23 to James Carr and wife and recorded at page 135,
24 Book 69 of Deeds, Records of Skamania County,
25 Washington;

26 ALSO EXCEPTING and reserving for the benefit of
the remaining lands of the owner an easement
for access 30' on either side of a line running
due north from the northerly right of way line
of the Spokane, Portland & Seattle Railway Company
at railway engineer's station 1231+50 to the
southerly right of way line of State Highway 14.
The owner will be granted a permit and right to
cross over the right of way and tracks of the
Spokane, Portland & Seattle Railway Company at
that station upon a planked crossing installed
and maintained by the railroad;

SUBJECT to flowage easements granted to and taken
by the United States of America.

2 - EXHIBIT "A"