

JUN 01 1977

MULTNOMAH COUNTY  
ACCESS AND BEAM PATH EASEMENTS  
(BIDDLE BUTTE, WASHINGTON, MICROWAVE SITE)

ERSKINE B. WOOD, owner of an undivided one-half interest in his separate estate, and ALICE BIDDLE BEEBE, HELENE BIDDLE DICK, CHRISTINE BIDDLE MARSHALL, and LYDIA BIDDLE MIDDLETON, each trustee for one-fourth of an undivided one-half interest in the separate estate of Alice T. Biddle, hereinafter called "grantors", for the sum of Twenty Thousand Dollars (\$20,000), do hereby grant, bargain, sell and convey to Multnomah County, Oregon, as follows:

1. Access Easement

An easement, in common with grantors, the public and the United States of America, to use, maintain and improve the existing road extending through the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 8 and the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9, Township 1 North, Range 5 East, Willamette Meridian, Skamania County, Washington, from that parcel of land consisting of 0.59 acres conveyed by grantors to the United States of America by warranty deed November 18, 1952, and recorded at page 155, Book 36 of Deed Records of Skamania County, Washington, to its junction at easterly property line with grantors' easement, described in Deed Book "N", page 227, records of said County; thence over said easement from easterly property line to the County Road along the following described route: Beginning at a point 1246.5 feet north and 792 feet east of the corner of Sections 8, 9, 15 and 17, Township 1 North, Range 5 East, Willamette Meridian, thence north 53° 20' east 1244.8 feet, thence north 20° 05' east 334.2 feet, thence north 301.6 feet to a point in center of County Road.

2. Beam Path Easements

The right to enter upon and clear all trees and to keep



clear of all trees, timber and man-made structures above the elevation 1452 feet (said elevation being the approximate ground elevation at the center of the United States of America site for grantee's microwave transmission tower, said tower center being N 12° 05' 22" E 842.30 feet from the corner common to Sections 8, 9, 16 and 17, Township 1 North, Range 5 East, Willamette Meridian, Skamania County, Washington) from three beam paths as hereinafter described across a parcel of land in said Sections 8 and 9 and described as follows:

Beginning at a point 330 feet North of said corner common to Sections 8, 9, 16 and 17; thence East 792 feet; thence North 981.2 feet to the north line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$  of said Section 9; thence West along said North line to the northwest corner thereof; thence West 539.7 feet along the north line of the S $\frac{1}{2}$ S $\frac{1}{2}$  of said Section 8; thence South 981.2 feet; thence East 539.7 feet to the point of beginning; EXCEPT a tract of land containing 0.69 acres conveyed to the United States of America by deed dated November 18, 1952, and recorded as Book 36, page 158, Deed Records, Skamania County, Washington;

which lie within a strip of land 30 feet in width, 15 feet on each side of a line which begins at said tower center and runs S 71° 28' 53" W 1000', more or less, to the west line of the above described parcel of land; and

which lie within a strip of land 30 feet in width, 15 feet on each side of a line which begins at said tower center and runs S 76° 42' 18" W 1000 feet, more or less, to the west line of the above described parcel of land; and

which lie within a strip of land 30 feet in width, 15 feet on each

side of a line which begins at said tower center and runs S 80° 41' 36" W 1000 feet, more or less, to the west line of the above-described parcel of land; all as depicted upon that sketch attached hereto as Exhibit "A".

The bearings of the center lines refer to Washington Coordinate System-South Zone.

Multnomah County may, at its election, remove any salvageable material from said tract within six months after notice of non-use for beam path purposes has been given to grantors.

Grantors covenant to and with Multnomah County, and its assigns, that the title to all brush and timber cut and removed from said parcel of land within the said beam path easements is and shall be vested in Multnomah County, and its assigns, and that the consideration paid for conveying said easements and rights herein described is accepted as full compensation for all damages incidental to the exercise of any of said rights.

Multnomah County covenants that it, and its contractors and assigns, will exercise care in entering upon said tract with regard to the protection of the adjoining land, fences for stock, crops and structures.

#### Terms and Conditions

1. Termination. Easements granted herein shall terminate either upon thirty (30) days written notice to grantors by Multnomah County or at such time as the United States, by and through Bonneville Power Administration, abandons its communications use upon its 0.69 acre site atop Biddle Butte, as described hereinabove.

2. On or before termination as provided herein, County shall remove all its property from the EPA site and repair any damage resulting therefrom to a condition satisfactory to grantors, reasonable wear and tear and damage by the elements or circumstances over which County may have no control shall be excepted.

3. Installations. Grantors covenant not to assert any claim of right to participate in or control the manner of siting or design of any structure to be erected by Multnomah County upon land to be served by the easements granted herein.

4. Access Easement Improvements. Grantors covenant that Multnomah County shall be permitted to perform such maintenance and repairs upon the access road to such extent as Multnomah County reasonably deems necessary and grantors shall not unreasonably oppose any such improvements.

DATED this 20 day of June, 1977.

Erskine B. Wood  
Erskine B. Wood

SUBSCRIBED AND SWORN TO before me June 20, 1977.

Melinda Phelps  
Notary Public for Oregon  
My Commission expires 2-24-79

Alice Biddle Beebe

SUBSCRIBED AND SWORN TO before me 5-26, 1977.

5042

No. 5042  
TRANSACTION EXCISE TAX

Amount Paid 200.00 + 4.00 penalty  
AUG 24 1977

Skamania County Treasurer  
By Paula E. Cunningham

Alice Biddle Beebe  
Notary Public for Oregon  
My Commission expires 3/16/77

Paula E. Cunningham



Helene Biddle Dick  
Helene Biddle Dick

SUBSCRIBED AND SWORN TO before me 5/26, 1977.

Barbara J. Cunningham  
Notary Public for Illinois  
My Commission expires 3/16/79

Christine Biddle Marshall  
Christine Biddle Marshall

SUBSCRIBED AND SWORN TO before me June 8, 1977.

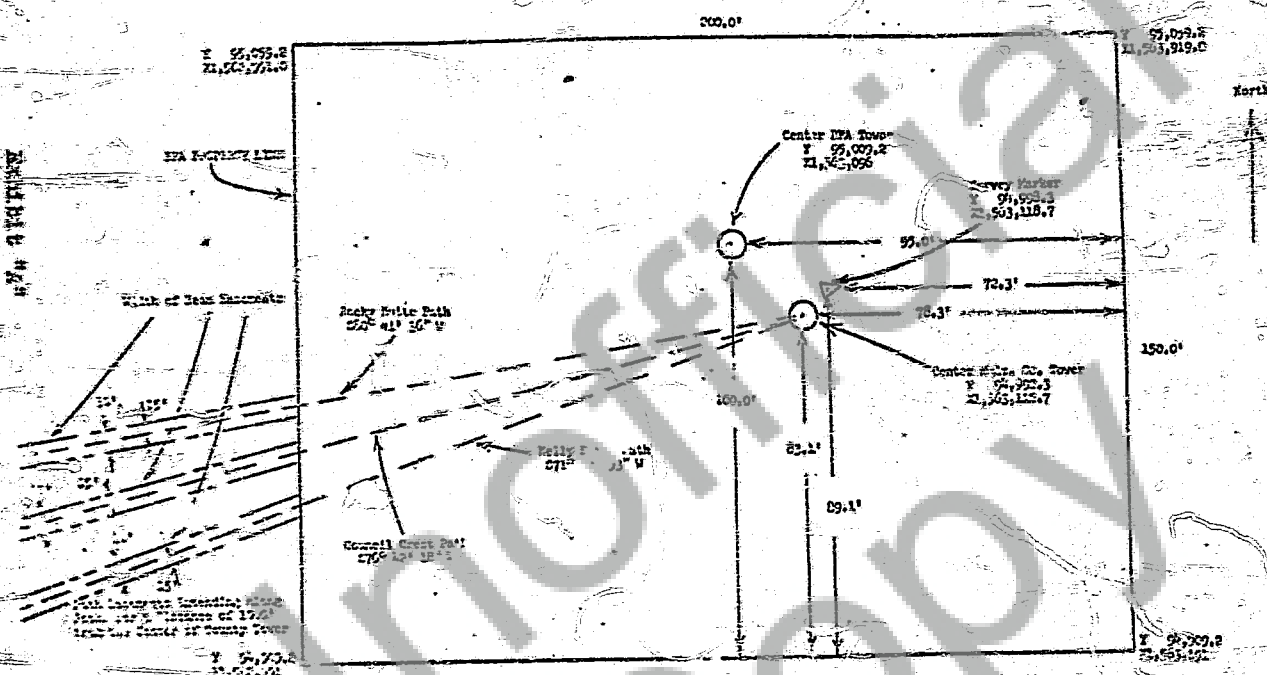
Barbara J. Dick  
Notary Public for Illinois  
My Commission expires 3/16/79

Lydia Biddle Middleton  
Lydia Biddle Middleton

SUBSCRIBED AND SWORN TO before me June 2, 1977.

Barbara S. McKean  
Notary Public for Illinois  
My Commission expires 11/19/78

Little Dittie  
County Road Path Farmers



BOOK 73 PAGE 75

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WARRANT FOR THE BOARD OF COUNTY COMMISSIONERS FOR

MULTNOMAH COUNTY, OREGON

In the Matter of Authorizing  
Purchase of Easements to Service  
Middle Butte Microwave Station  
Site.

ORDER

This matter is before the Board upon recommendation of the Director of the Department of Justice Services that Multnomah County purchase certain road access and microwave beam path easements from owners of real property located in Skamania County, Washington, at a site commonly known as Middle Butte, upon which Multnomah County proposes to erect a microwave transmission station, to enhance Public Safety radio communication within the Columbia River Gorge and that said easements are essential to establishment of such facility; and

It appearing to the Board that the owners of the real property over which Multnomah County proposes access and to project microwave transmission are agreeable to granting easements therefor, as contained in the exhibit attached hereto, for the sum of \$20,000, and subject to the terms and conditions described therein; and

It further appearing that acquisition of said easements will permit Multnomah County to establish a long-needed facility to provide optimum Public Safety radio communications capacity within a critical area of the County and thereby best serve the health, safety and welfare of the residents of Multnomah County; now, therefore, it is hereby

ORDERED that a warrant in the amount of \$20,000 be issued, payable to Hugh L. Dick, as attorney for the grantors of said easements, and be delivered to County Counsel for completion of those acts necessary to acquire the easements herein described and authorized hereby.

DATED this 23 day of June, 1977.

BOARD OF COUNTY COMMISSIONERS  
FOR MULTNOMAH COUNTY, OREGON

By

Chairman

APPROVED AS TO FORM:

GEORGE M. JOSEPH  
County Counsel for  
Multnomah County, Oregon

Paul G. Mackey  
Deputy County Counsel

State of Oregon } ss  
County of Multnomah

I, Laura Vojdiansky, Asst. Clerk of the Board of County Commissioners of Multnomah County, Oregon, do hereby certify that the foregoing copy of Order has been compared by me with the original, as the same appears of record in my office and in my custody.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Board of County Commissioners this 24th day of June, A. D., 1977.

Asst. Clerk of Board of  
County Commissioners