

sk-10273

PACIFIC CREST TRAIL EASEMENT

THIS EASEMENT, dated this 33rd day of AUGUST, 1977, from Harold W. Bialkowsky and Margaret M. Bialkowsky, hereinafter called "Grantor," to the United States of America, hereinafter called "Grantee,"

"WITNESSETH:

Grantor, for and in consideration of \$1,500.00, the receipt of which is hereby acknowledged, does hereby grant and convey to Grantee and its assigns an easement for the Pacific Crest Trail, along and across a strip of land hereinafter defined as the "easement," over and across the following described real property:

SANWANNA, Section 23, T.4N., R.7E., W.N.

Said easement shall be 20 feet in width, being 10 feet in width on each side of the centerline of the Pacific Crest Trail as it now exists or as now located and marked on the ground, with such additional widths as required for accommodation and protection of cuts and fills, said existing trail and marked location being approximately located and described as shown on Exhibit A which is attached hereto and made a part hereof. The tread width of the trail may vary within the right-of-way limits of said easement.

If the trail where not yet constructed is located substantially as described herein, the centerline of said trail as constructed is hereby deemed accepted by the Grantor and Grantee as the true centerline of the easement granted.

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

Grantor and Grantee do hereby covenant and agree for themselves, their successors and assigns that they shall use and restrict the use of the easement as set forth below:

1. Use by Grantee

Grantee shall have the right to

- (a) Construct, reconstruct, improve, control, and maintain the Pacific Crest Trail within the easement area for use by Grantee and its assigns, including contractors, licensees, permittees, and easement grantees.

5069

No. 5069
TRANSACTION ENLISE TAX

AUG 29 1977

Amount Paid 5069

Skanania County Treasurer

By Benny J. Farrells Rep

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Certified correct as to consideration description and conditions.

Benny J. Farrells, Skanania

EG

For the purpose of this document, the following is hereby substituted and amended:

- (b) Reconstruct, operate, use and maintain any segment of said trail that may be destroyed through logging operations or otherwise.
- (c) Cut and clear timber and other vegetation in construction and development of the trail and related facilities.

2. Use by Grantor

- (a) No building, structure or improvement of any kind shall be constructed, erected or moved onto the easement area.
- (b) No signs, billboards, outdoor advertising structures or advertising of any kind will be erected or displayed on the easement area.
- (c) No trash, ashes, garbage, sewage, sawdust or any unsightly or offensive material shall be placed on the easement area.
- (d) Grantor's use of the trail on the easement for access to its lands shall be pursuant to the Regulations of the Secretary of Agriculture as provided for in the Act.

3. Reservations by Grantor

- (a) Grantor reserves for itself, successors, and assigns:
 - (1) The right to grow and harvest timber crops on the easement area and to move logging equipment and skid logs across the trail and easement.
 - (2) 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 use of the trail.

If for a period of five (5) years the Grantee shall cease to use, or preserve for prospective future use, the trail, or any segments thereof, or if at any time the Regional Forester determines that the trail, or any segment thereof, is no longer needed, the easement traversed thereby shall terminate. In the event of such nonuse or of such determination by the Regional Forester, the Regional Forester shall furnish to the Grantor a statement in recordable form evidencing termination.

IN WITNESS WHEREOF, Grantors have hereunto executed this
 easement on the day and year hereinabove written.

Harold W. Bialkowski
Margaret M. Bialkowski

STATE OF WASHINGTON)
 COUNTY OF SKAMANIA } ss

I, the undersigned, a Notary Public in and for the State
 of Washington, hereby certify that on this 23rd day of August,
 1977, personally appeared before me HAROLD W. BIALKOWSKY and
 MARGARET M. BIALKOWSKY, husband and wife, to me known to be the
 individuals described in and who executed the foregoing instru-
 ment, and acknowledged that they signed and sealed 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.

Robert J. Salomon
 NOTARY PUBLIC in and for the State
 of Washington, residing at
 Stevenson, Washington.

RIGHT OF WAY FLAT
GIFFORD PINCHOT NATIONAL FOREST

SEC. 22, 23, T. 4 N., R. 7 E., W.M.

SKAMANIA COUNTY

WASHINGTON

SCALE:



PROJECT NAME: PACIFIC WEST TAIL R/W
PROJECT NUMBER: 2000
SURVEYED BY: J. BLAKE
DATE OF SURVEY: 12-74
METHOD OF SURVEY: TRANSIT & STEEL CHAIN
RAW ACRES: 0.63



S.E. 1/4 NE 1/4 NE 1/4
SEC 22

5 1/2 MW 1/4 MW 1/4 SEC 2.5

HAROLD BIALKOWSKY

H. ROBERT
COLE

(N 075 E 15 W)

1-7852-151

Q TRAVERSE
-PROPOSED TRAIL LOC.
89°-32'-00"W 1300' 45'

PT OF ENTRY STA. 23+04
7.4' N OF MARKED CORNER

PT CO LEAVING
STA 32 - 4 - 45

FOUND STAGE CAN
112425 1.2 CO2
550 11125
0774 1.2 1311 201

NOTE: R/W WIDTH 10'
EAST SIDE C & G
TRAIL TRANSVERSE

FOUND BRASS CAP
MARKED 716 502.
SEC 25. (M74 1, 2, 7167)

— C. F. R. 454
P. ROAD 15 26 W

(No. 14-16-17)

TRAVERSE TABLE		
POINT	DISTANCE	BEARING
ENTER 23+04		
23+04	13.44.45'	N 89° 32' 00" W
23+04	20.00'	N 81° 12' 00" W
LEAVE 23+70.45'		