

This Indenture Witnesses that, John F. Sweeney and Mary E. Sweeney his wife parties of the first part for and in consideration of the sum of ninety-six dollars to them in hand paid by C.M. Youmans, EL Youmans and J.K. Simpson, co-partners, parties of the second part, do by these presence remise release, convey and quitclaim unto the said parties of the second part and to their heirs and assigns the following described real property in Skamania County Washington to-wit: All the timber standing in the Northwest corner of the Northeast quarter of the Northwest quarter of Section thirty one Township three North of Range eight East of W.M. as cruised by Edward Burghart. Said timber standing in a clump upon above three acres. To have and to hold the said premises with all and every of the appurtenances unto the said parties of the second part their heirs and assigns forever. And the said parties of the second part shall and may have the right to enter upon the land above described and remove the said timber therefrom. And the said parties of the first part for themselves and for their heirs administrators and executors do hereby covenant and agree that in case it shall be adjudged by any Court having jurisdiction that the parties of the first part have no interest in and to the said timber, they will return the said sum of ninety six dollars to the said parties of the second part; and they further covenant and agree that in the event that the case now pending in the Superior Court for Skamania County between the Wind River Lumber Company, plaintiffs and Youmans-Simpson Lumber Company, defendants, involving a claim to timber standing adjoining the land of the parties of the first part, shall be decided in favor of plaintiffs there, they will return the said sum of ninety six dollars, provided however that the said return shall in no wise be construed as an admission that the said parties of the first part have no right thereto.

In Witness Whereof the said parties of the first part have hereunto set their hands and seals this 23rd day of December 1909

Signed, sealed and delivered in presence of

Raymond C. Sly

J.F. Sweeney (Seal)

Mrs. Geo. A. Sweeney

Mary E. Sweeney (Seal)

State of Washington

County of Skamania ss. I, Raymond C. Sly, a Notary Public in and for the said State do hereby certify that on this 23rd day of December 1909 personally appeared before me John F. Sweeney and Mary E. Sweeney his wife to me known to be the individuals described in and who executed the within instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

In Testimony Whereof I have hereunto set my hand and official seal the day and year in this certificate first above written.

Raymond C. Sly, Notary Public in and for State of Washington

(Notarial Seal)

residing at Stevenson in said County

Filed for record by R.C. Sly on Dec. 23rd 1909 at 2.30 P.M.

A. Fleischhauer

Co. Auditor