

Sweeney to Youmans

This Indenture made and entered into this 11th day of October 1909 between John F. Sweeney and Mary E. Sweeney his wife of Stevenson Skamania County Washington, and the Columbia Gold and Copper Mining Company a Washington corporation, parties of the first part, and C. M. Youmans party of the second part, witnesseth: That for and in consideration of the sum of one dollar and other valuable considerations to them in hand paid by the said party of the second part the receipt whereof is hereby acknowledged, the said John F. Sweeney and Mary E. Sweeney have bargained sold and conveyed and by these present do bargain sell and convey, and the said Columbia Gold and Copper Mining Company does hereby remise, release, convey and quitclaim all its right and interest unto the said party of the second part and to his heirs and assigns the following described real property in Skamania County Washington to-wit:

Commencing at a point which is 1800 feet south of the one quarter corner between sections thirty (30) and thirty-one (31) Township three North of Range eight East of W.M., thence following the meanderings of the county road to a point 1007 feet distant from and North 55 deg 30' E of the point of beginning, thence south 799 ft. to a point on a Rock ledge (witness a fir tree 2 ft in diam. N 40 deg W 3 ft dist.), thence south 300 ft, thence south 75 deg. 30' west, thence North 840 ft to the point of beginning. Excepting therefrom a strip of land across the above heretofore deeded to the Spokane Portland and Seattle Railway Company and excepting also all minerals of whatsoever nature. Reserving unto the said parties of the first part and to their heirs and assigns a right of way on and to the above described premises for the purpose of removing therefrom the minerals aforesaid and reserving unto them also a right of way for a road along and upon the road now in use, to the south side of the Spokane Portland & Seattle Ry. Co. right of way crossing on the above described premises and from thence to the east line of the said property. Granting and conveying also unto the said party of the second part and to his heirs and assigns the right to construct and maintain upon the property of the said parties of the first part lying north of the Carson County Road a water tank. Also a right of way for a pipe line, flume or other conduit from Smith Creek to the said tank and from said tank to and on the premises herein conveyed. Granting and conveying also unto the said party of the second part and to his heirs and assigns the right to convey the surplus water from the flume now on the premises herein conveyed across the property of the said parties of the first part lying east of the aforesaid premises, along the course now used in conveying the said surplus water, to-wit:

from a point about fifty feet south of the S.P. & S. right of way, thence in a northeasterly direction to the south line of the said S.P. & S. right of way thence in an easterly direction parallel to said right of way to Smith Creek.

To have and to hold the said premises except as aforesaid with all their appurtenances unto the said party of the second part and to his heirs and assigns forever. And the said John F. Sweeney and Mary E. Sweeney for themselves and for their heirs administrators executors do hereby covenant to and with the said party of the second part and his heirs and assigns that they are well seized and are the owners in fee simple of the above described premises and have a good right to convey the same and that they are free from all incumbrances and that they will warrant and defend the title thereto against all lawful claims whatsoever. And the said parties of the first part for themselves and for their heirs administrators and assigns do hereby covenant to and with the said party of the second part and his heirs and assigns that they, nor any of them, will not construct any fence or other obstruction upon the property lying south of the above conveyed premises, and that they, nor any of them, will not construct any fence, wall or other obstruction over four and one half feet in height on their property lying east of the above conveyed premises.