

center of poles, as shown in red color on the blue print hereto attached, which blue print is hereby made a part of this instrument; the course of the more southerly of said lines is particularly described as follows:

Beginning on the West limit of said land at a point which is six hundred and sixty (660) feet East of the West line of said Donation Land Claim and two hundred and eighty (280) feet North of the center line of the railway of the Spokane, Portland & Seattle Railway Company, as the same is now located and established; thence South $75^{\circ} 33'$ East three thousand three hundred and nineteen (3319) feet to a point; thence South $78^{\circ} 24'$ East four hundred (400) feet to a point; thence South $80^{\circ} 55'$ East one thousand and thirty five (1035) feet to a point in the East limit of said lands one hundred (100) feet North of said center line of said railway and leaving said lands at the last described point;

And permission is hereby granted the Electric Company, its Agents and Employees, to enter upon said lands, to construct, place and erect said pole lines and to cut and remove such brush and trees from said lands as may be necessary in constructing, maintaining and protecting said lines from damage. The right of entry upon said lands along said lines at all times after the construction thereof for the purpose of maintaining and repairing the same is hereby granted the Electric Company, its successors and assigns, and their employees.

As a further Consideration for these presents the Electric Company agrees to and with the Railroad Company;

First: That it will construct and at all times maintain its lines over and across said lands in a substantial and up to date manner with first class material; that its poles shall be of such a height that its wires shall be at least twenty (20) feet above surface of the ground; that the poles carrying said wires shall be set on the ground at least six (6) feet and will be securely guyed, braced or anchored so that no strain will be on the electric wires, except their own weight and if the Railroad Company, its successors or assigns, should at any time after the date of this instrument locate and construct a Railroad over its lands and crossing the pole lines of the Electric Company, the Electric Company will raise its wires and make such changes in the location of its poles as will conform to the specifications and rules usually employed on all high tension electric wire crossings of railroads with telegraph lines.

Second. That it will at all times indemnify the Railroad Company, its successors or assigns, against all loss, cost, damage or expense which said Railroad Company, its successors or assigns, may hereafter sustain to its or their own property or to that in its or their custody, or to any property located or situated on its or their lands crossed by or adjoining said power lines, or by reason of personal injury to themselves or to its or their agents, employees, or other persons, or to its or their business, in any manner arising, growing out of or resulting from the existence or maintenance or breakage of any wire or other appliances erected by the Electric Company under or by virtue of this permit, whether such loss, cost, damage or expense is caused in whole or in part by the fault or negligence of the Electric Company, its servants or employees in constructing or maintaining the wires or fixtures on or along the power lines crossing the lands aforesaid, or otherwise, and that in case any claims are made, or actions or suits are brought against the Railroad Company, its successors or assigns, for any loss, cost, damage or expense arising as aforesaid, it or they may give written notice thereof to the Electric Company, and thereupon the Electric Company shall and will at its own cost and expense settle all claims or defend any and all actions or suits which may be asserted, brought or prosecuted against the Railroad Company, its successors or assigns on account of any matter or thing arising as aforesaid.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed by their respective officers thereunto duly authorized this 17th day of February 1913.