

MORTGAGE RECORD T
SKAMANIA COUNTY, WASHINGTON

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JOHNSON COX COMPANY, PRINTERS, TACOMA—42254

made as in this Indenture provided) and of said bonds, hath granted, bargained, sold, released, conveyed, assigned, transferred, mortgaged, pledged, set over and confirmed and by these presents doth grant, bargain, sell, release, convey, assign, transfer, mortgage, pledge, set over and confirm unto Howard B. Smith and (to the extent of its legal capacity to hold the same for the purposes hereof) to Chemical Bank & Trust Company, as Trustees, and to their successor or successors in said trust; and to them and their assigns forever, all the following described properties of the Company--that is to say:

IN THE COUNTY OF YAKIMA, STATE OF WASHINGTON

(1) That certain canal situate, lying and being in Yakima County, State of Washington now commonly known as the Naches Power Canal of the Company, as now located, operated and maintained, which said canal has its point of beginning on the northerly side of the Naches River in section thirty-six (36), township fifteen (15) north, range sixteen (16) east of Willamette Meridian, and continues thence in a general easterly and southeasterly direction through said section thirty-six (36) and Sections thirty-one (31), thirty-two (32) and thirty-three (33) in township fifteen (15) north, range seventeen (17) east of Willamette Meridian, and sections four (4), three (3), two (2), eleven (11), twelve (12), thirteen (13) and twenty-four (24) in township fourteen (14) north, range seventeen east of Willamette Meridian; together with the pieces or parcels of land owned by the Company upon which said canal is now located or through which the same extends, including a strip of land extending the entire length of said canal and not less than seventy-five (75) feet in width at the narrowest point; also all lands, spillways, easements, right of way and privileges of the Company appurtenant to said canal or used in connection therewith, including certain wasteways or waste ditches used jointly with the owners of the Selah irrigation canal or ditch; subject, however, to certain covenants to furnish water therefrom to various corporations and individuals along said canal and/or at the lower end thereof, and to certain other covenants relating to the maintenance thereof, all as set forth in the recorded deeds and agreements relating to said canal or to the lands through which the same extends.

(2) That certain tract or parcel of land situate, lying and being in said Yakima County, bounded and described as follows:

The northwest quarter (NW $\frac{1}{4}$) of southwest quarter (SW $\frac{1}{4}$) of northwest quarter (NW $\frac{1}{4}$) of section thirty-six (36); the north half (N $\frac{1}{2}$) of northeast quarter (NE $\frac{1}{4}$), the northeast quarter (NE $\frac{1}{4}$) of northwest quarter (NW $\frac{1}{4}$) and that part of the southeast quarter (SE $\frac{1}{4}$) of northeast quarter (NE $\frac{1}{4}$) of section thirty-five (35), township fifteen (15) north, range sixteen (16) east; Willamette Meridian, lying north of the high water line on the south bank of the Naches River, and that part of the southwest quarter (SW $\frac{1}{4}$) of northeast quarter (NE $\frac{1}{4}$), the northwest quarter (NW $\frac{1}{4}$) of southeast quarter (SE $\frac{1}{4}$), the southeast quarter (SE $\frac{1}{4}$) of northwest quarter (NW $\frac{1}{4}$) and the northeast quarter (NE $\frac{1}{4}$) of southwest quarter (SW $\frac{1}{4}$) of said section thirty-five (35) lying north of the middle of the main channel of the Naches River, subject to rights-of-way across said lands for highway purposes and for the water supply pipe of the City of Yakima, excepting therefrom the two following described tracts located in the southeast quarter (SE $\frac{1}{4}$) of northwest quarter (NW $\frac{1}{4}$) of said section thirty-five (35), to-wit:

(a) Beginning at a concrete monument on the north bank of the Naches River; thence northerly to a concrete monument 151 feet; thence westerly to a concrete monument 275 feet; thence southerly to the mean high water line of the Naches River 159 feet, more or less; thence easterly along the mean high water line to the place of beginning; and

(b) Beginning at a point on the west line of the southeast quarter (SE $\frac{1}{4}$) of the northwest quarter (NW $\frac{1}{4}$) of said section thirty-five (35) 398 feet, more or less, south of the northwest corner thereof, said point being on the southerly line of the right-of-way of the