

WARREN PACKING COMPANY, TO WAUNA TOLL BRIDGE COMPANY

KNOW ALL MEN BY THESE PRESENTS THAT WARREN PACKING COMPANY, AN OREGON CORPORATION, WITH ITS PRINCIPAL PLACE OF BUSINESS IN PORTLAND, OREGON, PARTY OF THE FIRST PART, FOR AND IN CONSIDERATION OF THE SUM OF TEN DOLLARS (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS IN HAND PAID BY THE WAUNA TOLL BRIDGE COMPANY, A WASHINGTON CORPORATION, PARTY OF THE SECOND PART, THE RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, HAS BARGAINED AND SOLD, AND DOES BY THESE PRESENTS GRANT, BARGAIN, SELL AND CONVEY UNTO THE SAID PARTY OF THE SECOND PART, ITS SUCCESSORS AND ASSIGNS, ALL OF THE FOLLOWING DESCRIBED PROPERTY SITUATED IN SKAMANIA COUNTY, STATE OF WASHINGTON, TO-WIT:

A RIGHT OF WAY AND EASEMENT FOR THE CONSTRUCTION, MAINTENANCE AND OPERATION OF A TOLL BRIDGE OPEN TO THE PUBLIC FOR THE TRANSPORTATION AND TRANSIT OF VEHICLES, PEDESTRIANS, PASSENGERS, AND FREIGHT, AND THE RIGHT TO USE SO MUCH LAND AS MAY BE NECESSARY FOR THE CONSTRUCTION AND MAINTENANCE OF SUCH BRIDGE NOT EXCEEDING TWO HUNDRED (200) FEET IN WIDTH, BEING SUCH PART OF THE FOLLOWING DESCRIBED RIGHT OF WAY AS CROSSES LANDS OF THE GRANTOR, INCLUDING ALL RIPARIAN RIGHTS OF THE GRANTOR THEREBY AFFECTED: A RIGHT OF WAY TWO HUNDRED (200) FEET WIDE EXTENDING FROM AND CONNECTING WITH THE COLUMBIA HIGHWAY IN HOOD RIVER COUNTY, OREGON, TO AND CONNECTING WITH THE NORTH BANK HIGHWAY IN SKAMANIA COUNTY, WASHINGTON, THE CENTER LINE OF WHICH BEARS NORTH 76 DEG. 44 MIN. WEST AND INTERSECTS THE SECTION LINE BETWEEN SECTIONS TWELVE (12) AND THIRTEEN (13), TOWNSHIP TWO (2) NORTH RANGE SEVEN (7) EAST OF THE WILLAMETTE MERIDIAN, IN HOOD RIVER COUNTY, OREGON, AT A POINT FORTY-TWO HUNDRED, EIGHTY-FIVE AND SIX TENTHS (4285.6) FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION TWELVE (12); THE ROADWAY OF SUCH BRIDGE TO BE CONSTRUCTED AT A HEIGHT OF ABOUT ONE HUNDRED FORTY-FIVE (145) FEET ABOVE LOW WATER MARK OF THE COLUMBIA RIVER.

AND THE RIGHT TO CONSTRUCT AND MAINTAIN FOUR PIERS, BEING PIERS NUMBERED ONE (1), TWO (2), THREE (3) AND FOUR (4), SAID PIERS NUMBERED ONE (1), TWO (2) AND THREE (3) BEING ON THE LANDS OF THE GRANTOR, AND PIER NUMBERED FOUR (4) BEING IN THE COLUMBIA RIVER BELOW LOW WATER LINE ABUTTING THE PROPERTY OF THE GRANTOR, SAID PIERS NUMBERED THREE (3) AND FOUR (4) TO BE LOCATED AND CONSTRUCTED ONLY AT THE PRECISE LOCATIONS SHOWN AND DESIGNATED ON THE MAP ATTACHED HERETO AND MARKED "EXHIBIT A", AND TO BE OF THE DIMENSIONS DESIGNATED ON SAID MAP, SAID PIERS NUMBERED ONE (1) AND TWO (2) TO BE LOCATED SUBSTANTIALLY AS SHOWN ON THE ATTACHED MAP.

ALSO THE RIGHT AND PERMISSION TO OPERATE AND MAINTAIN SUCH HIGHWAY BRIDGE OVER AND ACROSS THE RIGHT OF WAY, TRACKS AND PROPERTY FORMERLY OWNED BY CASCADES RAILROAD COMPANY, NOW OWNED BY THE GRANTOR AND LOCATED WITHIN THE RIGHT OF WAY LIMITS OF THE RIGHT OF WAY OF SPOKANE, PORTLAND AND SEATTLE RAILWAY COMPANY, AS SHOWN ON THE MAP ATTACHED HERETO, MARKED "EXHIBIT A", THE BRIDGE TO BE CONSTRUCTED AT SUCH HEIGHT AND IN SUCH MANNER AS NOT TO INTERFERE WITH THE OPERATION OF THE SAID CASCADES RAILROAD COMPANY'S RAILWAY OR SUCH OPERATIONS AS THE GRANTOR MAY CARRY ON OVER THE TRACKS OF SUCH RAILWAY. WARREN PACKING COMPANY EXPRESSLY RESERVES THE RIGHT TO USE ANY PART OF THE TWO HUNDRED (200) FOOT STRIP DESCRIBED ABOVE FOR ANY AND ALL PURPOSES WHATSOEVER, PROVIDED THAT SUCH USE SHALL NOT INTERFERE WITH THE CONSTRUCTION, MAINTENANCE AND/OR OPERATION OF THE SAID BRIDGE.