

14296

HENRY J. BIDDLE ET UX TO STATE OF WASHINGTON

IN THE MATTER OF STATE ROAD NO. EIGHT (8)

KNOW ALL MEN BY THESE PRESENTS, THAT HENRY J. BIDDLE AND HELENE BIDDLE, HIS WIFE, OF THE COUNTY OF CLARK, IN THE STATE OF WASHINGTON, IN CONSIDERATION OF THE FAITHFUL PERFORMANCE BY THE STATE OF WASHINGTON OF THE CONDITIONS HEREINAFTER RECITED, AND THE SUM OF TWO HUNDRED AND NO/100 DOLLARS (\$200.00) IN HAND PAID, RECEIPT WHEREOF IS HEREBY ACKNOWLEDGED, HAVE GRANTED, BARGAINED, SOLD AND CONVEYED, AND BY THESE PRESENTS DO GRANT, BARGAIN, SELL AND CONVEY UNTO THE STATE OF WASHINGTON THE FOLLOWING DESCRIBED PARCEL OF LAND SITUATED IN SKAMANIA COUNTY, WASHINGTON, TO-WIT:

A STRIP OF LAND ONE HUNDRED (100) FEET WIDE, BEING FIFTY (50) FEET ON EACH SIDE OF THE CENTER LINE OF SAID ROAD AS SURVEYED OVER AND ACROSS LOTS EIGHT (8) AND NINE (9), SECTION TWENTY-FIVE (25) TOWNSHIP TWO (2) NORTH, RANGE SIX (6) EAST OF WILLAMETTE MERIDIAN, WASHINGTON; ALSO ADDITIONAL STRIPS OF LAND LYING CONTIGUOUS TO ABOVE DESCRIBED ONE HUNDRED-FOOT STRIP AS FOLLOWS: ON SOUTHEASTERLY SIDE THIRTY (30) FEET WIDE FROM STATION 57 PLUS 50 TO 59 PLUS 00; ON NORTHWESTERLY SIDE TEN (10) FEET WIDE FROM STATION 56 PLUS 00 TO 58 PLUS 00.

TO HAVE AND TO HOLD THE SAME, UNTO THE STATE OF WASHINGTON FOREVER.

PROVIDED HOWEVER, AND THESE PRESENTS ARE UPON THESE EXPRESS CONDITIONS WHICH ARE OF THE ESSENCE OF THIS GRANT;

(1) THE GRANTORS, THEIR SUCCESSORS AND ASSIGNS, SHALL RETAIN THE EXCLUSIVE USE AND CONTROL FOR PRIVATE PARK PURPOSES OF THE PORTIONS OF THE LAND HEREBY GRANTED, NOT OCCUPIED BY THE TRAVELED ROADWAY WITH NECESSARY SHOULDER AND DITCHES, UNTIL SUCH TIME OR TIMES AS ADDITIONAL AREA OR AREAS SHALL BE NEEDED FOR ROAD PURPOSES (NOT INCLUDING THE DIGGING OF BORROW PITS OR THE TAKING OF ROAD MATERIAL, BUT ONLY INCLUDING TRAVELED HIGHWAY), WHEN THE GRANTORS WILL VACATE AND SURRENDER SO MUCH OF THE SAID AREA OR AREAS AS MAY BE NEEDED THEREFOR AND AS DIRECTED BY THE HIGHWAY ENGINEER. AND NO LIVING TIMBER SHALL BE CUT ON THAT PART OF THE PREMISES THE USE AND CONTROL OF WHICH FOR PRIVATE PARK PURPOSES IS RESERVED TO THE GRANTORS, WITHOUT THE CONSENT OF THE GRANTORS, THEIR SUCCESSORS OR ASSIGNS.

(2) THE GRANTEE SHALL, UPON THE CONSTRUCTION OF THE PRESENT PROPOSED HIGHWAY, AND ALSO UPON THE CONSTRUCTION OF ANY FUTURE ALTERATIONS OR CHANGES THEREIN (WHETHER OF GRADE, WIDTH OR OF ANY OTHER CHARACTER WHATSOEVER), RESTORE THE PREMISES TO AS NEARLY AS POSSIBLE THE PRESENT CONDITION CONSISTENT WITH THE PROPER CONSTRUCTION OF A HIGHWAY, SO THAT THE GRANTORS' PARKING PLACES FOR AUTOMOBILES AND THEIR ENTRANCES FROM THE HIGHWAY TO THEIR PRESENT ROADS AND TRAILS SHALL BE PRESERVED.

(3) THE GRANTORS, THEIR SUCCESSORS AND ASSIGNS SHALL HAVE THE RIGHT TO MAINTAIN AT SOME CONVENIENT SPOT UPON THE LAND HEREBY GRANTED AND NOT NEEDED FOR THE TRAVELED ROADWAY, AND AT A SUFFICIENT DISTANCE FROM THE CENTER LINE OF THE HIGHWAY TO BE CONSTRUCTED OVER AFORESAID LANDS SO AS NOT TO INTERFERE WITH THE CONSTRUCTION, MAINTENANCE AND PUBLIC USE OF SAID HIGHWAY, INCLUDING UNOBSTRUCTED VIEW FOR TRAVEL THEREON, SIGNS OF DIRECTION, WARNING AND TRESPASS.

(4) THE GRANTORS, THEIR SUCCESSORS AND ASSIGNS SHALL HAVE THE RIGHT TO PIPE WATER UNDERNEATH AND ACROSS THE PREMISES HEREBY GRANTED, THE CHARACTER OF PIPE AND THE WORK TO BE SUBJECT TO THE APPROVAL OF THE STATE HIGHWAY ENGINEER.

IN WITNESS WHEREOF, THE GRANTORS HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 8TH DAY OF AUGUST, 1927.

STATE OF WASHINGTON }  
COUNTY OF CLARK } ss

HENRY J. BIDDLE (SEAL)  
HELENE BIDDLE (SEAL)

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF WASHINGTON, DO HEREBY CERTIFY THAT ON THIS 8TH DAY OF AUGUST, A. D. 1927, PERSONALLY APPEARED BEFORE ME HENRY