

DEED RECORD V

SKAMANIA COUNTY, WASHINGTON

JOHNSON-COX COMPANY, PRINTERS, TACOMA, 15814

ANDRE A. AUSPLUND ET UX TO JACOB A. HAAK ET AL

WHEREAS, A PETITION HAS BEEN FILED WITH THE BOARD OF COMMISSIONERS OF SKAMANIA COUNTY, WASHINGTON, ASKING FOR THE VACATION OF A CERTAIN ROAD IN SECTION 19 TOWNSHIP 3 N. R. 10 EAST OF W. M., KNOWN AS THE KOLLOCK-HAMLIN ROAD, A HEARING UPON WHICH SAID PETITION HAS BEEN SET FOR THE 8TH DAY OF SEPTEMBER 1926, AND TO WHICH REFERENCE IS HEREBY MADE; AND,

WHEREAS, THERE NOW EXISTS A CERTAIN RIGHT OF WAY OR PRIVILEGE OVER, ALONG AND ACROSS SAID ROAD GRANTED BY THE COMMISSIONERS OF SKAMANIA COUNTY TO JACOB A. HAAK, DAN J. MOORE AND G. H. MARSH TO LAY AND MAINTAIN THEREON A PIPE LINE FOR THE CONVEYANCE OF WATER,

NOW THEREFORE, IN CONSIDERATION OF THE WITHDRAWAL AND WAIVER OF ALL OBJECTIONS TO THE VACATION OF SAID ROAD AND IN CONSIDERATION OF THE SUM OF \$1.00 TO US IN HAND PAID BY THE OWNERS OF THE ABOVE MENTIONED PRIVILEGE AND EASEMENT, WE, ANDRE A. AUSPLUND AND ELLEN AUSPLUND, HUSBAND AND WIFE, PARTIES OF THE FIRST PART, DO HEREBY GRANT AND CONVEY UNTO THE HEIRS OF THE SAID JACOB A. HAAK, DAN J. MOORE AND G. H. MARSH, PARTIES OF THE SECOND PART, THEIR HEIRS AND ASSIGNS, AN EASEMENT ON, OVER AND ACROSS THE SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SAID SECTION 19 FOR THE PURPOSE OF MAINTAINING A PIPE LINE AS NOW LOCATED THEREON, BEING ALONG THE ABOVE MENTIONED ROAD TO BE SO VACATED, TOGETHER WITH THE RIGHT TO GO UPON SAID LAND FOR THE PURPOSE OF REPAIRING, REPLACING AND MAINTAINING SAID PIPE LINE, OR TO REMOVE THE SAME THEREFROM.

THIS PRIVILEGE AND EASEMENT IS GRANTED UPON CONDITION THAT IN CASE THE PARTIES OF THE SECOND PART DESIRE TO LAY A LARGER PIPE LINE, THE SAME SHALL BE PLACED UPON THE NEW ROAD ACROSS THE ABOVE DESCRIBED PROPERTY KNOWN AS THE AUSPLUND ROAD OR AT SUCH OTHER LOCATION AS THE SAID PARTIES OF THE SECOND PART MAY ELECT, PROVIDED THAT SAID SECOND PARTIES SHALL NOT BE COMPELLED TO SO CHANGE THE LOCATION UNLESS AND UNTIL FRANCHISE OR EASEMENT CAN BE OBTAINED FOR THE SAME.

IN EVENT A FRANCHISE ALONG SAID AUSPLUND ROAD IS REFUSED AFTER BONA-FIDE ATTEMPT TO SECURE THE SAME HAS BEEN MADE, THE PARTIES OF THE SECOND PART MAY IN SUCH EVENT REPLACE THE SAID PIPE LINE WITH LARGER PIPE IN SAME LOCATION.

THE RIGHTS HEREBY GRANTED DO NOT EXTEND TO ANY OTHER PROPERTY OR LOCATION THAN AS ABOVE DESCRIBED.

IN CASE OF BREAKAGE OR LEAK IN THE SAID PIPE LINE, THE PARTIES OF THE SECOND PART SHALL IMMEDIATELY REPAIR THE SAME.

UPON REMOVAL OF THE PIPE LINE ABOVE DESCRIBED, THE RIGHTS HEREBY GRANTED SHALL BE IMMEDIATELY TERMINATED.

IN WITNESS WHEREOF, THE PARTIES OF THE FIRST PART HAVE HEREUNTO SET THEIR HANDS AND SEALS THIS 8TH DAY OF SEPTEMBER 1926.

EXECUTED IN PRESENCE OF:

D. M. DRAKE

I. A. HAHN

STATE OF OREGON,

COUNTY OF MULTNOMAH

} ss.

ANDRE AUSPLUND (SEAL)

HELEN AUSPLUND (SEAL)

I, I. A. HAHN A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, DO HEREBY CERTIFY THAT ON THIS 10TH DAY OF SEPTEMBER 1926, PERSONALLY APPEARED BEFORE ME ANDRE AUSPLUND AND ELLEN AUSPLUND, HUSBAND AND WIFE, TO ME KNOWN TO BE THE INDIVIDUALS DESCRIBED IN AND WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY