

DEED RECORD Y

SKAMANIA COUNTY, WASHINGTON

PIONEER PRINT, STEVENSON, WASH.

be done by the State will involve the possibility of serious damage to the property of the Railway Company, all work upon or in proximity to the premises of the Railway Company shall be carried on to the end that the operations of the railway company shall be interfered with as little as possible, and the times and manner in which the work is to be done shall be referred to a representative or representatives of the Superintendent of the Railway Company so that any objections on the part of the Railway Company may be brought to the attention of the State in order that full protective measures may be provided during the progress of the work. The salaries and expenses of such representatives, for the reasonable time expended by them as provided for under this paragraph, shall be paid in the first instance by the railway company and the State shall reimburse the railway company upon the rendition of proper bills for such salaries and expenses.

8. During the progress of the work proposed to be done by the State, the Railway Company shall station such watchmen and patrolmen as the Superintendent of the Railway Company may determine to be necessary to protect its property and trains from debris or rocks falling upon its tracks, ^{or} from other damage. The cost and expense of placing and maintaining such patrolmen and watchmen shall be paid in the first instance by the Railway Company, and the State, upon rendition of proper bills, shall reimburse the Railway Company for such cost and expense. The State, at its own expense, shall immediately remove rock, slide material, debris and other material which may come upon the premises of the Railway Company by reason of blasting operations of the highway contractor, excavation or other construction work when same would interfere with the free movements of trains or other railway equipment over the Railway Company's track, provided, however, that if the Railway Company, by its own employees, shall do the work of such removal, or any part of it, the State shall reimburse the Railway Company for its entire expense account of such removal.

At the portals of certain of the proposed highway tunnels included in the territory covered by this easement, because of the difference in the grade line of the proposed highway with that of the Railway Company and due to the nature of the rock bluffs at said portals, it is agreed that special provisions must be made adequately to protect the tunnel portals and property of the railway company. It is agreed that the structures necessary to afford such protection can best be determined as the work progresses and the State agrees that it will provide at its sole cost such construction features as may be deemed necessary by the Director of Highways of the State and the Superintendent of the Railway Company.

9. In order to facilitate the reception and transmission of reports and of train movements to the contractor and/or representatives of the State, the Railway Company will install such temporary telephone booths as it deems necessary, at convenient locations along the work at the sole expense of the state, and if it so determines that there is justification, may employ telegraph or telephone operators and linemen. The State shall reimburse the Railway Company for all expenses of such telegraph or telephone operators and linemen, together with the cost of supplies and equipment used by them. The state shall also reimburse the railway company for the cost of temporary pole lines and/or of temporary cabling of the railway company's telephone and telegraph wires, together with all costs incidental to the final location of the telegraph and telephone lines.

10. Inasmuch as the tunneling, filling and grading work proposed to be done by the State may involve the possibility of complete blocking of the railway company's track or tracks by material coming thereon and of embankment slides and settlement making track unsafe for train operation, the State hereby agrees, upon rendition of bills therefor, to reimburse the railway company for all costs and expenses incidental to the detouring of