905-11-02.210

## EASEMENT AMENDMENT

THIS AMEND ENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_\_\_, 1978, by and between BURLINGTON NORTHERN INC., a corporation of the State of Delaware, hereinafter called "Grantor", and the UNITED STATES OF AMERICA, hereinafter called "Grantee", WITNESSETH:

WHEREAS, on the 14th day of October, 1976, Grantor granted to Grantee an Easement, hereinafter called "Original Easement" which was recorded in the Records of Skamania County, Washington, on February 4, 1977, in Book 72, Page 234, under Auditor's No. 83554, and

WHEREAS, the parties desire that a certain scriveners error in Section 1. Page 3. as set forth in the Original Easement should be corrected TAXACTION EXCEL TAX

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NOW THEREFORE:

Paragraph 2 of Section 1, Page 3, is deleted and replaced by the following:

Use of vehicles of a weight not to exceed 160,000 pounds and equipped with bunks not to exceed 11 feet 4 inches in width is permissible until March 31, 2000. After said date, the Grantor's right to use the road shall be subject to compliance with legal dimensions and weights of motor vehicles imposed by State law on comparable public roads or highways. In any event, gross weights of equipment or vehicles shall not exceed the capacity of bridges and other structures, and cleated equipment shall not be used on paved roads.

Except as herein expressly provided, all of the terms and conditions of the Original Easement small be and remain unmodified.

IN WITNESS WHEREOF, the parties have executed this Easement Amendment, in duplicate, as of the day and year first above written.

BURLINGTON NORTHERN INC.

UNITED STATES OF AMERICA

R. E. WORTHINGTON Regional Forester

Forest Service Department of Agriculture

On this 1th day of March, 1918, before me personally appeared, to me known to be the property of Burlington Northern Inc., the corporation which executed the within and foregoing instrument, and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hard and affixed my official seal the day and year last above-written.

> Hotary Public for the State of Minnesota. Residing at My Commission Expires

SEAL

STATE OF

COUNTY OF

On the feld day of the said State, personally aqueared forester, Forest Service, Department of Agriculture, and the same person who executed the within and foregoing instrument, who being by me duly sworn according to law, did say that he is the <u>Octing For</u> Regional Forester, Forest Service, Department of Agriculture, and that said instrument was signed in behalf of the United States of America by its authority duly given and by him delivered as and for its act and deed. And he did further acknowledge that he executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above-written.

Residing at Querain, OR
My Commission Expires 6-17-84

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