

ROAD MAINTENANCE AGREEMENT FOR BEACON HIGHLANDS NO. 2  
(Also known as Landerholm Short Plat and Elmer Short Plat)

RECITALS:

1.1 The undersigned own or have an interest in the real property described in Exhibit "A" attached hereto and known as Beacon Highlands No. 2.

1.2 The two roads involved in this Road Maintenance Agreement are described in Exhibit "B" attached hereto. Road No. 1 is the road on the easement obtained from Hazel O. Price; Road No. 2 consists of the internal roads within Beacon Highlands No. 2. Road No. 1 is subject to a road maintenance agreement with Hazel O. Price, filed with Skamania County Auditor in Book 100, Page 944. It is intended this road maintenance agreement will be coordinated with the Price agreement for Road No. 1.

MAINTENANCE AGREEMENT:

2.1 The owners of each parcel of land within the boundaries of the property described in Exhibit "A" (including their successors in interest) shall be responsible on a pro-rata basis for the cost of maintaining and repairing the roads described in Exhibit "B". Each landowner's pro-rata share shall be determined by dividing the number of dwelling on his or her parcel by the number of dwellings bound for the maintenance of the particular road. so long as the landowner does not have a dwelling on his or her parcel, he or she is not required to pay any portion of the cost of maintaining and repairing the roads described in Exhibit "B". The word "dwelling" shall include temporary residences.

2.2 None of the parties having a right to use the road easements shall have a right to reimbursement for expenses incurred for maintenance and/or repairs of the roads in excess of \$100.00 in any calendar year without having obtained the written approval for such expense from the other adult owners of property bound by this Agreement.

2.3 If a road is substantially damaged by the activities of one landowner (including his employees or agents), that landowner shall be responsible for repairing the damage at his or her own expense.

FILED FOR RECORD

SKAMANIA CO., WASH.

Planning Dept.

AUG 19 9 41 AM '86

F. McFarland

AUDITOR

GARY M. OLSON

LAW OFFICES OF  
Landerholm, Memovich,  
Lansverk, Whitesides,  
Wilkinson, Klossner,  
& Perry, Inc., P.S.  
Broadway at Evergreen, Suite 400  
P.O. Box 1086  
Vancouver, Washington 98666  
(206) 696-3312

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2.4 The owners of the land bound by this agreement who have dwellings on their land shall meet in Beacon Highlands No. 2 on the second Sunday afternoon in June each year (or at such other time and place as set by majority vote). At the meeting they shall make decisions by majority vote. Each year they shall: (1) decide what maintenance and repair work needs to be done during the coming year; (2) decide who shall be in charge of arranging for the work; (3) appoint a treasurer to collect each owner's pro-rata share and pay the bills.

2.5 In the event the parties are unable to agree as to any matter covered by this Agreement, including specifically but not limited to the necessity for road repair work or road maintenance work, the dispute shall be settled by a single arbitrator who shall direct any settlement he deems equitable under the circumstances. The arbitrator shall be appointed by the Presiding Judge of the Skamania County Superior Court upon request of any party bound by this Agreement. The decision of the arbitrator shall be final and binding and not subject to appeal. The decision may be enforced by any party bound by this Agreement in any court of competent jurisdiction in Skamania County, Washington, and the losing party shall pay all costs in connection therewith, including reasonable attorney's fees in an amount to be set by the court.

2.6 The covenants contained in paragraphs 2.1 through 2.5 shall be binding and effective until July 1, 2015 and they shall be extended automatically until July 1, 2025, unless the owners of 70% in area of the land described in Exhibit "A" shall sign an instrument modifying or terminating them and record said instrument prior to June 1, 2015; PROVIDED, modifications may be made at any time by the owners of 80% in area of the land described in Exhibit "A". Any modifications shall be evidenced by a suitable instrument filed for public record.

DATED this 7<sup>th</sup> day of August, 1986.

LEWIS RIVER PROPERTIES, INC.

By: Roy A. Elmer  
President

Kathleen L. Elmer  
Secretary

Roy A. Elmer  
ROY A. ELMER, individually

Kathleen L. Elmer  
KATHLEEN L. ELMER, individually

WITNESSES OF  
Loederheim, Monovich,  
Wilkinson, Klossner,  
& Perry, Inc., P.S.  
Broadway at Evergreen, Suite 400  
P.O. Box 1036  
Vancouver, Washington 98666  
(206) 696-3312

## EXHIBIT A, PAGE 1 of 2

## ELMER SHORT PLAT DESCRIPTION

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 2, NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, SOUTH 00° 51' 35" WEST, 840.03 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER OF SECTION 27;

THENCE NORTH 57° 00' 00" EAST, 202.42 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 88° 48' 28" EAST, 73.79 FEET;

THENCE ALONG SAID CURVE 77.72 FEET;

THENCE SOUTH 59° 23' 03" EAST, 51.26 FEET TO A 70-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 78° 41' 32" EAST, 46.29 FEET;

THENCE ALONG SAID CURVE 47.18 FEET;

THENCE NORTH 82° 00' 00" EAST, 37.85 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 81° 09' 48" EAST, 40.55 FEET;

THENCE ALONG SAID CURVE 41.14 FEET;

THENCE SOUTH 64° 19' 36" EAST, 41.54 FEET TO A 460-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 86° 02' 04" EAST, 340.28 FEET TO POINT B;

THENCE ALONG SAID CURVE 348.56 FEET;

THENCE CONTINUING ALONG SAID 460-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 64° 40' 14" EAST, 121.48 FEET;

THENCE ALONG SAID CURVE 121.83 FEET;

THENCE NORTH 57° 04' 59" EAST, 8.02 FEET TO A 700-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 71° 34' 22" EAST, 350.29 FEET;

THENCE ALONG SAID CURVE 354.05 FEET;

THENCE NORTH 86° 03' 46" EAST, 144.00 FEET TO A 120-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 45° 46' 21" EAST, 155.20 FEET;

THENCE ALONG SAID CURVE 168.77 FEET;

THENCE NORTH 05° 28' 56" EAST, 157.73 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 50° 32' 55" EAST, 89.11 FEET;

THENCE ALONG SAID CURVE 110.12 FEET TO POINT D BEING ON THE WEST LINE OF PARCEL 2 OF THE BERGSENG TRACT, RECORDED UNDER AUDITOR'S FILE NO. BOOK 78, PAGE 748;

THENCE SOUTH ALONG THE WEST LINE OF SAID PARCEL 2 AND A PROJECTION THEREOF, 1,043.15 FEET TO THE SOUTH LINE OF THE NORTH ONE-HALF OF THE SOUTHEAST ONE-QUARTER;

THENCE NORTH 89° 02' 20" WEST ALONG SAID SOUTH LINE, 1,590.22 FEET TO THE SOUTHWEST CORNER OF THE SAID NORTH ONE-HALF OF THE SAID SOUTHEAST ONE-QUARTER OF SAID SECTION 27;

THENCE NORTH 00° 51' 35" EAST ALONG SAID WEST LINE 477.25 FEET TO THE POINT OF BEGINNING.

EXHIBIT A, PAGE 2 of 2

**LANDERHOLM SHORT PLAT DESCRIPTION:**

BEGINNING AT A POINT ON THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 27, TOWNSHIP 2, NORTH, RANGE 6 EAST OF THE WILLAMETTE MERIDIAN, SOUTH 00 51'35" WEST, 840.03 FEET FROM THE NORTHWEST CORNER OF SAID SOUTHEAST ONE-QUARTER OF SECTION 27;

THENCE NORTH 57 00'00" EAST, 202.42 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 88 48'28" EAST, 73.79 FEET;

THENCE ALONG SAID CURVE 77.72 FEET;

THENCE SOUTH 59 23'03" EAST, 51.26 FEET TO A 70-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 78 41'32" EAST, 46.29 FEET;

THENCE ALONG SAID CURVE 47.18 FEET;

THENCE NORTH 82 00'00" EAST, 37.85 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS SOUTH 81 09'48" EAST, 40.55 FEET;

THENCE ALONG SAID CURVE 41.14 FEET;

THENCE SOUTH 64 19'36" EAST, 41.54 FEET TO A 460-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 86 02'04" EAST, 340.28 FEET TO POINT B;

THENCE ALONG SAID CURVE 348.56 FEET;

THENCE CONTINUING ALONG SAID 460-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 64 40'14" EAST, 121.48 FEET;

THENCE ALONG SAID CURVE 121.83 FEET;

THENCE NORTH 57 04'59" EAST, 8.02 FEET TO A 700-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 71 34'22" EAST, 350.29 FEET;

THENCE ALONG SAID CURVE 354.05 FEET;

THENCE NORTH 86 03'46" EAST, 144.00 FEET TO A 120-FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS NORTH 45 46'21" EAST, 155.20 FEET;

THENCE ALONG SAID CURVE 168.77 FEET;

THENCE NORTH 05 28'56" EAST, 157.73 FEET TO A 70-FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 50 32'55" EAST, 88.11 FEET;

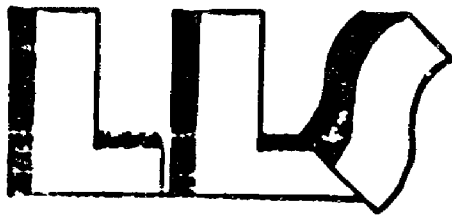
THENCE ALONG SAID CURVE 110.12 FEET TO POINT D BEING ON THE WEST LINE OF PARCEL 2 OF THE BERGSENG TRACT, RECORDED UNDER AUDITOR'S FILE NO. BOOK 78, PAGE 74B;

THENCE NORTH ALONG THE WEST LINE OF PARCEL 2 OF THE SAID BERGSENG TRACT, 277.22 FEET TO THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 27;

THENCE NORTH 89 08'43" WEST ALONG SAID NORTH LINE, 1,570.40 FEET TO THE NORTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 27;

THENCE SOUTH 00 51'35" WEST, 840.03 FEET ALONG THE WEST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 27 TO THE POINT OF BEGINNING.





**LAWSON**  
LAND SURVEYING

- Land Surveying
- Professional Engineering

14612-A N.E. FOURTH PLAIN ROAD

VANCOUVER, WASHINGTON 98662

(206) 266-8008

Exhibit B - Road No. 1

BEGINNING at a point on the South line of the northeast one-quarter of Section 27, Township 2 North, Range 6 East of the Willamette Meridian, South  $89^{\circ} 08' 43''$  East, 143.52 feet from the Southwest corner of said northeast one-quarter of Section 27;

THENCE North  $11^{\circ} 00' 15''$  West, 92.60 feet to a 175-foot radius curve to the left, the chord of which bears North  $35^{\circ} 31' 55''$  West, 145.30 feet;

THENCE along said curve 149.83 feet;

THENCE North  $60^{\circ} 03' 34''$  West, 238.12 feet to a 250-foot radius curve to the right, the chord of which bears North  $45^{\circ} 04' 06''$  West, 129.34 feet;

THENCE along said curve 130.82 feet;

THENCE North  $30^{\circ} 04' 37''$  West, 33.11 feet to a 175-foot radius curve to the right, the chord of which bears North  $43^{\circ} 41' 03''$  West, 82.34 feet;

THENCE along said curve 83.12 feet;

THENCE North  $57^{\circ} 17' 29''$  West, 77.36 feet to a 200-foot radius curve to the right, the chord of which bears North  $42^{\circ} 34' 42''$  West, 101.59 feet;

THENCE along said curve 102.72 feet;

THENCE North  $27^{\circ} 51' 56''$  West, 151.54 feet to a 150-foot radius curve to the left, the chord of which bears North  $58^{\circ} 42' 49''$  West, 153.83 feet;

THENCE along said curve 161.52 feet;

THENCE North  $89^{\circ} 33' 42''$  West, 175.41 feet to a 250-foot radius curve to the left, the tangent of which bears South  $73^{\circ} 20' 59''$  West, 146.92 feet;

THENCE along said curve 149.13 feet;

THENCE South  $56^{\circ} 15' 41''$  West, 131.96 feet to the center of Woodard Creek County Road.

EXHIBIT B - Road No. 2

See roads described in attached Landerholm Short Plat.

# LANDERHOLM SHORT PLAT

