

Tract Nos. BC-55 and BC-56
Case No. 900678

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the United States of America, Department of Energy, Bonneville Power Administration (BPA) does hereby grant unto HOWARD and JULIE MATHANY (hereinafter called the Grantee), and their successors and heirs, an easement for a water pipeline, a 30-foot-wide private road and buried facilities within this easement for cable television, electric power and telephone cables over, upon, across, and under BPA's fee-owned Tract Nos. 3C-55 and BC-56, said fee-owned tracts having been acquired by Declaration of Taking filed as Civil No. 24 in the United States District Court, Western District of Washington, Skamania County, Washington; said easement crosses BPA's 300-foot-wide right-of-way in the S½NW¼NW¼ of Section 28 and the NE½NE¼ of Section 29, all in Township 3 North, Range 8 East, Willamette Meridian, Skamania County, Washington. The boundaries of the 30-foot-wide right-of-way lie 15 feet on each side of and parallel with the centerline which is described as follows:

Beginning on the north boundary line of the BPA 300-foot-wide right-of-way at a point that is 87.5 feet left of survey station 535+20 of the Bonneville-Coulee Line No. 1; thence southerly to survey station 535+10 on the Bonneville-Coulee Line No. 2; thence continuing southerly and southwesterly to a point on the south boundary of said 300-foot-wide right-of-way that is 87.5 feet right of survey station 534+60 on the Bonneville-Coulee Line No. 2 and the terminus of said 30-foot-wide easement.

The above-described easement is shown on a segment of BPA Drawing No. 7676, marked Exhibit A, attached hereto, and by this reference made a part hereof.

Subject to outstanding rights, including Easement Deed dated June 3, 1940, to Ella Dupree on Tract No. BC-56.

Subject also to the following conditions:

1. Construction equipment shall not be allowed to come closer than 15 feet from the transmission line conductors (wires).
2. Underground utilities not buried within the travel way of the road (such as buried within the shoulder of the road) shall be marked with permanent signs where they enter and leave the BPA right-of-way and at any angle points within the right-of-way.
3. Underground utilities shall be buried with a minimum cover of 24 inches for protection from heavy BPA maintenance vehicles.
4. There shall be no refueling of vehicles or equipment nor storage of flammable materials within the right-of-way.
5. Roadway is to remain gravelled.

REAL ESTATE EXCISE TAX

Registered p
Indexed, Dir p
Indirect p
Filmed 21-41
Mailed

JAN 31 1991

PAID N/A
Ed. L. Lundy
SKAMANIA COUNTY TREASURER

This easement shall not interfere with any use by the United States of America of its fee-owned property.

Reserving unto the United States of America, and its assigns, the right to operate, maintain, rebuild, and upgrade existing electric transmission lines and to erect, operate, maintain, rebuild, and upgrade future transmission lines over, under, and across the easement area.

Reserving also unto the United States of America, and its assigns, the right of access to and along its fee-owned property.

The Grantee, and their heirs and assigns, shall be liable for any damage to the property of the United States of America, including transmission lines and structures, arising out of or resulting from any act or omission of the Grantee or its employees, agents, or assigns acting within their authority in the construction, reconstruction, or maintenance of said private road and buried facilities upon the fee-owned property of the United States of America.

Should the rights granted herein no longer be used or needed for the purposes defined in this easement for a consecutive two-year period, or be abandoned, then upon written notice by the United States of America to the Grantee, or their heirs and assigns, all rights granted by this easement shall automatically terminate and the title thereto revert in the United States of America.

TO HAVE AND TO HOLD the above-described easement unto HOWARD and JULIE MATHANY, and their heirs and assigns, forever.

The true and actual consideration for this easement is FIVE HUNDRED DOLLARS (\$500.00).

This conveyance is made pursuant to the Acts of August 20, 1937 (50 Stat. 732, 16 U.S.C. § 832a), as amended and October 23, 1962 (76 Stat. 1129, 40 U.S.C. § 319) and regulations and delegations of authority issued pursuant thereto, it having been determined that the granting of this easement will not be adverse to the interests of the United States of America.

Dated at Portland, Oregon, this 29th day of January, 1991.

FILED IN RECORD
STATE OF OREGON
BY Julie Mathany
JAN 31 9 42 AM '91
P. Lowry
GARY H. OLSON

UNITED STATES OF AMERICA
Department of Energy
Bonneville Power Administration

By Rene M. Ferrera
Chief, Land Management Section

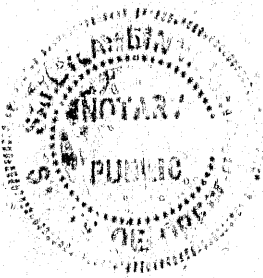
STATE OF OREGON)
) ss:
County of Multnomah)

On this day personally appeared before me Renee M. Ferrell to me known to be the _____ Chief, Land Management Section, Bonneville Power Administration, described in and who executed the within and foregoing instrument and acknowledged that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 29th day of January, 19__.

(SEAL)

Sally A. Benning
Notary Public for Oregon
My Commission expires: 8-29-93



NELLIE B CUSHMAN

OPER AS MILE 10 UNDERWOOD TAP TO BONN-SIFTON NO1 & BONN-ALCOA NO2