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GARY J. JOHNSON

EASEMENT

The Grantor, BURLINGTON NORTHERN RAILROAD COMPANY (formerly Burlington Northern Inc.), a Delaware corporation, hereinafter called Railway Company, for and in consideration of Ten and No/100 Dollars (\$10.00) to it paid and the agreements herein contained, does hereby grant to the CITY OF NORTH BONNEVILLE, hereinafter called City, an easement for roadways and bike paths over, upon and across the following described premises situated in Skamania County, State of Washington:

PARCEL 1

A strip of land situated in the S. M. Hamilton Donation Land Claim No. 40, in Section 20, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, said strip being 30 feet in width, lying 15 feet on each side of the following described centerline:

BEGINNING at a point which lies 565.69 feet South and 1,458.27 feet West from the G. W. Johnson Donation Land Claim No. 38 angle corner marked by a U. S. Corps of Engineers concrete monument, said point being centerline station B3 0+00; thence South 8°49'15" West 0.13 of a foot to station P.C. B3 0+00.13; thence westerly along the arc of a 31.91 foot radius curve to the right through a central angle of 119°27'35" for an arc length of 66.53 feet to station P.T. B3 0+66.66; thence North 51°43'10" West 1.33 feet to station P.C. B3 0+67.99; thence westerly along the arc of a 94.43 foot radius curve to the left through a central angle of 36°43'20" for an arc length of 60.52 feet to station P.T. B3 1+28.51; thence westerly along the arc of a 756.90 foot radius curve to the left through a central angle of 29°28'59" for an arc length of 389.48 feet to station P.T. B3 5+17.99; thence South 62°04'31" West 158.41 feet to station P.C. B3 6+76.40; thence westerly along the arc of a 1,478 foot radius curve to the right through a central angle of 04°07'08" for an arc length of 106.25 feet to station B3 7+82.65; thence South 66°11'38" West 58.84 feet to station P.C. B3 8+41.49; thence westerly along the arc of a 1,233 foot radius curve to the right through a central angle of 07°06'24" for an arc length of 152.94 feet to station P.T. B3 9+94.43; thence South 73°18'03" West 343.49 feet to station P.C. B3 13+37.92; thence westerly along the arc of a 1,448 foot radius curve to the right through a central angle of 04°09'16" for an arc length of 104.99 feet to station P.T. B3 14+42.91; thence South 77°27'18" West 23.76 feet to station P.C. B3 14+66.67; thence westerly along the arc of 152.77 foot radius curve to the left through a central angle of 04°17'37" for an arc length of 11.45 feet to station P.T. B3 14+78.12; thence South 73°09'41" West 108.97 feet to station P.C. B3 15+87.09; thence westerly along the arc of a 579.65 foot radius curve to the right through a central angle of 06°02'08" for an arc length of 61.06 feet to station P.T. B3 16+48.15; thence South 79°11'49" West 34.28 feet to station P.C. B3 16+82.43; thence westerly along the arc of a 152.77 foot radius curve to the left through a central angle of 14°33'01" for an arc length of 38.80 feet to station P.T. B3 17+21.23; thence South 64°38'48" West 0.60 of a foot to station P.C. B3 17+21.83; thence westerly along the arc of a 522.00 foot radius curve to the left through a central angle of 13°10'23" for an arc length of 120.02 feet to station P.T. B3 18+41.85; thence South 51°28'25" West 132.42 feet to station P.C. B3 19+74.27; thence westerly

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along the arc of a 200.00 foot radius curve to the right through a central angle of $34^{\circ}45'00''$ for an arc length of 121.30 feet to station P.T. B3 20+95.57; thence South $86^{\circ}13'24''$ West 35.10 feet to station P.C. B3 21+30.67; thence westerly along the arc of a 55.00 foot radius curve to the left through a central angle of $92^{\circ}02'25''$ for an arc length of 88.35 feet to station P.T. B3 22+19.02; thence South $05^{\circ}49'00''$ East 44.01 feet to EQUATION STATION B3 22+63.03 = 3+05; thence continuing South $05^{\circ}49'00''$ East 72.50 feet to station P.C. 3+77.50; thence southerly along the arc of a 320.00 foot radius curve to the right through a central angle of $12^{\circ}34'$ for an arc length of 70.19 feet to station P.T. 4+47.69, and the point of terminus of this description.

EXCEPTING therefrom all that portion of the above described strip lying outside of the right-of-way limits for the Relocated Burlington Northern Railroad.

The tract of land herein described contains 0.34 of an acre, more or less.

PARCEL 2

A tract of land situated in the G. W. Johnson Donation Land Claim No. 38, in Section 20, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Parcel A, Cascade Drive:

BEGINNING at the point of intersection of the Northerly right-of-way line of the Relocated Burlington Northern Railroad and the Southeasterly right-of-way line of Cascade Drive; thence southeasterly on an arc of a 250.00 foot radius curve to the left through an angle of $16^{\circ}42'43''$ a distance of 72.92 feet; thence South $18^{\circ}53'48''$ East, 128.88 feet to the southerly right-of-way line of said Railroad; thence South $68^{\circ}16'21''$ West, along said right-of-way line, 60.07 feet; thence North $18^{\circ}53'48''$ West, 131.84 feet; thence northwesterly on an arc of a 310.00 foot radius curve to the right through an angle of $12^{\circ}49'11''$ a distance of 69.36 feet to the northerly right-of-way line of said Railroad; thence northeasterly along said northerly right-of-way line to the POINT OF BEGINNING.

Parcel B, Bicycle Path:

A strip of land 10 feet in width lying easterly and adjacent to the above described tract.

The tract of land herein described contains 0.33 of an acre, more or less.

PARCEL 3

A strip of land situated in the B. B. Bishop Donation Land Claim No. 39, in Section 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, said strip being 60 feet in width, lying 30 feet on each side of the following described line:

Commencing at U. S. Army Corps of Engineers concrete monument No. NB 648, said point being South $28^{\circ}04'53''$ East 1,739.25 feet from the Section corner common to Sections 16, 17, 20 and 21; thence South $14^{\circ}52'43''$ East 50.00 feet to the centerline of Cascade Drive; thence South $75^{\circ}07'17''$ West 11.56 feet; thence South $27^{\circ}09'26''$ East 181.11 feet to the northerly right-of-way line of the Relocated Burlington Northern Railroad and the

POINT OF BEGINNING; thence continuing South 27°09'26" East 148 feet, more or less, to the southerly right-of-way line of said Railroad and the point of terminus.

The tract of land herein described contains 0.20 of an acre, more or less.

This easement is made subject to and upon the following express conditions:

I

The Railway Company, for itself and its successors and assigns, reserves all rights to use the property hereinbefore described for any and all purposes whatsoever not inconsistent with the easement hereby granted, including, but not limited to, the right to construct, maintain, repair, renew, reconstruct, replace and operate present tracks and future tracks, communication, signal and electric power lines, utilities and ingress and egress to any remaining Railway Company ownership contiguous with said property and other types of facilities on said property when deemed necessary or expedient to the Railway Company. Rights reserved shall be so exercised as not to damage or interfere with the roadway as above defined. This easement is subject to all existing interests of third parties in said property of any kind or nature whatsoever and any and all extensions or renewals thereof.

II

The City agrees to provide, at its sole cost and expense, adequate drainage of the Railway Company's property in connection with construction and maintenance of said roadways and bike paths, also agrees to reimburse the Railway Company for any and all expense incurred by it by reason of any failure of the City to provide such drainage.

III

The City shall protect and save harmless the Railway Company from any and all claims, demands, loss, damage expense and liability of every kind and description including personal injury and for any damage to or loss or destruction of property whatsoever suffered by the Railway Company, its heirs, successors and assigns, or by any persons, firms or corporations, because of the construction and/or maintenance of said facilities.

IV

In the event that said property shall at any time cease to be used by the City for roadways and bike paths, or shall by operation of law or otherwise become vacated or abandoned, the easement herein granted shall immediately cease and terminate without notice or other proceedings on the part of the Railway Company, and the City, its successors or assigns, shall reconvey immediately said property to the Railway Company.

IN WITNESS WHEREOF, the parties hereto have executed this agreement in duplicate this 23rd day of August, 1982.

CITY OF NORTH BONNEVILLE

BURLINGTON NORTHERN RAILROAD COMPANY

By

Harvey L. Lohman

By

W. J. Lohman

Vice President

Attest:

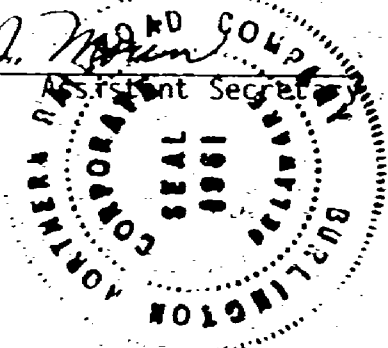
Quallan McKee

City Clerk

Attest:

B. J. Lohman

Assistant Secretary

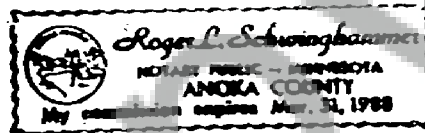


STATE OF MINNESOTA)
 Anoka) ss.
 County of Ramsey)

On this 23rd day of August, 1982, before me personally appeared E. D. Grinnell to me known to be a Vice President and R. J. Morin, Assistant Secretary of BURLINGTON NORTHERN RAILROAD COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said BURLINGTON NORTHERN RAILROAD COMPANY, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said BURLINGTON NORTHERN RAILROAD COMPANY.

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

Roger L. Schwinghammer
 Notary Public in and for the State of
 Minnesota, residing at Forest Lake.



STATE OF WASHINGTON,
County of Skamania } ss.

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On this day personally appeared before me Henry A. Kaham, Jr.
Anna Marie McKenzie

to me known to be the individual 2 described in and who executed the within and foregoing instrument and acknowledged to me that they signed the same as their free and voluntary act and deed for the purposes therein mentioned.

Given under my hand and official seal this 4th day of December, 1972

Irene E. Bitikofen

Notary Public in and for the State of Washington, residing at N. Benavides

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SAFECO Title Insurance Company - ACKNOWLEDGMENT - ORDINARY



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