

FILED FOR RECORD
SKAMANIA CO. WASH
BY *Don Huntington*

Nov 22 12 44 PM '93

P. Sherry
AUDITOR
GARY M. OLSON

EASEMENT

Tract No. BV-53 (Part Of)
Case No. 931042

118035

BOOK 139 PAGE 721

KNOW ALL MEN BY THESE PRESENTS, That the United States of America, Department of Energy, Bonneville Power Administration (BPA) does hereby grant unto SKAMANIA COUNTY PUBLIC UTILITY DISTRICT and unto GTE NORTHWEST INCORPORATED (hereinafter called the Grantees), and their successors and assigns, a perpetual 3-foot-wide easement for underground utilities over, under, upon and across that portion of BPA's fee-owned Tract No. BV-53 as acquired in the Declaration of Taking, At Law No. 26, December 20, 1938, in the District Court of the United States for the Western District of Washington, Southern Division, in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 2 North, Range 5 East, Willamette Meridian, Skamania County, Washington. Said easement lies 1 $\frac{1}{2}$ feet on each side of and parallel with the centerline, which is described as follows:

Beginning at a point on the northerly boundary line of said 300-foot-wide right-of-way in said Tract BV-53, which is N.0°25'10"W., 87.5 feet, when measured at a right angle and opposite BPA North Bonneville-Troutdale No. 2 transmission line survey station 814+04; thence S.21°52'W., 134 feet; thence S.6°32'W., 176 feet to a point on the southerly boundary line of said BPA 300-foot-wide right-of-way and the termination of said centerline. Said termination point lies S.0°25'10"E., 87.5 feet when measured at a right angle and opposite BPA North Bonneville-Troutdale No. 1 transmission line survey station 812+67. The centerline of said easement intersects the North Bonneville-Troutdale No. 1 transmission line at transmission line survey station 812+76 and the North Bonneville-Troutdale No. 2 transmission line at transmission line survey station 813+70.

The above-described easement contains less than one-tenth of an acre, more or less, and is shown on a segment of BPA Drawing No. 3390, marked Exhibit A, attached hereto, and by this reference made a part hereof.

Subject to outstanding rights and county road right-of-way, if any.

Subject also to the following conditions:

1. Underground utility location shall be marked with permanent signs where it enters and leaves BPA right-of-way and at angle points within the right-of-way.
2. Underground cables shall be buried with a minimum cover of 30 inches.
3. Construction equipment must maintain a minimum distance of 15 feet between equipment and transmission line conductors.

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4. Grantees shall be responsible for and comply with all procedural and substantive environmental requirements imposed by local, State, or Federal laws or regulations applicable to the facility. Grantees shall timely notify BPA of any reportable release of hazardous substances or breaches of environmental requirements and shall mitigate and abate adverse environmental impacts of its action. Grantees shall hold BPA harmless for any and all liability arising from the violation of such environmental requirements by Grantees. Violations of such requirements by Grantees shall make this agreement voidable at the election of BPA.

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 Grantees, and their 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 Grantees or their employees, agents, or assigns acting within their authority in the construction, reconstruction, or maintenance of said underground utilities 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 Grantees, or their 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 SKAMANIA COUNTY PUBLIC UTILITY DISTRICT and GTE NORTHWEST INCORPORATED, and their assigns, forever.

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

NA
REAL ESTATE EXCISE TAX

NOV 22 1993

2

PAID NA

JW

SKAMANIA COUNTY DISTRICT

Tract No. BV-53 (Part Of)
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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 18th day of November 1993.

UNITED STATES OF AMERICA
Department of Energy
Bonneville Power Administration

By Renee M. Ferrara
Chief, Land Management Section

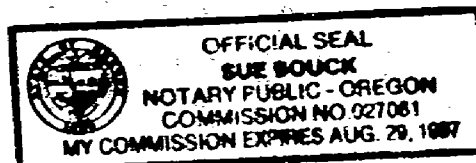
STATE OF OREGON)
) ss:
County of Multnomah)

On this day personally appeared before me Renee M. Ferrara 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 18th day of November 1993.

(SEAL)

Sue Bouck
Notary Public for Oregon
My Commission expires: 8/29/97



12N R4-5E WM

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MAX M DWYRE

3-FOOT-WIDE EASEMENT FOR
UNDERGROUND UTILITY LINES

806+65

S 89° 38' 00" W Cultivated

2nd Growth

LINE NO 2

S. 21° 52' W.

S. 6° 32' W.

CHRISTMAS

TREE

LINE NO 1

N $\frac{1}{2}$ N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$

TO NORTH BONNEVILLE

Bonneville Power Administration

EXHIBIT A

Case No. 931042

Doc. No. 93104204

Approx. Scale: one inch =

SCALE: 1" = 200'

PORTION OF DWG. NO. 3390

UNITED STATES DEPARTMENT OF THE INTERIOR
THE BONNEVILLE PROJECT
J. D. ROSS, ADMINISTRATOR PORTLAND, ORE
NORTH BONNEVILLE-TROUTDALE LINES 1 & 2
(FORMERLY BONNEVILLE-VANCOUVER MILE 4)
LINE 1 2-230 KV SINGLE-CIRCUIT TRANSMISSION LINES
LINE 2 MILE 15 FROM NORTH BONNEVILLE
CLARK AND SKAMANIA COUNTIES WASHINGTON

IN 28 SHEETS - SHEET NO 15

DR. Wright
Don B. [unclear]
Sh. [unclear]
J. D. Ross