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BOOK 167 PAGE 688

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SKAMANIA CO. WASH
BY Skamania County

JUL 30 4 36 PM '97

P. Olsson
AUDITOR
GARY H. OLSON

Please Print or Type Information.

Document Title(s) or transactions contained therein:	
1. Pedestrian Easement	
2.	
3.	
4.	
GRANTOR(S) (Last name, first, then first name and initials)	
1. Pacificorp	
2.	
3.	
4.	
<input type="checkbox"/> Additional Names on page _____ of document.	
GRANTEE(S) (Last name, first, then first name and initials)	
1. Skamania County	
2.	
3.	
4.	
<input type="checkbox"/> Additional Names on page _____ of document.	
LEGAL DESCRIPTION (Abbreviated, I.E., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)	
NW 4 SE 4 Section 3, Township 3 North, Range 10 East	
<input checked="" type="checkbox"/> Complete legal on page 1 & 3 of document.	
REFERENCE NUMBER(S) Of Documents assigned or released:	
<input type="checkbox"/> Additional numbers on page _____ of document.	
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	
<input type="checkbox"/> Property Tax Parcel ID is not yet assigned.	
<input type="checkbox"/> Additional parcel #'s on page _____ of document.	
The Auditor/Recorder will rely on the information provided on the form. The Staff will not read the document to verify the accuracy or completeness of the indexing information.	

REAL ESTATE EXCISE TAX
JUL 31 1997
PAID NA
Wad
SKAMANIA COUNTY TREASURER

Gary H. Martin, Skamania County Assessor
Date 7/30/97 Parcel # 3-10-3-300

PEDESTRIAN EASEMENT

PACIFICORP, an Oregon corporation (GRANTOR), hereby grants to SKAMANIA COUNTY (GRANTEE), subject to existing and valid rights of record, a nonexclusive easement and right-of-way for a public recreational pedestrian trail over, along and across the road as it exists on May 29, 1997 located on the following described real property situated in Skamania County, State of Washington:

A strip of land fifteen (15) feet in width traversing the Northwest Quarter of the Southeast Quarter and abutting the ordinary high water mark of Northwestern Lake Reservoir located in Section 3, Township 3 North, Range 10 EAST, Willamette Meridian, Skamania County, Washington as shown on the map marked Exhibit "A" attached hereto and by this reference made a part hereof.

RESERVING TO GRANTOR, and to its successors and assigns, the right to use said access in connection with its operation as a public utility, and the right to cross and recross the existing road with overhead or underground electric power, water or communication lines; provided that such reserved rights shall be exercised so as not to unreasonably interfere with the use of said trail by the public; and

SUBJECT TO THE following terms and conditions:

1. Grantee assumes all risk in connection with its use of this access and, to the extent permitted by applicable statute, shall indemnify and hold harmless PacificCorp, its directors, officers, employees and leasees, against and from any and all claims, suits, costs, demands, damages, loss, liability or expense, including, attorneys' fees for injury to or death of any and all persons or damage to any and all property including fire damage and costs of fire suppression, caused by or in any way related to Grantee's use or occupancy of said site; provided Grantor is not at fault.
2. The failure of Grantor to enforce any provision of this easement or the waiver thereof in any instance shall not be construed as a general waiver or relinquishment on its part of any such provision, but the same shall nevertheless be and remain in full force and effect.
3. Grantor and/or its successors or assigns shall be responsible for maintenance and repair to said trail only to the extent arising out of a need directly resulting from the Grantor's activities in connection with its operations as a public utility.
4. Grantee agrees to cooperate by posting signs providing general law enforcement services as provided in other public areas of Skamania County to prevent the disposal of refuse, illegal overnight camping or the use of illegal campfires on the site.
5. This Pedestrian Easement may be subject to the regulatory jurisdiction of the Federal Energy Regulatory Commission, which may enter orders or otherwise take action that may affect PacificCorp's obligations regarding PacificCorp's lake front property. Any change in PacificCorp's

obligations may affect the rights of the parties under this Pedestrian Easement. Notwithstanding foregoing, PacifiCorp shall do all in its power to assure that the Federal Energy Regulatory Commission allows and continues to allow the full implementation of this Pedestrian Easement.

6. If cultural resource are discovered or disturbed as a result of Grantee's activities on the site and Grantee is aware of this disturbance, Grantee shall immediately notify Grantor, and cooperate with the Grantor to protect said cultural resources.

7. In the event that the location of said access, or any part hereof, shall interfere with Grantor's use and development of its real property, Grantor reserves the right to relocate and provide alternate right-of-way on its adjacent real property if available, provided this alternate right-of-way provides the same recreational opportunities and access to the water as the existing trail.

8. Grantee shall not assign or otherwise transfer this easement without the prior written consent of Grantor.

9. All such rights hereunder shall terminate if and when the use of said pedestrian access shall have been formally vacated by Skamania County, or in the event that Northwestern Lake, as part of the Condit Hydroelectric Project, ceases to exist due to the discontinued operation of the Project. Grantee shall thereupon demand, quitclaim to Grantor its rights and the rights of the public hereunder.

DATED this 15 day of July, 1997.

PACIFICORP

By Joseph F. Beaman
Asst. Vice President

DATED this 21st day of July, 1997.

ATTEST:

Gary M. Olson
County Auditor and Ex-Officio
Clerk of the Board



APPROVED AS TO FORM ONLY:

BA
Skamania County Prosecuting

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SKAMANIA COUNTY
BOARD OF COMMISSIONERS

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Chairperson

Commissioner

Robert E. McKee
Commissioner

