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BOOK 179 PAGE 381

Return Address:

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FILED FOR RECORD
SKAMIA CO. WASH
BY Russ Gaynor

JUL 17 10 19 AM '98

Robinson
AUDITOR
GARY M. OLSON

Please Print or Type Information.

Document Title(s) or transactions contained therein: 1. <i>Modification of Road Maintenance Agreement</i> 2. 3. 4.
GRANTOR(S) (Last name, first, then first name and initials) 1. <i>Gaynor, Russell D.</i> 2. 3. 4. <input type="checkbox"/> Additional Names on page _____ of document.
GRANTEE(S) (Last name, first, then first name and initials) 1. <i>Rancho Del Oro Short Plat</i> 2. <i>Public, The</i> 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) <i>Section 25, T3N, R7E</i> <input type="checkbox"/> Complete legal on page _____ of document.
REFERENCE NUMBER(S) Of Documents assigned or released: <i>Vol 159 Pg 722 AF 126309 9/27/96</i> <input type="checkbox"/> Additional numbers on page _____ of document. <i>Vol 3 ShortPlats Pg 290</i>
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER <i>3-7-25-3-101, 102, 103, 104</i> <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.

**Modification of Road Maintenance Agreement
recorded in Book 159, Pages 722 & 723 for
Rancho Del Oro Short Plat Lots 1-4
SW 1/4 Section 25, T3N, R7E, WM.**

The following clauses shall be added and/or modified for Rancho Del Oro Road Maintenance Agreement:

1. Clause A - TYPE AND FREQUENCY OF MAINTENANCE. Modified to remove the word 'unanimously'. The new formula for deciding when road maintenance is necessary is in Clause B - Method of Assessing Costs in paragraph b (Acceptance).

2. Clause B - METHODS OF ASSESSING COSTS. All four lots of Rancho Del Oro shall be equally responsible for all costs of Rancho Del Oro Road to and including existing cul-de-sac, a distance of approximately 400 feet. Any additional extensions of Rancho Del Oro Road shall be maintained by lot owners of any future divisions of land.

a. MAINTENANCE AND REPAIR ASSESSMENT. During the month of May of each year, any landowner of any parcel in any short plat licensed to use said roads, may initiate a road and repair report by submitting to each parcel owner through regular mail addressed to the address on file at the County Treasurer Office for said owner, a proposal for the repair and maintenance of all or any portion of Rancho Del Oro Road. Said proposal must include a cost estimate based on the following formula:

- a. Location of proposed maintenance or repair.
- b. Work to be performed.
- c. Total estimated cost per section of road.
- d. Proposed parcels to be assessed and amount of assessment.
- e. Extraordinary assessment. An assessment to any person whose use of said roads has caused damages beyond ordinary wear and tear, such as log hauling.

b. ACCEPTANCE. Said notice shall allow the recipient ten (10) days to respond with a 'yes' or 'no' vote for the proposed work. The response be addressed to the return address appearing on the notice of the originator.

If the owners of lots or parcels that would be assessed an amount when combined equals or exceeds 60% of the estimated cost vote 'yes', then the project may be let, provided it shall not exceed the estimated cost by more than 10% and all costs shall be shared as outlined above.

If the total 'yes' vote is comprised of property owners who would be assessed a combined amount under 60% of the total, then such repair of maintenance shall not be authorized and may only be done by those wishing to pay for the same without contribution or reimbursement from those voting 'no'.

3. Clause C - METHOD OF COLLECTION. Modified to CLAUSE B above, paragraphs a and b.

4. The following clauses shall be added to the Rancho Del Oro Road Maintenance Agreement:

Clause J - ADDITIONAL DIVISIONS. Each parcel that redivides shall cause all purchasers of any newly created lots to take said lot subject to this road maintenance agreement, and such new owner must agree to assume a proportionate share of the road maintenance repair cost computed in a like manner. Any future short plats shall be responsible for their proportionate share of the existing Rancho Del Oro Road. Said costs shall be assessed to any and all parcels upon final recording of short plat with Skamania County.

Clause K - Russ Gaynor, as pre-short plat owner, shall retain full rights for ingress, egress, and utilities for himself, assigns, heirs and future owners of lots on unsubdivided lands owned by Gaynor and or assigns. Any and all future users shall pay their proportionate share of road maintenance costs.

DATED this 16TH day of July, 1998.

Russ Gaynor
RUSS GAYNOR, Landowner