

133578

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Return Address:

Skamania County Clerk
to the Board of County
Commissioners

FILED
SKAMANIA
BY *Skamania Co.*

DEC 24 10 14 '93

Olson

AUDITOR

GARY E. OLSON

Please Print or Type Information.

Document Title(s) or transactions contained therein:	
1. Drainage Easement	
2.	
3.	
4.	
GRANTOR(S) (Last name, first, then first name and initials)	
1. Carson Mineral Hot Springs LLC	REAL ESTATE EXCISE TAX
2.	NA
3.	DEC -2 1993
4.	PAID NA
☐ Additional Names on page <u>NA</u> of document <u>NA</u>	
GRANTEE(S) (Last name, first, then first name and initials)	
1. Skamania County	SKAMANIA COUNTY TREASURER
2.	
3.	
4.	
☐ Additional Names on page <u>NA</u> of document <u>NA</u>	
LEGAL DESCRIPTION (Abbreviated: I.E., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)	
SE4 Section 21, T3N, R8E1M	
☐ Complete legal on page <u>1</u> of document	
REFERENCE NUMBER(S) Of Documents assigned or released:	
☐ Additional numbers on page <u>NA</u> of document <u>NA</u>	
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	
03-08-21-0-0-0200-00	
☐ Property Tax Parcel ID is not yet assigned.	
☐ Additional parcel #'s on page <u>NA</u> of document <u>NA</u>	
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.	

DRAINAGE EASEMENT

The Grantor
CARSON MINERAL HOT SPRINGS, LLC, WA LIMITED LIABILITY CO.
hereinafter referred to as Grantor

for and in consideration of one dollar (\$1.00) and other good and valuable considerations, does hereby grant, warrant and convey unto SKAMANIA COUNTY (hereinafter referred to as the Grantee) an exclusive drainage easement to use and occupy the following described real property, for the purpose of constructing and maintaining a drainage system and operating all necessary machinery and equipment thereon, said Real Estate being situated in Skamania County, State of Washington, and described as follows:

Legal Description

That property conveyed to Carson Mineral Hot Springs, LLC, WA Limited Liability Co. filed in Skamania County Auditor's Office in Book 147, page 914, under Auditor's No. 121467 and described as follows: Tax Lot #03-08-21-00-0200.

SCHEDULE "A"

An exclusive drainage easement and stipulation for construction, located in the southeast quarter (SE 1/4) of Section 21 Township 3 North, Range 8 East, W.M., in Skamania County, Washington, and is more particularly described as follows:

Easement Description

All that portion lying within the grantor's real property of the following described parcel. Commencing at the Skamania County brass monument marking the quarter corner between Section 21 & Section 28, Township 3 North, Range 8 East, W.M., Skamania County, Washington; thence along the section line N 89°57'20" E, 1705.39 feet to the True Point of Beginning of the license agreement herein described; thence N 35°08'31" W, 23.85 feet; thence N 58°41'12" W, 145.71 feet; thence N 13°02'24" E, 105.31 feet; thence S 58°41'12" E, 199.57 feet; thence S 35°08'31" E, 114.97 feet to a point on the section line; thence along said section line S 89°57'20" W, 122.22 feet to the True Point of Beginning.

Containing 0.556 acres, more or less, said license shown in cross hatching on the attached diagram and labeled "Exhibit A".

The Grantor further grants to the Grantee, or its agents, the right to enter upon the Grantor's land where necessary to construct, operate and maintain over and under Grantor's land for said drainage at the Grantee's expense. Said drainage system shall remain the property of the Grantee and the Grantee shall have the right to ingress and egress over the adjacent land of the Grantor for the purpose of exercising the rights hereby granted. This license shall be terminated when the Grantee abandons, by written notice, or removes the drainage system.

Grantee, its successors and assigns, will protect, save and hold harmless the Grantor, its authorized agents and employees, from all claims, actions, costs, damages or expenses of any nature whatsoever by reason of the acts or omission of the Grantee, its assigns, agents, contractors, licensees, invitees, employees or any person whomsoever arising out of or in connection with any acts or activities authorized by this EASEMENT. This obligation shall not include such claims, costs, damages, or expenses which may be caused by the negligence of the Grantor or its authorized agents or employees; Provided, that if the claims or damages are caused by or result from the concurrent negligence of (a) the Grantor, its agents or employees and (b) the Grantee, its agents or employees, and involves those actions covered by RCW 4.24.115, this indemnity provision shall be valid and enforceable only to the extent of the negligence of the Grantee or Grantee's agents or employees.

This agreement shall also not affect either party's responsibility for any past, present or future surface waters, excessive waters or flooding.

It is understood and agreed that the delivery of this Drainage Easement is hereby tendered and that the terms and obligations hereby shall not become binding upon the Skamania County unless and until accepted and approved hereon in writing by the Skamania County Commissioners.

The Grantor hereby represents that this instrument has been duly acknowledged and certified and that this instrument was signed by a legal representative and agent of the county.

ACCEPTED and APPROVED:

10.30.1998
Date

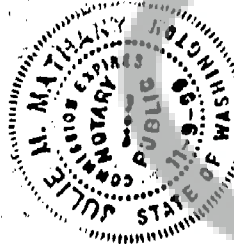
By: [Signature]

STATE OF Washington
COUNTY OF Skamania

On this day personally appeared before me William W. Simon

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

GIVEN under my hand and official seal this 30th day of October, 1998.



Julie M. Matthey
Notary Public in and for the State of Washington,
residing at Everett, WA
My commission expires 11-5-99

STATE OF WASHINGTON)
COUNTY OF SKAMANIA) ss.

I certify that I know or have satisfactory evidence that ALBERT E. MCKEE and
JUDY A. CARTER are the persons who appeared before me and said persons acknowledged
that they signed this instrument, on oath stated that they were authorized to
execute the instrument and acknowledged it as the Board of Commissioners of
Skamania County to be their free and voluntary act of such party for the uses and
purposes mentioned in this instrument.

Dated this 10th day of November, 1998.

Gary M. Olson

Gary M. Olson



Notary Public in and for the State of
Washington; residing at North Bonneville,
Washington; My commission expires October
31, 2000.

DATED: November 10, 1998.

SKAMANIA COUNTY
BOARD OF COMMISSIONERS

Albert E. McKee
Chairperson

Judy A. Carter
Commissioner

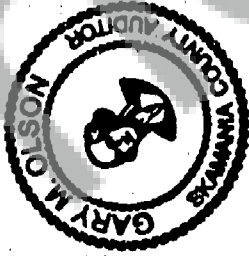
Commissioner

ATTEST:

[Signature]
County Auditor and Ex-Officio
Clerk of the Board

APPROVED AS TO FORM ONLY:

[Signature]
Skamania County Prosecuting
Attorney



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