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BOOK 238 PAGE 456

Return Address:

City of Stevenson
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SKAMANIA COUNTY WASH
BY City of Stevenson

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P. Laury
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Please Print or Type Information.

Document Title(s) or transactions contained therein:

1. Use of Right of Way Permit
- 2.
- 3.
- 4.

GRANTOR(S) (Last name, first, then first name and initials)

1. The City of Stevenson
- 2.
- 3.
- 4.

☐ Additional Names on page _____ of document.

GRANTEE(S) (Last name, first, then first name and initials)

1. Tess Kuskie
- 2.
- 3.
- 4.

☐ Additional Names on page _____ of document.

LEGAL DESCRIPTION (Abbreviated: I.E., Lot Block, Plat or Section, Township, (Range, Quarter/Quarter)
AS RECORDED AT BOOK 110, PAGE 365 OF DEEDS, RECORDS OF SKAMANIA
COUNTY, WASHINGTON SEE EXHIBIT "A" ATTACHED.

☒ Complete Legal on page Exhibit A of document.

REFERENCE NUMBER(S) Of Documents assigned or released:

☐ Complete Legal on page _____ of document.

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER
03-07-36-43-2300 *W. 11-03*

☐ Property Tax Parcel ID is not yet assigned.

☐ Additional parcel #'s on page _____ of document. *VC*

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.

USE OF RIGHT OF WAY PERMIT

THIS AGREEMENT made this 1 day of November, 2002 between the CITY OF STEVENSON, Skamania County, Washington, herein called Licensor, and TESS KUSKIE, a single person, her heirs, accessors and assigns, herein called Licensee.

SECTION I

License to Use Right of Way

Licensor hereby licenses and permits Licensee to use, for the purposes expressed herein, a portion of Licensor's right of way bordering on licensee's property located at 651 NW Vancouver Avenue, Stevenson, Washington (Tax Parcel 03 07 36 43 2300) described in Exhibit "A" attached hereto.

SECTION II

Consideration for License

Consideration arises from the mutual promises made by Licensor and Licensee herein.

SECTION III

Duration of License

This license shall commence on August 9, 2002 and shall continue until terminated by Licensor as provided below.

SECTION IV

Use of Right of Way

Licensee shall use the right of way for landscaping and ordinary residential purposes, except that no fences may be erected and no storage of vehicles or equipment shall be permitted. In addition, licensee acknowledges that this does not constitute the granting of an exclusive use, and there shall be no obstruction of public access.

SECTION V

Maintenance of Right of Way

Licensee shall maintain the right of way at all times during the duration of this license.

SECTION VI

Indemnification of Licensor

Licensee shall indemnify Licensor against all claims for damage to property or injury to third persons resulting or arising from the use of right of way during the duration of this license. Licensee shall maintain public liability insurance at all times sufficient to protect Licensor against all claims relating to the public's use of the property subject to this license.

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SECTION VII
Termination of License

This license may be terminated by either party upon the giving of sixty (60) days written notice of the intent to terminate the license, together with a list of improvements on the right of way that are to be removed by the Licensee, and Licensee shall thereupon remove all such improvements within sixty (60) days of termination of the license. If the licensee fails to remove the improvements within said sixty (60) day period, licensor may remove said improvements and hold Licensee liable for all costs associated with said removal. This paragraph shall not limit Licensor's remedies in the event of a breach of this agreement.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above written.

CITY OF STEVENSON


Tess Kuskie

By:  Mayor

ATTEST:

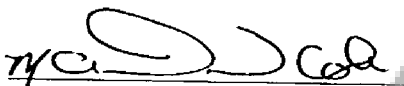

Clerk of the City of Stevenson

EXHIBIT "A"

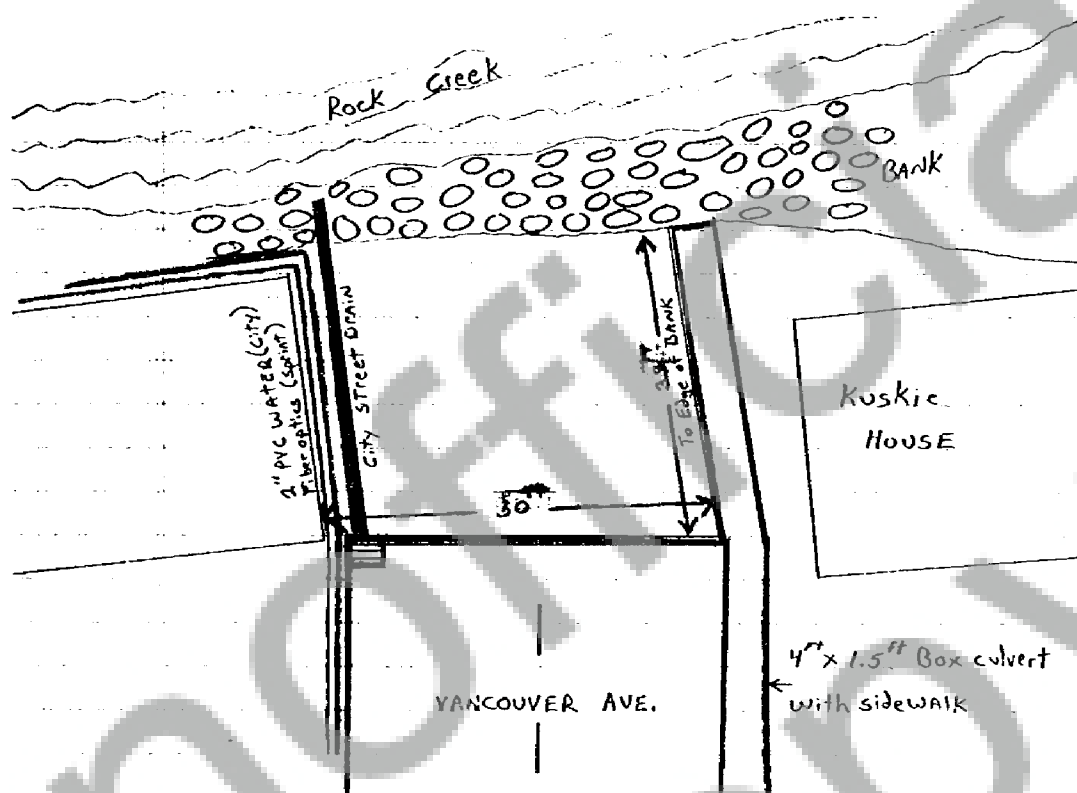
Use of right of way is granted for all of the public right-of-way in front of the real property owned by Tess Kuskie and recorded at Book 110, Page 365 of Deeds, Records of Skamania County, Washington, more particularly described as:

Beginning at the 1/4 corner of the south line of Section 36, Township 3 North, Range 7 EWM; thence west along south line of said Section 36, 519.7 feet to the point of beginning; thence north 270 feet; thence west to the center of the channel of Rock Creek; thence following the center of the channel of Rock Creek southerly 270 feet, more or less, to the south line of the said Section 36; thence east to the initial point; together with an easement and right of way for use of the existing road over and across the northeasterly corner of the tract; and subject to easements of record and an easement for the sewer line presently constructed and installed. And except the following described tract:

1. Commencing at a point 73 feet northeast from the northeast corner of the east truss of the Rock Creek Bridge on the north side of the Vancouver Road; thence running at right angles 100 feet in a northwesterly direction to a large boulder 2 feet high; thence in a southwesterly direction at right angles 73 feet; thence in a southeasterly direction at right angles 100 feet to the east truss of Rock Creek Bridge; thence northeasterly along the north line of Vancouver Road to the place of beginning; being that certain tract of land conveyed to Grant Ballard by deed recorded at page 250 of Book N of Deeds, records of Skamania County, Washington. (Reference is to bridge existing August 7, 1911).

Subject to easement for road to land lying northerly of the above described tract, and right of way for power transmission lines as referred to in the deed, Book 73, page 416.

Also subject to flowage easement granted to the United States, the same being recorded at Page 272, Book 27 of Deeds, Records of Skamania County, Washington.



1. Approx: 990 Square Ft From edge of County Bld. to back side of Box Culvert Side walk / From Vancouver Avenue curb to edge of BANK At Rock Creek

2.