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BOOK 242 PAGE 433

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Quarry
J. MICHAEL RYANSON

AFTER RECORDING MAIL TO:
Dick Fankhauser, Lands Program
WA State Parks and Recreation Commission
P.O. Box 42650
Olympia, WA 98504-2650

REAL ESTATE EXCISE TAX

N/A ^{see} 22993

MAY -9 2003

PAID ~~RE EXCISE~~ #22993

Vickie Clelland DTD 5-9-2003

SKAMANIA COUNTY TREASURER

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Document Titles (s)

1. DEED OF RIGHT TO USE LAND FOR PUBLIC RECREATION PURPOSES

Reference numbers of related documents:
NONE

Grantor(s):

1. STATE OF WASHINGTON, WASHINGTON STATE PARKS AND RECREATION COMMISSION

Grantee(s):

1. STATE OF WASHINGTON

Legal Description:

Portion of Section 35, Township 2 North, Range 6 East W.M., Skamania County, Washington.

Legal description is attached to the Document.

Assessor's Property Tax Parcel Account Number(s):

Skamania County Assessor's Tax Parcel Number 02-06-35-0-0-0900-00.

5-9-03
John

**DEED OF RIGHT TO USE LAND FOR PUBLIC
RECREATION PURPOSES
Beacon Rock - Peyton/Bassett Property**

The Grantor, Washington State Parks and Recreation Commission, for and in consideration of monies coming in whole or in part from the Outdoor Recreation Account of the General Fund of the State of Washington and in fulfillment of terms of the Projects Contract identified below, conveys and grants to the State of Washington individually and as the representative of all the people of the State, the right to use the real property described below forever for the outdoor recreation purposes described in the Project Contract entered into between the Grantor and the State of Washington through the Interagency Committee for Outdoor Recreation (IAC) entitled Inholdings - 2001 Acquisitions, IAC Project Number 00-1547A, (commonly known as the Peyton/Bassett Property at Beacon Rock) signed by the Grantor on the January 2, 2002, and by the Interagency Committee for Outdoor Recreation on the December 24, 2001, and the application and supporting materials which are on file with the Grantor and the state in connection with the Project Contract.

The Grantor will not make or permit to be made any use of the real property described in this deed, or any part of it, which is inconsistent with the right to use for public outdoor recreation herein granted unless the state, through the Interagency Committee for Outdoor Recreation or its successors, consents to the inconsistent use, which consent shall be granted only upon conditions which will ensure that other outdoor recreation land of at least equal fair market value at the time of change of use and of as nearly as feasible equivalent usefulness and location for the public recreation purposes for which state assistance was originally granted will be substituted in the manner provided in RCW 79A.23.100 for marine recreation land, whether or not the real property covered by this deed is marine recreation land. RCW 79A.23.100 reads as follows:

Marine recreation land with respect to which money has been expended under RCW 79A.25.080 shall not, without the approval of the committee, be converted to uses other than those for which such expenditure was originally approved. The committee shall only approve any such conversion upon conditions which will assure the substitution of other marine recreation land of at least equal fair market value at the time of conversion and of as nearly as feasible equivalent usefulness and location.

The real property covered by this deed is described as follows:

Legal Description: Exhibit A (legal description) and Exhibit B (map) attached hereto and incorporated by this reference herein.

Tax Parcel No.: 02-06-35-0-0-0900-00

This deed shall in no way modify or extinguish the functions of the Grantor under the Project Agreement, including the Grantor's functions to operate and maintain the land as set out in paragraph 13 of the Project Agreement.

DATED this 6 day of April, 2003

WASHINGTON STATE PARKS AND
RECREATION COMMISSION

By Javier H. Figueroa
Javier H. Figueroa, Manager
Lands Program

STATE OF WASHINGTON)
County of THURSTON) ss.

THIS IS TO CERTIFY that on this day, before me the undersigned Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared Javier H. Figueroa to me known to be the Lands Program Manager of the Washington State Parks and Recreation Commission that executed the foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said Commission, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute the said instrument.

WITNESS my hand and official seal this 7 day of April, 2003.



Ken D. Graham
Notary Public in and for the State of Washington
residing at Olympia, WA
My commission expires November 20, 2006

APPROVED AS TO FORM:
CHRISTINE O. GREGOIRE,
Attorney General:
Base Approval As To Form 1/31/95
By/s/ Joseph Shorin
Assistant Attorney General

EXHIBIT A
Legal Description

PARCEL I

Beginning at a point which is 534.0 feet South and 787.4 feet East of the Northwest Corner of the Northwest Quarter of the Northeast Quarter of Section 35, Township 2 North, Range 6 East of the Willamette Meridian, in the County of Skamania, State of Washington; thence South $01^{\circ} 02'$ West a distance of 285.6 feet to the Northerly Right-of-Way Line of the S. P. & S. Railroad; thence South $72^{\circ} 30'$ West along said right-of-way line a distance of 136.63 feet to the true point of beginning of the property herein described; thence continuing South $72^{\circ} 30'$ West along said right-of-way line a distance of 360 feet, more or less, to a point which is 350 feet along said right-of-way line Northeasterly from its intersection with the North and South centerline of Section 35; thence Northwesterly a distance of 100 feet, more or less, to a point on the Southerly right-of-way line of said Evergreen Highway; said point being 300 feet along said right-of-way line Northeasterly from its intersection with the North and South centerline of Section 35; thence Northeasterly along said Evergreen Highway right-of-way line a distance of 350 feet, more or less, to a point which is North $38^{\circ} 44'$ West a distance of 255.0 feet from the true point of beginning; thence South $38^{\circ} 44'$ East a distance of 255.0 feet to the true point of beginning.

PARCEL II

A tract of land in the Northwest Quarter of the northeast Quarter of Section 35, Township 2 North, Range 6 East of the Willamette Meridian, particularly described as follows:

Beginning at a point which is from the Quarter Corner common to Section 26 and 35, South 534 feet and East 787.4 feet; thence South $01^{\circ} 02'$ West 324 feet to the Northerly Right-of-Way Line of the S. P. & S. Railway Company; thence South $72^{\circ} 12'$ West along said right-of-way line 136.63 feet to the initial point of the tract herein described; thence North $36^{\circ} 36'$ West 228.57 feet to the Southerly Right-of-Way Line of the State Highway; thence Northeasterly along said right-of-way line to a point on said line which is 35.49 feet distant from the last described line when measured at right angles thereto and which point is marked with an iron pipe; thence South $38^{\circ} 36'$ East on a line passing through a surveyor's iron pipe 255 feet, more or less, to a point on the Northerly Right-of-Way Line of the S. P. & S. Railway Company, which point is marked with an iron pipe; thence South $73^{\circ} 12'$ West along said right-of-way line 38.22 feet to the initial point.

Tax Parcel No. 02-06-35-0-0-0900-00

EXHIBIT B
Map

