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Page 1 of 5  
Date: 06/25/2004 10:44A  
Filed by: CLARK COUNTY TITLE  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$23.00

**Return to:**

Attn.: Pattie Wickwire  
USDA FOREST SERVICE OF COLUMBIA GORGE NSA  
902 Wasco Avenue Suite 200  
Hood River, OR 97031

Re: CCT 00052780 MD

**Document Title(s):**

ELECTRIC DISTRIBUTION LINE RIGHT-OF-WAY EASEMENT

**Reference number(s) of Documents assigned or released:**

**Grantor(s)** (Last name first, then first name and initials):

1. CAPE HORN LAND AND TIMER TRUST
2. ☐ Additional names on page of document.

**Grantee(s)** (Last name first, then first name and initials):

1. PUBLIC UTILITY DISTRICT #1 OF SKAMANIA COUNTY
2. ☐ Additional names on page of document.

**Legal Description** (abbreviated: i.e. lot, block, plat or section, township, range):

NE 1/4 Section 9, T1, R5

☒ Additional legal is on page 1 of document.

**Assessor's Property Tax Parcel/Account Number:**

01-05-09-0-0-0100-00

☒ Additional legal is on page 1 of document.

**REAL ESTATE EXCISE TAX**

23993

JUN 25 2004

PAID

Exempt  
by deputy

SKAMANIA COUNTY TREASURER

**After Recording Mail to:**

USDA Forest Service  
Attn: Pattie Wickwire  
902 Wasco Avenue, Suite 200  
Hood River, OR 97031

**ELECTRIC DISTRIBUTION LINE RIGHT-OF-WAY EASEMENT**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, DANIEL L. HUNTINGTON and BRIAN H. WOLFE, as Trustees, for CAPE HORN LAND AND TIMBER TRUST, hereinafter called grantor, for One dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does hereby grant unto the PUBLIC UTILITY DISTRICT #1 OF SKAMANIA COUNTY (Skamania County PUD), hereinafter called grantee, and to its successors and assigns, subject to valid existing easements and rights, a nonexclusive easement for an existing, above-ground electric distribution line upon the lands of the grantor situated in the County of Skamania and the State of Washington. The easement for the existing electric distribution line is more particularly described as follows:

A strip of land, 25 feet in width, and centered on the existing, above-ground distribution lines as located in the N $\frac{1}{2}$ NE $\frac{1}{4}$  of Section 9, Township 1 North, Range 5 East, Willamette Meridian, Tax Lot 01-05-09-0-0-0100-00 as shown on Skamania County Assessor's Tax Map dated August 1995, Skamania County, Washington.

The centerline of said electric distribution line is generally depicted on the attached Exhibit "A", which by this reference is made a part hereof and is generally further described as follows:

Beginning at a point on the south right-of-way line of Skamania County Road No. 11030 known as Mt. Pleasant Road, said point bears North 74° East, 495 feet from the Southwest property corner of this tax lot, marked with a  $\frac{1}{2}$ " iron rod and plastic cap LS#12412, thence South 31 $\frac{1}{2}$ ° West, 160 feet, more or less to the south line of the N $\frac{1}{2}$ NE $\frac{1}{4}$ , being also the south line of this tax Lot, and the end of this easement.

The electric distribution line easement shall allow the grantee the right to enter upon said lands and to construct, reconstruct, rephase, repair, operate and maintain the existing distribution line and associated existing facilities that are located within the right of way and to cut and trim trees and shrubbery within the right of way, by machinery or otherwise, that may interfere with or threaten to endanger the safe operation and maintenance of said line or system.

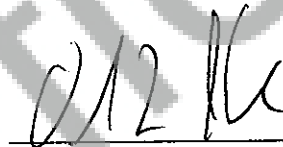
Gary H. Martin, Skamania County Assessor  
Date 6/25/04 Parcel # 1-5-9-100  
C.S.

It is agreed that all facilities installed on the above-described premises at the grantee's expense shall remain the property of the grantee and shall be removable at the option of the grantee. It is further agreed that the grantors, and their successors and assigns, shall not be liable for any costs whatsoever associated with the maintenance or repair of said access road which is upon said lands and which is utilized by the grantee for purposes of access to the existing distribution lines and associated existing facilities.

The grantor covenants that they will not erect or maintain any structure which might interfere with the operation or maintenance of the distribution line or access thereto, and that they are the owner of the above-described lands, and that they have the right to execute this right of way easement without the consent of any other party. Any rights and privileges not expressly conveyed hereby remain with the grantor.

TO HAVE AND TO HOLD unto the PUBLIC UTILITY DISTRICT #1 OF SKAMANIA COUNTY, its successors and assigns, the easement rights hereby granted.

IN WITNESS WHEREOF, the undersigned has set her hand and seal this 5<sup>th</sup> day of May, 2004.



DANIEL L. HUNTINGTON, Trustee,  
Cape Horn Land and Timber Trust



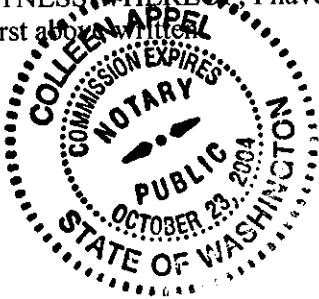
BRIAN H. WOLFE, Trustee  
Cape Horn Land and Timber Trust

ACKNOWLEDGMENT

STATE OF Washington )  
 )ss.  
County of Clark )

On this 5 day of MAY, 2004, before me, the undersigned, personally appeared **DANIEL L. HUNTINGTON**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual who executed the within and foregoing instrument as Trustee of the **CAPE HORN LAND AND TIMBER TRUST**, the Trust therein name, and acknowledged that the Trust executed the same as its free and voluntary act and deed for the purposes therein mentioned, and on oath stated that he/she was authorized to so execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



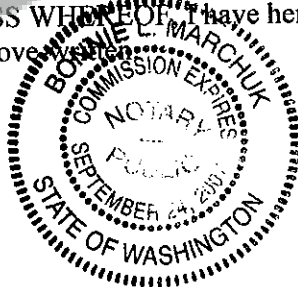
Colleen Appel  
signature  
Name (Printed): COLLEEN APPEL  
Notary Public for the State of WASHINGTON  
My commission expires OCT 23 2004

ACKNOWLEDGMENT

STATE OF Washington )  
 )ss.  
County of Clark )

On this 5<sup>th</sup> day of May, 2004, before me, the undersigned, personally appeared **BRIAN H. WOLFE**, personally known to me (or proved to me on the basis of satisfactory evidence) to be the individual who executed the within and foregoing instrument as Trustee of the **CAPE HORN LAND AND TIMBER TRUST**, the Trust therein name, and acknowledged that the Trust executed the same as its free and voluntary act and deed for the purposes therein mentioned, and on oath stated that he/she was authorized to so execute said instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



Bonnie L. Marchuk  
signature  
Name (Printed): Bonnie L. Marchuk  
Notary Public for the State of Washington  
My commission expires 9-24-2007

