

Doc # 2004155161  
Page 1 of 10  
Date: 11/10/2004 02:49P  
Filed by: WOODRICH & ARCHER  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$28.00

**REAL ESTATE EXCISE TAX**

When Recorded Return to:  
Woodrich & Archer LLP  
P.O. Box 510  
Stevenson, WA 98648

24420  
NOV 10 2004

PAID

EXEMPT

*Sidney F. Deputy*  
SKAMANIA COUNTY TREASURER

**QUIT CLAIM DEED**

**Boundary Line Adjustment and Easement Deed**

WHEREAS, Leslie Rose Magruder died October 30, 2002. Her estate is pending in Skamania County Superior Court as Cause number 03-4-00002-6.

WHEREAS, Paul George Magruder died September 20, 1971. His estate is pending in Skamania County Superior Court as Cause number 04-4-00008-3.

WHEREAS, The Estate of Leslie Rose Magruder and the Estate of Paul George Magruder, the owners of certain real estate, wish to correct the legal description recorded in Book 165 Page 79 of Skamania County Records described as follows:

3-8-31-300  
400  
11-10-04 1300  
*John*

Beginning at a point where the west line of government Lot 4 of Section 31, Township 3 North, Range 8 E.W.M. intersects with the northerly right of way line of State Highway No. 8; thence south 60° 44' west 86.3 feet along the said right of way line to the initial point of the tract hereby described; thence north 12° 30' east a distance of 230.6 feet; thence north 65° east a distance of 210.8 feet; thence south 86° 10' east a distance of 252.3 feet to the intersection with the

TRANSACTION IN COMPLIANCE WITH COUNTY SUBDIVISION ORDINANCES  
Skamania County By: *PJ* 11/10/04

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**RECORDER'S NOTE:  
NOT AN ORIGINAL DOCUMENT**

northerly right of way line of the said state Highway no. 8; thence south 60° 44' west along the said right of way line a distance of 587.6 feet to the initial point; said tract containing 1.62 acres more or less.

TOGETHER WITH, all water rights appurtenant thereto.

WHEREAS, the legal description as described above and in Book 165 Page 79 of Skamania County Records references the beginning point as the "west line of Government Lot 4";

WHEREAS, the 1925/29 State Highway map showing the location of Government Lot 4 is incorrect;

WHEREAS, Bell Design Company has surveyed this certain real estate with the correct location of Government Lot 4 and the property lines should be adjusted to reflect the correct location of Government Lot 4;

WHEREAS, due to the corrected location of Government Lot 4 and revisions to the property lines of this certain real estate, the adjacent property owners, Bill and Joe Birkenfield have revised property lines and request an easement for Ingress and Egress to their revised property lines;

WHEREAS, due to the corrected location of Government Lot 4 and revisions to the property lines of this certain real estate owned by the Estate of Leslie Rose Magruder and the Estate of Paul George Magruder, the owners request an easement for access to the Water storage tank and pipeline;

NOW WHEREFORE IN CONSIDERATION OF THE revised property lines, the owners, The Estate of Leslie Rose Magruder and the Estate of Paul George Magruder, of certain real estate described above, and Joe and William Birkenfeld, adjacent property owners, agree to the following BOUNDARY LINE ADJUSTMENT DEED AND EASEMENT DEED;

THE Grantors, The Estate of Leslie Rose Magruder and the Estate of Paul George Magruder, as owners of that certain real estate described Book 165 Page 79, for good and sufficient consideration and **FOR THE PURPOSE OF ADJUSTING BOUNDARY LINES ONLY**, hereby convey and quit claim all interest in that certain real estate set forth below, situated in the County of Skamania, State of Washington, including any after acquired title to the Grantees Joe Birkenfeld and William Birkenfeld as Tenants in Common;

Tax Lot 3-8-31-400

All of Government Lot 1 and all of that portion of Government Lots 2 and 3 lying northerly of State Highway SR 14 in Section 31, Township 3 North, Range 8 East, Willamette Meridian; Except that portion thereof conveyed to the State of Washington (Book Z of Deeds, page 492);

EXCEPT the following described parcel:

Commencing at the southwest corner of the northwest quarter of Section 31, Township 3 North, Range 8 East, Willamette Meridian, said corner is monumented with a brass capped rebar set in mound of stones;

Thence North  $63^{\circ}43'45''$  East, a distance of 1201.29 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on the north line of State Highway SR14 and the True Point of Beginning;

Thence North  $00^{\circ}34'37''$  East, a distance of 108.47 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North  $30^{\circ}02'23''$  East, a distance of 202.33 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North  $66^{\circ}41'03''$  East, a distance of 136.48 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South  $74^{\circ}06'49''$  East, a distance of 259.91 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873"

set on said north line of State Highway SR14;

Thence South 60°44'00" West along said north line, a distance of 8.43 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South 29°16'00" East along said north line, a distance of 20.00 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South 60°44'00" West along said north line, a distance of 516.77 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" and the True Point of Beginning, containing 1.62 acres, more or less.

Tax Lot 3-8-31-300

A tract of land located in Governments Lot 4 and 5 and in the northeast quarter of the northwest quarter (NE 1/4 NW 1/4) and the northwest quarter of the northeast quarter (NW 1/4 NE 1/4) of Section 31, Township 3 North, Range 8 East, Willamette Meridian, more particularly described as follows:

Beginning at the northwest corner of NE 1/4 of the NW 1/4 of said Section 31; thence east along the north line of said Section 31 to its intersection with the westerly line of a tract of land reserved by the Columbia Gold and Copper Mining Company, a Washington Corporation, in a deed dated May 17, 1909, recorded at page 428 of Book L of Deeds, records of Skamania County Washington; thence southeasterly along said westerly line to its intersection with the northerly right of way line of State Road 14 (formerly designated as primary State Highway 8); thence southerly and westerly along the northerly right of way line of said highway to its intersection with the west line of said Government lot 4; thence north along the west line of said Government lot 4 and continuing north along the west line of the NE 1/4 NW 1/4 of said Section 31 to the Point of Beginning;

EXCEPT the following described parcel:

Commencing at the southwest corner of the northwest quarter of Section 31, Township 3 North, Range 8 East, Willamette Meridian, said corner is monumented with a brass capped rebar set in mound of stones;

Thence North 63°43'45" East, a distance of 1201.29 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on the north line of State Highway SR14 and the True Point of Beginning;

Thence North 00°34'37" East, a distance of 108.47 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North 30°02'23" East, a distance of 202.33 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North 66°41'03" East, a distance of 136.48 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South 74°06'49" East, a distance of 259.91 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on said north line of State Highway SR14;

Thence South 60°44'00" West along said north line, a distance of 8.43 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South 29°16'00" East along said north line, a distance of 20.00 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence South 60°44'00" West along said north line, a distance of 516.77 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" and the True Point of Beginning, containing 1.62 acres, more or less.

SUBJECT TO a water pipeline easement granted for a period of one year commencing on the date of recording of this instrument and described as follows:

Commencing at the southwest corner of the northwest quarter of Section 31, Township 3 North, Range 8 East, Willamette Meridian, said corner is monumented with a brass capped rebar set in mound of stones;

Thence North 63°43'45" East, a distance of 1201.29 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on the north line of State Highway SR14;

Thence North 00°34'37" East, a distance of 108.47 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North 30°02'23" East, a distance of 202.33 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873";

Thence North 66°41'03" East, a distance of 94.72 feet to the True Point of Beginning of a water pipeline easement having a right of way width of 5 feet along each side of the following centerline description;

Thence North 18°35'38" West along said centerline, a distance of 48.23 feet;

Thence North 35°39'53" East along said centerline, a distance of 40.35 feet to the center of a reservoir;

Thence including an area for said reservoir having a radius of 10 feet around said center of reservoir and the end of water pipeline easement.

TOGETHER WITH an easement for ingress and egress described as follows:

Commencing at the southwest corner of the northwest quarter of Section 31, Township 3 North, Range 8 East, Willamette Meridian, said corner is monumented with a brass capped rebar set in mound of stones;

Thence North 63°43'45" East, a distance of 1201.29 feet to a 5/8 inch diameter rebar topped with a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on the north line of State Highway SR14;

Thence North 60°44'00" East along said north line, a distance of 76.0 feet to an existing access road and the beginning of ingress and egress easement having a width of fifteen (15) feet along each side of the following centerline description;

Thence North 43°23'01" West along said centerline, a distance of 98.62 feet to a yellow plastic survey cap inscribed "BELL DESIGN 11873" set on the Birkenfeld property line and the terminus of this centerline description with the thirty (30) foot wide right of way lines extending to said Birkenfeld property line.

The purpose of this deed is to effect a boundary line adjustment between the parcel of land owned by Grantors and the parcels of land owned by Grantees. It is not intended to create a separate



parcel and is therefore exempt from the requirements of RCW 58.17 and the Skamania County Short Plat Ordinance. The property being conveyed by this deed cannot be further subdivided and conveyed without conforming to the laws of the State of Washington and the Skamania County Subdivision Ordinance. The consideration for this conveyance is the sum of \$ 0.

DATED this 24<sup>th</sup> day of September, 2004.

**GRANTOR(S):**

Stephanie Wirch  
The Estate of Leslie Rose Magruder, Grantor  
Stephanie Wirch, Personal Representative

Stephanie Wirch  
The Estate of Paul George Magruder, Grantor  
Stephanie Wirch, Personal Representative

**GRANTEE(S):**

Joe Birkenfeld  
Joe Birkenfeld, Grantee

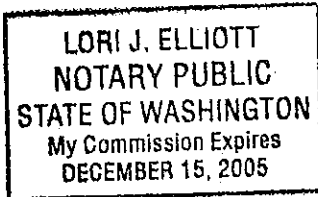
William J. Birkenfeld  
William Birkenfeld, Grantee

STATE OF WASHINGTON     )  
  ) ss.  
County of Skamania     )

I certify that I know or have satisfactory evidence that Stephanie Wirch, Personal Representative for the Estate of Leslie Rose Magruder is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act in her capacity as Personal Representative for the Estate of Leslie Rose Magruder for the uses and purposes mentioned in the instrument.

Dated this 15 day of July, 2004.

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Lori J. Elliott

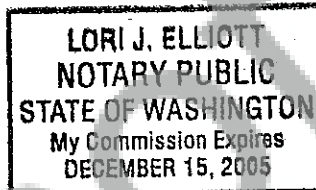
Notary Public in and for the  
State of Washington.

Commission expires: December 15, 2005

STATE OF WASHINGTON )  
 ) ss.  
County of Skamania )

I certify that I know or have satisfactory evidence that Stephanie Wirch Personal Representative for the Estate of Paul George Magruder, is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act in her capacity as Personal Representative for the Estate of Paul George Magruder for the uses and purposes mentioned in the instrument.

Dated this 15 day of July, 2004.



Lori J. Elliott

Notary Public in and for the  
State of Washington.

Commission expires: December 15, 2005

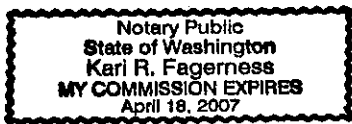
STATE OF WASHINGTON )  
 ) ss.  
County of Skamania )

I certify that I know or have satisfactory evidence that Joe Birkenfeld is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 24<sup>th</sup> day of September, 2004.

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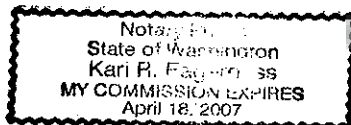


Kari R. Fagerness  
Notary Public in and for the  
State of Washington.  
Commission expires: 4-18-2007

STATE OF WASHINGTON     )  
  ) ss.  
County of Skamania         )

I certify that I know or have satisfactory evidence that William Birkenfeld is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 24<sup>th</sup> day of September, 2004.



Kari R. Fagerness  
Notary Public in and for the  
State of Washington.  
Commission expires: 4-18-2007

