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Page 1 of 10  
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Filed by: ALBERT F SCHLOTFELDT, ATTORNEY  
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of SKAMANIA COUNTY  
J. MICHAEL GARVISON  
AUDITOR  
Fee: \$28.00

**RECORDING REQUESTED BY  
AND WHEN RECORDED RETURN TO:**

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Duggan Schlotfeldt & Welch, PLLC  
900 Washington Street, Suite 1020  
Vancouver, WA 98660

**Grantors (Person or Company  
indebted to Claimants):** DAVID CREAGAN, BRENDA CREAGAN, GERALD SAUER, MARY  
SAUER, JOHN NIEMER and LAUREN NIEMER  
**Grantees (Claimants):** DAVID CREAGAN, BRENDA CREAGAN, GERALD SAUER, MARY  
SAUER, JOHN NIEMER and LAUREN NIEMER  
**Abbreviated Legal:** E 1/2 SECTION OF 23, T7N, R6E, W.M.  
G.S. 4/15/05  
**Assessor's Property Tax  
Parcel/Account #:** 07-06-23-00-1101, 07-06-23-00-1108, 07-06-23-00-1109, 07-06-23-00-1111, 07-  
06-23-00-1112, 07-06-23-00-1124  
**Other Reference Nos:** \_\_\_\_\_

**EASEMENT AGREEMENT**

This Agreement is made this 5 day of APRIL, 2005, by DAVID CREAGAN, BRENDA CREAGAN, GERALD SAUER, MARY SAUER, JOHN NIEMER and LAUREN NIEMER, the record title owners of six adjacent parcels of property abutting certain easements described on the attached Exhibits.

**RECITALS**

The declarations contained in this Easement Agreement ("Agreement") are based on the following factual recitals:

A. DAVID CREAGAN and BRENDA CREAGAN are the owners of three parcels of real property legally described in the records of Skamania County under document Nos. 2004154973, 2004154974, and 2004154975 (and as modified by boundary line adjustments depicted in a survey recorded under No. 2005155913).

EASEMENT AGREEMENT - 1

S:\Clients\18052\18052001\18050001 D13 Revised Easement and Road Maintenance Agmt.doc (3/22/2005)

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ATTORNEYS AT LAW  
900 Washington Street, Suite 1020  
PO Box 570  
Vancouver, Washington 98666-0570  
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*Ag*

B. GERALD SAUER and MARY SAUER are the owners of two parcels of real property, legally described in the records of Skamania County under document Nos. 2004154976 and 2004154977 (and as modified by boundary line adjustments depicted in a survey recorded under No. 2005155913).

C. JOHN NIEMER and LAUREN NIEMER are the owners of certain real property legally described in the records of Skamania County under document No. 2004153795.

D. As of the date of this agreement, the respective owners of the parcels and their addresses are as follows:

DAVID and BRENDA CREAGAN, 19707 NE 105<sup>th</sup> Avenue, Battle Ground, WA 98604  
GERALD and MARY SAUER, 26300 NE 16<sup>th</sup> St., Camas, WA 98607  
JOHN and LAUREN NIEMER, 8379 SW Charlotte Drive, Beaverton, OR 97007

## SECTION ONE EASEMENTS

1.1 LODGEPOLE LANE. The parties to this agreement hereby grant and convey to each other a perpetual easement, legally described in Exhibit "A" attached hereto and depicted in the map attached hereto as Exhibit "C", for the purposes of ingress, egress, utilities and future development to and from the parties' respective parcels. The easement burdens the respective parcels and runs with the land.

1.2 PEDESTRIAN/ORV EASEMENT. The parties to this agreement grant and convey to each other a perpetual easement legally described in Exhibit "B" and depicted in the map attached hereto as Exhibit "C", for the purposes of pedestrian and off-road vehicle travel. The easement burdens the easement premises and runs with the land.

## SECTION TWO ASSIGNMENT OF RIGHTS

All rights granted in this Agreement shall not be further assignable by the parcel owners except as an appurtenance to and in conjunction with the sale or subdivision of their parcels.

## SECTION THREE AMENDMENT

The provisions of this Agreement may be amended, but only with the consent of 75% of the parcel owners of all the property described herein.

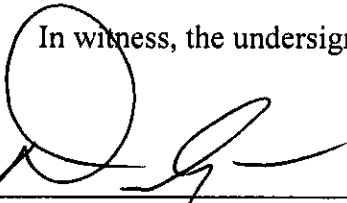
SECTION FOUR  
BINDING AGREEMENT

The easement rights and responsibilities set forth in this Agreement shall be perpetual and shall run with the land, and shall be binding on the successors and assigns of the parcel owners.

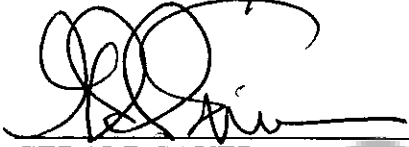
SECTION FIVE  
VOTING

If a parcel is owned by more than one person, all the owners of a parcel will collectively be referred to as the parcel owner, and will be entitled to only one collective vote, i.e., each parcel represents one vote in the matters covered by this Agreement.

In witness, the undersigned have executed this Agreement on the date first written above.

  
\_\_\_\_\_  
DAVID CREAGAN

  
\_\_\_\_\_  
BRENDA CREAGAN

  
\_\_\_\_\_  
GERALD SAUER

  
\_\_\_\_\_  
MARY SAUER

  
\_\_\_\_\_  
JOHN NIEMER

  
\_\_\_\_\_  
LAUREN NIEMER

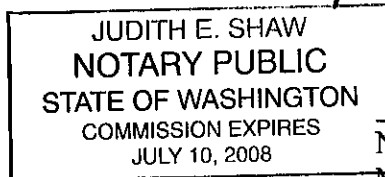
STATE OF WASHINGTON )

: SS.

County of Clark )

I certify that David Creagan and Brenda Creagan appeared personally before me and that I know or have satisfactory evidence that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 5<sup>th</sup> day of April, 2005.



Judith E. Shaw  
NOTARY PUBLIC FOR WASHINGTON  
My Commission Expires: July 10, 2008

Oregon  
STATE OF WASHINGTON )

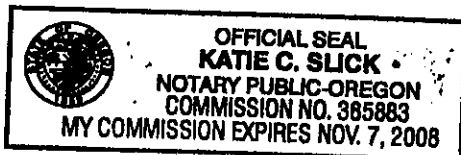
: SS.

County of Multnomah )  
~~Clark~~

I certify that Gerald Sauer and Mary Sauer appeared personally before me and that I know or have satisfactory evidence that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 14 day of April, 2005.

Katie C. Slick  
NOTARY PUBLIC FOR ~~WASHINGTON~~ Oregon  
My Commission Expires: Nov. 7, 2008



EASEMENT AGREEMENT - 4

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STATE OF <sup>Oregon</sup> WASHINGTON )  
County of <sup>Multnomah</sup> ~~Clark~~ : ss.  
)

I certify that John Niemer and Lauren Niemer appeared personally before me and that I know or have satisfactory evidence that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED this 14 day of April, 2005.



Katie C. Slick  
NOTARY PUBLIC FOR WASHINGTON <sup>Oregon</sup>  
My Commission Expires: Nov. 7, 2008

Unofficial Copy

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## EXHIBIT "A"

### LODGEPOLE LANE EASEMENT:

A 40-foot non-exclusive easement for ingress, egress, and utilities over a portion of the East half of the Northeast quarter of Section 23, and the West half of the Northwest quarter of Section 24, the centerline of which is described as follows (bearings are Washington Coordinate System, South Zone, NAD 83; distances are "ground"):

BEGINNING at a 5/8 inch iron rod at the Northeast corner of the Southeast quarter of the Northeast quarter of Section 23, as shown in a Survey filed in Skamania County Auditor's File No. 2005155913; thence South  $89^{\circ} 17' 49''$  East, 51.29 feet to another 5/8 inch iron rod, as shown in said Survey, at a point on the centerline of the US Forest Service "25 Road", as described in Skamania County Auditor's File No. 2004155037 and the TRUE POINT OF BEGINNING of the 40-foot easement to be described; thence North  $89^{\circ} 17' 49''$  West, 51.29 feet to the Northeast corner of the Southeast quarter of the Northeast quarter; thence continuing North  $89^{\circ} 17' 49''$  West, along the North line of the Southeast quarter of the Northeast quarter, for a distance of 70.00 feet to a point hereinafter called Point "A"; thence along the arc of an 85 foot radius curve to the left, through a central angle of  $95^{\circ} 42' 11''$ , for an arc distance of 141.98 feet; thence South  $05^{\circ} 00' 00''$  East, 120.00 feet; thence along the arc of a 1500 foot radius curve to the right, through a central angle of  $14^{\circ} 00' 00''$ , for an arc distance of 366.52 feet; thence South  $09^{\circ} 00' 00''$  West, 225.00 feet; thence along the arc of a 1000 foot radius curve to the left, through a central angle of  $09^{\circ} 00' 00''$ , for an arc distance of 157.08 feet; thence South  $00^{\circ} 00' 00''$  East, 60.46 feet; thence along the arc of a 95 foot radius curve to the left, through a central angle of  $45^{\circ} 00' 00''$ , for an arc distance of 74.61 feet; thence South  $45^{\circ} 00' 00''$  East, 211.62 feet to the terminus of said centerline at a point on the East line of the Southeast quarter of the Northeast quarter that bears North  $01^{\circ} 18' 16''$  East, 92.00 feet from a 2 inch iron pipe with BLM brass cap at the Quarter Corner between Sections 23 and 24. (The sidelines of said easement to be extended or shortened so as to terminate on a line running North  $74^{\circ} 19' 05''$  East, and South  $74^{\circ} 19' 05''$  West, from said centerline terminus.)

65, 4/15/05

Exhibit "A"

**Lodgepole Lane Easement**

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ALSO, an easement for ingress, egress, and utilities over a triangular tract described as follows: BEGINNING at point "A" above described; thence along the arc of an 85 foot radius curve to the left, through a central angle of  $95^{\circ} 42' 11''$ , for an arc distance of 141.98 feet; thence North  $08^{\circ} 40' 00''$  West, 94.71 feet to the North line of the Southeast quarter of the Northeast quarter of Section 23; thence South  $89^{\circ} 17' 49''$  East, 100.00 feet to the POINT OF BEGINNING.

LD2005\Sauer-Lodgepole.cew  
03-109

## **EXHIBIT "B"**

### **PEDESTRIAN AND "ORV" EASEMENT:**

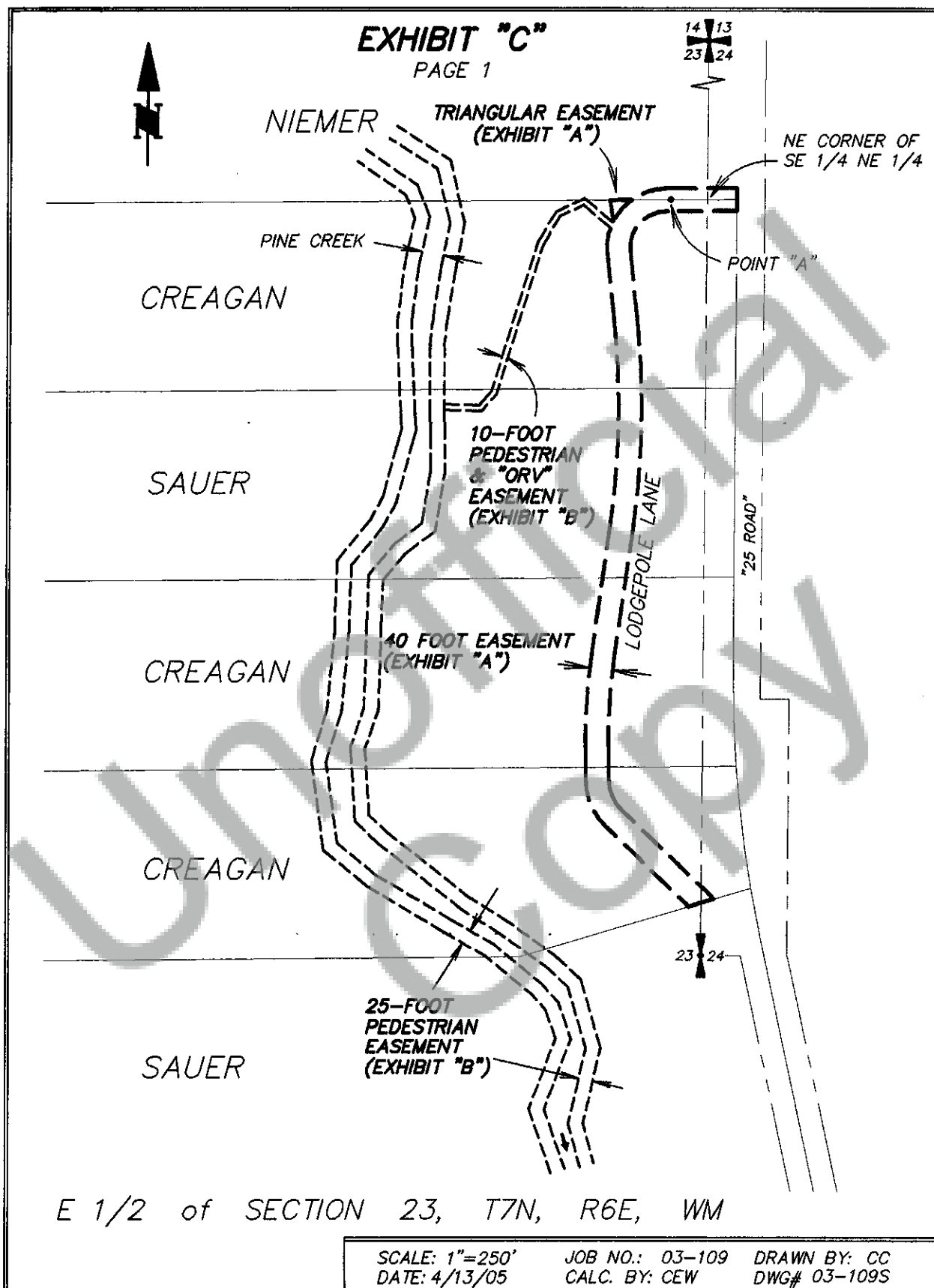
A 10-foot easement for pedestrian and "ORV" (off road vehicle) access over a portion of the Southeast quarter of the Northeast quarter of Section 23, Township 7 North, Range 6 East, Willamette Meridian, Skamania County, Washington, the centerline of which is described as follows (bearings are Washington Coordinate System, South Zone, NAD 83; distances are "ground"):

BEGINNING at point "A", as described in Exhibit "A"; thence along the arc of an 85 foot radius curve to the left (the radial bearing of which is South 00° 42' 11" West), through a central angle of 78° 51' 05", for an arc distance of 116.98 feet to the TRUE POINT OF BEGINNING of the 10-foot easement to be described; thence North 49° 00' 00" West, 95.00 feet; thence South 65° 00' 00" West, 50.00 feet; thence South 30° 00' 00" West, 60.00 feet; thence South 17° 00' 00" West, 275.00 feet; thence South 41° 00' 00" West, 35.00 feet; thence North 89° 00' 00" West, 83 feet, more or less, to the ordinary high water mark on the East side of Pine Creek.

ALSO, an easement for pedestrian access over the West 25 feet of that portion of the East half of the Northeast quarter and the East half of the Southeast quarter of Section 23, Township 7 North, Range 6 East, Willamette Meridian, that lies East of the ordinary high water mark on the East side of Pine Creek and the North of the US Forest Service "25 Road", as shown in Exhibit "C", pages 1 and 2.

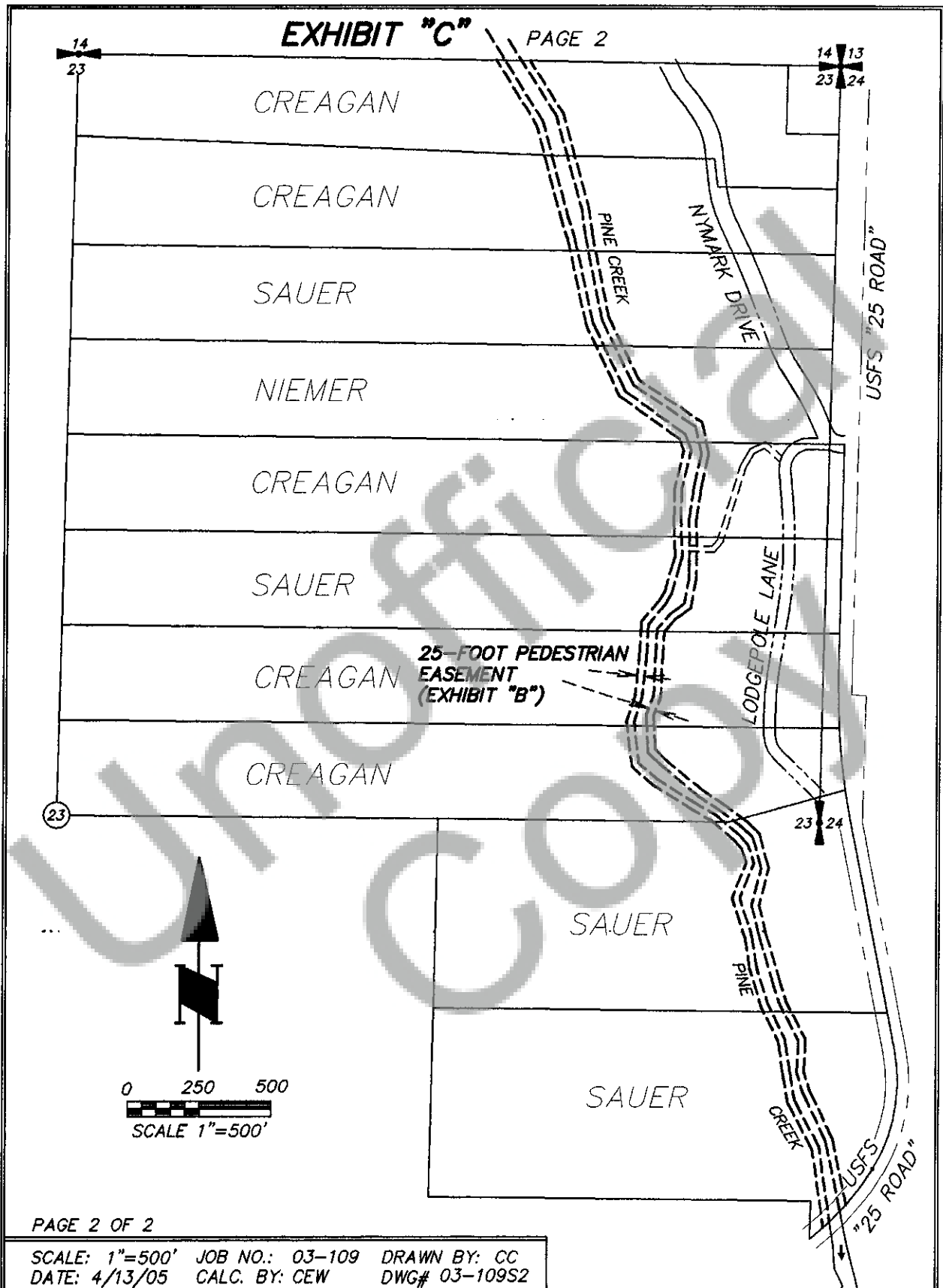
ALSO, an easement for pedestrian access over the East 25 feet of that portion of the East half of the Northeast quarter and the East half of the Southeast quarter of Section 23, Township 7 North, Range 6 East, Willamette Meridian, that lies West of the ordinary high water mark on the West side of Pine Creek and the North of the US Forest Service "25 Road", as shown in Exhibit "C", pages 1 and 2.





# EXHIBIT "C"

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SCALE: 1"=500' JOB NO.: 03-109 DRAWN BY: CC  
DATE: 4/13/05 CALC. BY: CEW DWG# 03-109S2