

Return Address:

Skamania County Auditor

<i>Document Title(s) or transactions contained herein:</i> Certificate of Service & Summons
<i>GRANTOR(S) (Last name, first name, middle initial)</i> Skamania County Wind River Public Development Authority <input type="checkbox"/> Additional names on page _____ of document.
<i>GRANTEE(S) (Last name, first name, middle initial)</i> Bacus Sandra etal Ross John etal Manheim Jerome etal Repar Mary etal <input type="checkbox"/> Additional names on page _____ of document.
<i>LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)</i> <input type="checkbox"/> Complete legal on page _____ of document.
<i>REFERENCE NUMBER(S) of Documents assigned or released:</i> Clark County Case No 05 2 04805 4 <input type="checkbox"/> Additional numbers on page _____ of document.
<i>ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER</i> <input type="checkbox"/> Property Tax Parcel ID is not yet assigned <input type="checkbox"/> Additional parcel numbers on page _____ of document.
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.

RECORDER'S NOTE: PORTIONS OF
THIS DOCUMENT POOR QUALITY
FOR FILMING/SCANNING

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

Sandra Bacus, Jerome Manheim,
Mary Repar, and John Ross

Plaintiffs,

v.

Skamania County, a Washington State County,
and the
Wind River Public Development Authority
Defendants.

Case No. 05 2 04805 4

CERTIFICATE OF SERVICE

RECEIVED

SEP 13 2005

SKAMANIA COUNTY
AUDITOR

CERTIFICATE OF SERVICE

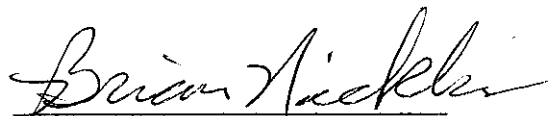
I hereby certify that on September 13, 2005 I served a true and correct copy of the
attached Petition for Permanent Injunction to the following persons:

Clerk
Superior Court of Washington
for Clark County
P.O. Box 5000
Vancouver, WA 98666-5000

Skamania County
P.O. Box 790
Stevenson, WA 98648

Peter S. Banks
Vice Chair Wind River Public
Development Authority
P.O. Box 790
Stevenson, WA 98648

9-13-05
Date


Brian Nicklaus

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

Sandra Bacus, Jerome Manheim,
Mary Repar, and John Ross

Plaintiffs,

v.

Skamania County, a Washington State County,
and the
Wind River Public Development Authority
Defendants.

Case No. 05 2 04805 4

NOTICE OF HEARING


NOTICE OF HEARING


The above captioned case has been set for hearing before the Superior Court of
the State of Washington in and for the County of Clark on Friday, October 7, 2005 at
9:00a.m.


9-13-05
Date

Sept 13, 2005
Date

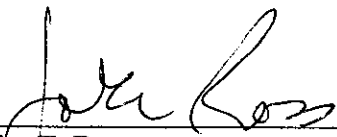
9-13-05
Date


Sandra Bacus, pro se
91 Sprague Landing Road
Stevenson, WA 98648
(509) 427-7868


Jerome Manheim, pro se
682 Skamania Landing Road
Skamania, WA 98648
(509) 427-7868


Mary J. Repar, pro se
328 NW Loop Road, Apt. 2
Stevenson, WA 98648
(509) 427-7153

9/13/05
Date


John T. Ross, pro se
21 Walnut Lane
Skamania, WA 98648
(509) 427-7416

Unofficial
Copy

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

Sandra Bacus, Jerome Manheim,
Mary Repar, and John Ross
Plaintiffs,

v.

Skamania County, a Washington State County,
and the
Wind River Public Development Authority
Defendants.

Case No. 05 2 04805 4

Summons (20 days)

To the Defendant: A lawsuit has been started against you in the above entitled court by Sandra Bacus, Jerome Manheim, Mary Repar, and John Ross, each pro se. Plaintiff's claim is stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the persons signing this summons within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where plaintiff is entitled to what he asks for because you have not responded. If you serve a notice of appearance on the undersigned persons, you are entitled to notice before a default judgment may be entered.

You may demand that the plaintiff file this lawsuit with the court. If you do so, the demand must be in writing and must be served upon the person signing this summons. Within 14 days after you serve the demand, the plaintiff must file this lawsuit with the court, or the service on you of this summons and complaint will be void.

If you wish to seek the advice of an attorney in this matter, you should do so promptly so that your written response, if any, may be served on time.

This summons is issued pursuant to rule 4 of the Superior Court Civil Rules of the State of Washington.

////

9-13-05
Date

Sept 12, 2005
Date

9-13-05
Date

9/13/05
Date

Plaintiffs

Sandra Bacus
Sandra Bacus
91 Sprague Landing Road
Stevenson, WA 98648
(509) 427-7868

Jerome H. Manheim
Jerome Manheim
682 Skamania Landing Road
Skamania, WA 98648
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M. Repar
Mary J. Repar
328 NW Loop Road, Apt. 2
Stevenson, WA 98648
(509) 427-7153

John T. Ross
John T. Ross
21 Walnut Lane
Skamania, WA 98648
(509) 427-7416

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK**

**Sandra Bacus, Jerome Manheim,
Mary Repar, and John Ross
Plaintiffs,**

v.

**Skamania County, a Washington State
County, and the
Wind River Public Development Authority
Defendants.**

**Case No. 05 2 04805 4
PETITION FOR
PERMANENT INJUNCTION**

I. JURISDICTION AND PARTIES

- 1.1 The land, streams and buildings at issue are located in Skamania County, Washington within a part of the Wind River Nursery, which has been designated a historic district protected by the National Historic Preservation Act.
- 1.2 The defendant, Skamania County, is a Washington state municipal corporation that borders Clark County, Washington.
- 1.3 Clark County, Washington is a Washington state municipal corporation.
- 1.4 The Defendant, Wind River Public Development Authority (PDA), was formed by Skamania County pursuant to the Washington state statutes permitting counties to create such entities. The PDA's organizational documents state that its only purpose is to manage the Wind River Nursery historic district.
- 1.5 The Plaintiffs are residents of Skamania County.

II. BACKGROUND

- 2.1 The ownership of the historic district was transferred from the United States Forest Service to the Skamania County Board of Commissioner's on April 14, 2000 pursuant to a Memorandum of Agreement signed by the U.S. Forest Service, the Board of Commissioners and the Washington State Historic Preservation Officer (SHPO) and a quit-claim deed of even date, signed by the U.S. Forest Service.
- 2.2 The Memorandum of Agreement was a condition subsequent to the quit-claim deed that transferred title of the historic district to Skamania County. An identical legal description of the historic district and the owner's obligation regarding historic preservation was incorporated in the Memorandum of Agreement and the quit-claim deed and is an additional condition subsequent.
- 2.3 The Memorandum of Agreement was a transitional document designed to more particularly advise Skamania County as the new owner of a historic district of certain preservation requirements pursuant to the National Historic Preservation Act.
- 2.4 Among other things Skamania County was required to keep and maintain the enumerated historic buildings in good repair and to cut no live timber or change the landscape without prior permission from the (SHPO).
- 2.5 Skamania County has been in continuing violation of the Memorandum of Agreement and the quit-claim deed since the day it was signed because Skamania County has allowed historic buildings to fall into such a state of deterioration and disrepair that some of the buildings have collapsed.

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Page 8 of 92

2.6 Skamania County obtained a permit from the Washington State Department of Natural Resources (DNR) to cut nearly all of the marketable live timber in the historic district.

2.7 This is a direct violation of the Memorandum of Agreement and the quit-claim deed regarding Skamania County's duty to protect and preserve the landscape and refrain from cutting any live trees without prior permission from the SHPO. Skamania County improperly obtained the DNR cutting permit without an Environmental Impact Statement because it filed a false SEPA, which stated that no threatened or endangered species were at or near the cutting areas. Skamania County and the Washington State Department of Natural Resources (DNR) knew or reasonably should have known that Martha Creek was in the historic district and that this creek was a spawning ground for threatened and endangered steelhead trout and salmon. It also knew that timber would be cut along both banks of this creek which was one of the tributaries in which a ten year study directed toward the preservation of these same threatened and endangered fish throughout the Columbia River water shed was underway and that a timber cut along Martha Creek might admit more sunlight and raise the water temperature and provide false results in this, the eighth year of the ten year study, which has been funded at approximately \$700,000.00 annually.

2.8 The SEPA procedures followed in this case were in direct violation of the Washington state appearance of fairness doctrine. The Skamania County Board of Commissioners was the SEPA applicant, their employee, the Director of the Department of Planning and Community Development reviewed the SEPA

application, this same employee approved the SEPA application and the Skamania County Board of Commissioners served as the quasi-judicial authority, which heard and decided all objections to their own SEPA application. This both appears to be unfair and is, in fact, unfair but, additionally, it has a definite chilling affect upon anyone contemplating exercising their right to challenge the SEPA through the administrative remedies, which must be exhausted prior to any civil action.

2.9 On March 15, 2005, the Skamania County Board of Commissioners transferred title of the historic district to the PDA by quit-claim deed and assigned the DNR timber cutting permit to the PDA.

2.10 The legal description of the historic district attached to the Memorandum of Agreement, the first quit-claim deed and the second quit-claim deed are identical. The Memorandum of Agreement states that the legal description of the historic district must be filed of record. These three documents with their identical legal descriptions are the only documents filed of record pursuant to the first and second transfers of title to the historic district. These legal descriptions state that the historic buildings and fields being transferred are eligible to be placed on the National Register of Historic Places and are, consequently, entitled to all of the protection and preservation requirements required by the National Historic Preservation Act. It goes on to state that the landscape (e.g., healthy trees, etc.) cannot be altered without the specific prior approval of the SHPO.

2.11 The SHPO did not approve the transfer of title from the Skamania County Board of Commissioners to the Wind River Public Development Authority and

the SHPO was never made aware of the anticipated timber cutting and has never approved alteration of the landscape or the cutting of healthy trees within the historic district.

- 2.12 On September 8, 2005, the PDA accepted a bid from a private contractor for the harvesting of the timber in the historic district. The contract between the PDA and the private contractor has not yet been signed and the private contractor has not yet posted the required surety bond.

III. STANDING

- 3.1 The National Historic Preservation Act was enacted so as to preserve certain designated historic landmarks and districts for the citizens of the United States and their posterity so as to better enable both present and future generations of Americans to understand their American heritage.
- 3.2 The reason for the National Historic Preservation Act is to benefit the citizens of Skamania County and the entire nation.
- 3.3 The Memorandum of Agreement and the two quit-claim deeds clearly state that by accepting title to this historic district Skamania County and later the PDA are by statute and contract bound to observe the preservation requirements mandated by the National Historic Preservation Act.
- 3.4 As citizens of the United States and residents of Skamania County the Plaintiffs are third party beneficiaries of the preservation requirements in the aforementioned Memorandum of Agreement, the two quit-claim deeds and the National Historic Preservation Act.

3.5 The Plaintiffs have standing to bring this suit based upon their status as third party beneficiaries.

IV. IRREPARABLE HARM

4.1 Both Skamania County and the PDA have already caused irreparable harm by allowing structures specifically enumerated in the legal descriptions attached to the Memorandum of Agreement and the two quit-claim deeds to be destroyed as a result of their failure to take the preservation action mandated by the National Historic Preservation Act.

4.2 Cutting the trees in the historic district will do irreparable harm in that the trees can not be replaced for generations and the loss of the trees may permit more sunlight to strike Martha Creek and raise the water temperature, which will destroy the value of the earlier referenced ten year multi-million dollar salmon recovery study.

4.3 Ten days before the PDA's acceptance of the private contractor's bid to cut the trees in the historic district both the Skamania County Board of Commissioners and the PDA board were orally informed that the United States Geological Surveys (USGS), the entity conducting the aforementioned testing in Martha Creek, would be willing to lease the land along Martha Creek for two years so as to complete the aforementioned salmon recover study without any danger of adding an unforeseen variable in the study which might impact the study results. Neither the Skamania County Board of Commissioners nor the PDA contacted the USGS concerning negotiating the terms of the lease and the PDA went

forward in disregard of this lease offer and accepted the private contractor's bid to cut the trees.

V. TIMING

5.1 The Defendants received notice of this suit on July 7, 2005.

5.2 In an effort to provide the Defendant's with adequate notice of the hearing date and to expedite a resolution of the case the Plaintiffs have secured a hearing date of Friday, October 7, 2005 at the Clark County Washington Civil Court building at 9:00a.m.

VI. REMEDY

6.1 The Plaintiffs respectfully requests that this Honorable Court grant the following relief:

- a. That Skamania County and the PDA be jointly and severally ordered to restore all buildings and grounds identified in the earlier referenced legal descriptions of the historic district attached to the Memorandum of Agreement and the two quit-claim deeds to their original condition and, if this construction and renovation does not commence within six (6) months, or is not completed in one (1) year, the court, upon the Plaintiff's petition, conduct a hearing to assess joint and several money damages against the Defendants in an amount reasonably required to accomplish the construction and renovation and, in consultation with the parties and the court determine a depository for these damages and a methodology for accomplishing the construction and renovation, and/or

- b. That the PDA be permanently enjoined from cutting any live trees within the historic district without the prior approval of the SHPO and in conformance with the National Historic Preservation Act, and/or
- c. That in the event the Plaintiff prevails in this case, but the trees have already been cut, compensatory damages of one million (\$1,000,000.00) dollars be assessed jointly and severally against Skamania County and the PDA. That, since sovereign immunity does not apply to the actions of Skamania County or the PDA in this case because they were not acting in a governmental capacity, punitive damages in the amount of one million (\$1,000,000.00) dollars be jointly and severally assessed against Skamania County and the PDA. That this money be placed in an account that is completely outside the control of Skamania County and/or the PDA and the court appoint an independent entity to dispense the funds which are to be used for reforestation and salmon recover within the State of Washington, and/or
- d. Since both Skamania County and the PDA knowingly and intentionally violated the conditions subsequent in the Memorandum of Agreement and the two quit-claim deeds by violating the National Historic Preservation Act and their contractual obligations to preserve and protect the historic district, that this court exercise its legal and equitable jurisdiction and divest both Skamania County and the PDA of any legal and equitable ownership interest in the historic district and

either return the title of the historic district to the United States Forest Service or some responsible entity that agrees to manage the historic district pursuant to the requirements of the National Historic Preservation Act, the requirements of the SHPO, the contractual obligations assumed pursuant to the transfer of ownership and whatever other conditions this court chooses to impose.

- e. The Plaintiffs request that their legal fees and costs of suit be assessed against the Defendant's.

Plaintiffs

9-13-05

Date

Sandra Bacus

Sandra Bacus, pro se
91 Sprague Landing Road
Stevenson, WA 98648
(509) 427-7868

Sept 13, 2005

Date

Jerome Manheim

Jerome Manheim, pro se
682 Skamania Landing Road
Skamania, WA 98648
(509) 427-7868

9-13-05

Date

M. Repar

Mary J. Repar, pro se
328 NW Loop Road, Apt. 2
Stevenson, WA 98648
(509) 427-7153

9/13/05

Date

John T. Ross

John T. Ross, pro se
21 Walnut Lane
Skamania, WA 98648
(509) 427-7416

143859

BOOK 221 PAGE 1

FILED
STATE OF WASH
BY SKAMANIA CO. TITLE

FEB 26 1 48 PM '02

J. Lowry

J. MICHAEL GARVISON

AFTER RECORDING MAIL TO:

Name Skamania County

Address _____

City/State _____

SEP 23 24 2

Document Title(s): (or transactions contained therein)

1. USDA CONVEYANCE DEED

2.

3.

4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page _____ of document

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

1. UNITED STATES OF AMERICA

2.

3.

4.

5. ☐ Additional names on page _____ of document

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

1. SKAMANIA COUNTY, A MUNICIPAL CORPORATION

2.

3.

4.

5. ☐ Additional names on page _____ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

T4N, R7E, S22

☐ Complete legal description is on page 2 of document

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

04-07-27-0-0-1800-00

04-07-27-0-0-1900-00

04-07-27-0-0-2000-00

WA-1

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



First American Title
Insurance Company

(this space for title company use only)

REAL ESTATE EXCISE TAX

22071
FEB 26 2002

PAID STATE OF WASHINGTON

SKAMANIA COUNTY TREASURER

pay cleared
collected th
paid in
received
total

Exhibit A

DOC # 2005158677
Page 16 of 92

Gifford Pinchot No. 415
OR 54952 (WA)

USDA CONVEYANCE DEED

THIS DEED, made this 1st day of February, 2002, between the UNITED STATES OF AMERICA, Grantor, acting herein by and through the Forest Service, United States Department of Agriculture, and Skamania County, a municipal corporation of the State of Washington, Grantee.

WHEREAS, Section 341 of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999, signed October 21, 1998 (P.L. 105-277, 112 Stat. 2681), provides that the conveyance of lands as depicted on a map dated September 29, 1998, entitled "Wind River Conveyance" and more particularly herein described, shall become automatically effective upon determination by the Secretary of Agriculture that Skamania County has conveyed acceptable title to the United States to the lands identified on a map dated September 29, 1998, entitled "Skamania County Lands;"

AND WHEREAS, Grantor does hereby acknowledge that the provisions of the aforesaid Act have been complied with as documented in the deed to the United States;

NOW THEREFORE, Grantor does hereby remise, release, conveys and quitclaim all its right, title, and interest in and to the real property situated in the County of Skamania, State of Washington, to the Grantee described as follows:

T. 4 N., R. 7 E., W.M.

sec. 22, lot 2;

sec. 27, lots 2, 4, 6, 9, 12, 13, and 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and

NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;

sec. 34, lot 2.

Gary H. Martin, Skamania County Assessor
Date 2/24/02 4-7-27-1800
Parcel # 1300
2003

The areas described aggregate 187.51 acres, according to the official plats of the surveys of the said lands on file in the Bureau of Land Management, as agreed to by both parties.

Together with all water rights appurtenant to the conveyed Property, including without limitation, all rights under Certificate Numbers S2-00817 C, S2-26536 C, R2-23196 C and G 2-25679 C (11.6 acre feet for community water, 9.5 acre feet of commercial water for the Nursery plant, and 12.5 acre feet of irrigation water for lawns; and all additional rights to the use of

water which has been applied to a beneficial use upon the conveyed Property; pursuant to RCW 90.03.380, excepting and reserving to the United States and its assigns 23.92 irrigated acres permitted under Certificate Numbers S2-00817 C and S2-26536 C; and the remainder of water rights under G 2-25679 C (21.4 acre feet of community water and 11.5 acre feet of irrigation for lawns.)

EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, from the lands so granted:

1. Five (5) exclusive perpetual easements, including all right, title and interest for existing roads as shown approximately on Exhibits C-1 through C-10 attached hereto and made a part hereof, and more particularly identified and described herein, and all appurtenances thereto, over, upon, or under the land so granted together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said roads.

a. Road No. 494
lot 2 of sec. 22, T. 4 N., R. 7 E.

b. Road No. 462
lot 4 of sec. 27, T. 4 N., R. 7 E.

c. Road "A"
lots 13 and 16, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 27, T. 4 N., R. 7 E.

d. Road "B"
NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 27, T. 4 N., R. 7 E.

e. Road No. 4101
lot 13 of sec. 27, T. 4 N., R. 7 E.

It is agreed that Skamania County, its successors and assigns, shall have the right to use the existing roads described above for all purposes deemed necessary or desirable in connection with the protection, administration, management and utilization of Skamania County lands or resources, subject, however, to traffic-control regulations under 36 CFR 261.12, and the bearing of road maintenance costs proportionate to use as provided in 36 CFR 212.5(d).

Provided, that if the Regional Forester determines that the road(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s)

shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

2. Six (6) exclusive perpetual water line and drain line easements, including all right, title and interest for existing systems, as shown approximately on Exhibits D-1 through D-12 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 4, 9, 12, and 13 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said system.

Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

3. Three (3) exclusive perpetual easements, including all right, title and interest for sewer line and septic field, including all right, title and interest for existing easements as shown approximately on Exhibits E-1 through E-4 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 9, 12, and 13 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said systems.

Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

GRANTING TO SKAMANIA COUNTY, and its assigns, from the lands to be retained in Federal ownership and to be recorded simultaneously to this Deed, are:

1. Five (5) Forest Road nonexclusive easements, subject to existing easements and valid rights, for use of roads further identified on Exhibits A-1 through A-6 and A-9 through A-13.

2. One (1) Forest Road Easement - Limited Use, subject to existing easements and valid rights for use of a road further identified on Exhibits A-7 through A-8.
3. Five (5) Irrigation Water Transmission Pipeline nonexclusive easements, subject to existing easements and valid rights for irrigation further identified on Exhibits B-1 through B-9.

SUBJECT TO:

1. Easement for a telephone line owned and operated by United Telephone Company of the Northwest for which no recorded permit or easement exists (affects SE ¼ of sec. 22 and all of sec. 27, T. 4 N, R 7 E.)
2. Easement for electrical transmission powerline owned and operated by Skamania County Public Utility District for which no recorded permit or easement exists (affects SE ¼ of sec. 22 and all of sec. 27, T. 4 N, R 7 E.)
3. Covenant on Building Numbers 1053, 1054, 1057, 1415, 2325, 2327 and associated property along with Chapman Avenue and the historic nursery fields on the Wind River Nursery Site for inclusion in the National Register of Historic Places and protection under the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations (36 CFR Part 800), more particularly described on Exhibit F attached hereto and made a part hereof.

WHEREAS, potentially hazardous substances and petroleum products used for heating certain facilities contained in buried oil tanks were used on the property. All remedial action necessary to protect human health and the environment with respect to these facilities being conveyed to the County, including without limitation Building Numbers 1053, 1054, 1057, 1065, 2025, 2127, 2226, and 2325, and with respect to any hazardous substances found on the Property will be conducted by the United States. The United States reserves a right of access to these facilities for purposes of conducting such remedial or corrective action, if necessary.

IN WITNESS WHEREOF, the Grantor, by its Director of Recreation, Lands, and Mineral Resources, Forest Service, Pacific Northwest Region, has executed this deed pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief,

Forest Service, 49 F.R. 34283, published August 29, 1984, on the day and year first above written.

UNITED STATES OF AMERICA

Kimberly Ewart Bown

Kimberly Ewart Bown, Director, RLM
Recreation, Lands, and Mineral Resources
Pacific Northwest Region
USDA Forest Service

ACKNOWLEDGMENT

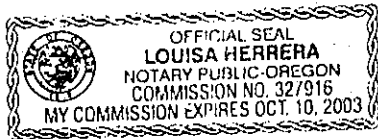
STATE OF OREGON)

)ss.

County of Multnomah)

On this 1st day of February, 2002, before me, the undersigned, a Notary Public in and for said State personally appeared Kimberly Ewart Bown, Director of Recreation, Lands, and Mineral Resources, Pacific Northwest Region, Forest Service, Department of Agriculture, the same person who executed the within and foregoing instrument, who being by me duly sworn according to law, did say that he/she executed said instrument on behalf of the United States of America by its authority duly given and by his/her delivered as and for its act and deed. And he/she did further acknowledge that he/she executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

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



Louisa Herrera
(Signature)

Name (Printed): Louisa Herrera
Notary Public for the State of Oregon
My Commission Expires 10/10/2003

Certified correct as to consideration, description, conditions and form.

Vicky Weesling 11/25/02
Vicky Weesling, Zone Leader

EXHIBIT "C-1"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 2, Section 22, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-2 "Road RESERVATION", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the SW corner of Section 22, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 13°-37'E, 578 feet to the true property line, the West line of Government Lot 2, said Section 22, and the centerline of Forest Service road #434 the TRUE POINT OF BEGINNING;

Thence N 82° 28' E, 694 feet, to the true property line, the North Line of Government Lot 2, said Section 22. The total right of way acreage is ± 0.48 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

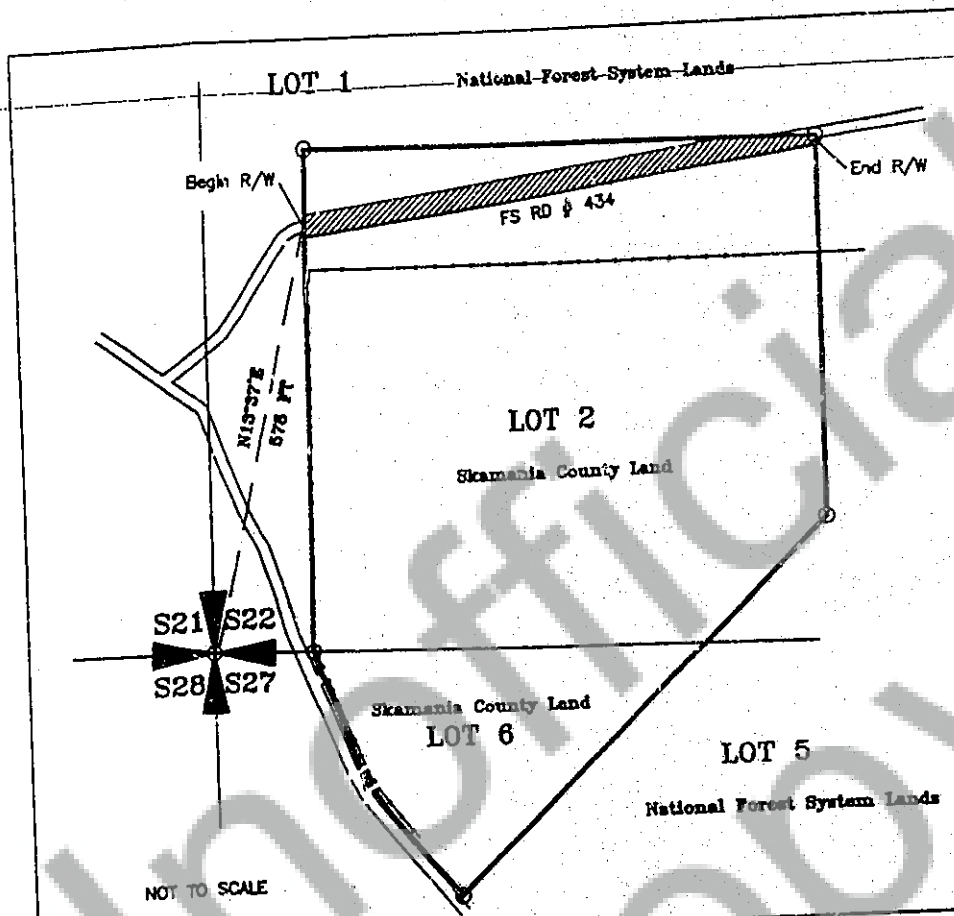


EXHIBIT C-2

LEGEND
 ○ CORNER OF RECORD
 — PROPERTY LINE
 — EXISTING ROAD
 — FENCE LINE
 // EASEMENT/RIGHT OF WAY

ROAD RESERVATION RD #434 TOTAL RIGHT OF WAY ACRES
 0.48 ACRES (20,820 SQ FT)
 ROAD LENGTH IS 684 FEET

NOTE: The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the Digital C.orthophoto Quadrangle "Stabler" 7/19/84.

BASIC OF BEARING: GRID

LOCATION: LOT 2, SEC 22, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
 ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 ROAD RIGHT-OF-WAY RESERVATION
 U.S.D.A. FOREST SERVICE PACIFIC NW REGION
 GIFFORD PINCHOT NATIONAL FOREST
 WIND RIVER EDGE CENTER

ACCEPTED BY: [Signature]
 FOREST ENGINEER

EXHIBIT "C-3"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 20 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 4, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-4 "Road RESERVATION", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the NW corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 62° 21' E, 1693 feet to the true property line, Lot 4, said Section 27, and the centerline of Forest Service Road #462 the TRJE POINT OF BEGINNING;

Thence S 88° 52' E, 575 feet;

Thence N 58° 11' E, 184 feet, to the true property line, the North Line of Government Lot 4, said Section 27. The total right of way acreage is \pm 0.52 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

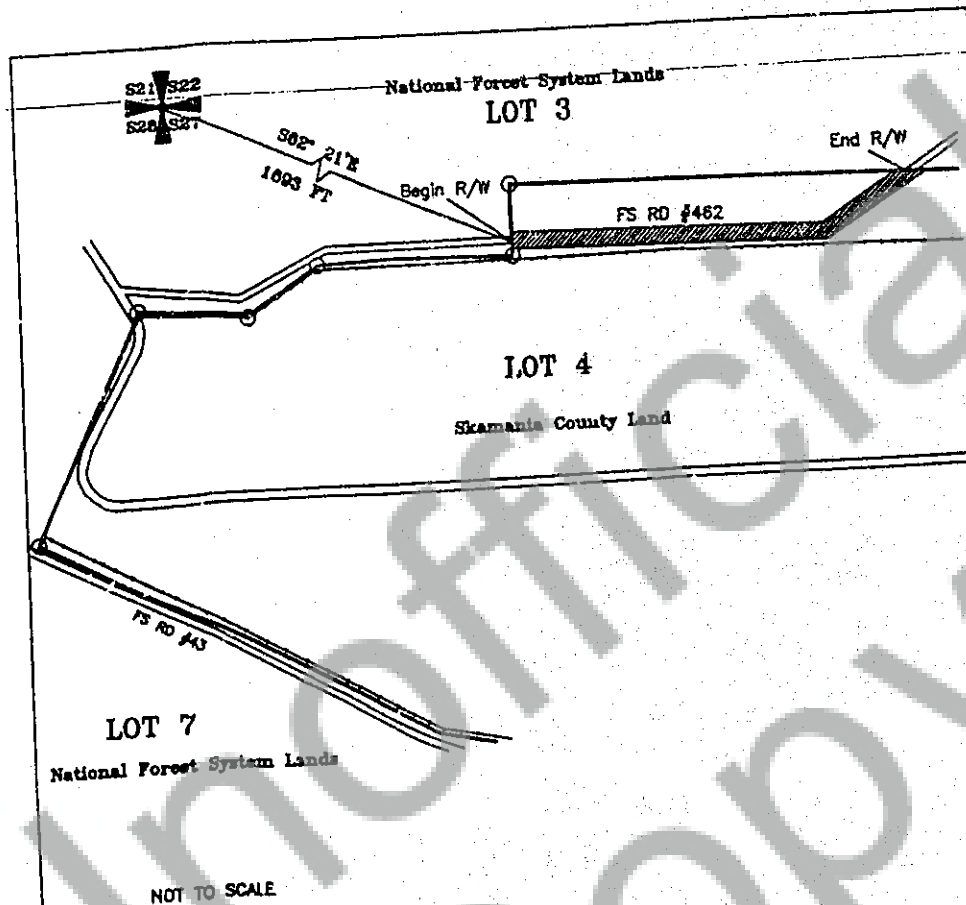


EXHIBIT C-4

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

ROAD RESERVATION

RD #462

TOTAL RIGHT OF WAY ACRAGE

0.52 ACRES (22,770 SQ FT)

ROAD LENGTH IS 750 FEET



BASIS OF BEARING:
GFW

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the Digital Orthophoto Quadrangle "Stabler" 7/19/84.

LOCATION: LOT 4, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARLSCH, PLS

5470 ROAD RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
CLIFFORD PINCHOT NATIONAL FOREST
WIND RIVER WORK CENTER

ACCEPTED BY:

FOREST ENGINEER

EXHIBIT "C-5"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lots 13 & 16, and the NW 1/4 SE 1/4 SE 1/4 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-6 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the E 1/4 corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 06°-28'W, 864 feet to Government Lot 13, said Section 27, and the road alignment starting at the junction of Chapman Avenue and the West end of Forest Service Road A, the TRUE POINT OF BEGINNING;

Thence N 88° 14' E, 297 feet;

Thence S 87° 10' E, 89 feet;

Thence S 89° 48' E, 178 feet;

Thence S 81° 47' E, 73 feet;

Thence S 82° 49' E, 181 feet;

Thence S 86° 29' E, 614 feet;

Thence S 88° 24' E, 43 feet;

Thence S 82° 10' E, 82 feet;

Thence S 76° 03' E, 78 feet;

Thence S 72° 28' E, 56 feet;

Thence S 12° 04' W, 42 feet;

Thence S 01° 53' W, 61 feet, to the true property line, the South line of the NW 1/4 SE 1/4 SE 1/4 of said Section 27.

The total right of way acreage is ± 1.19 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

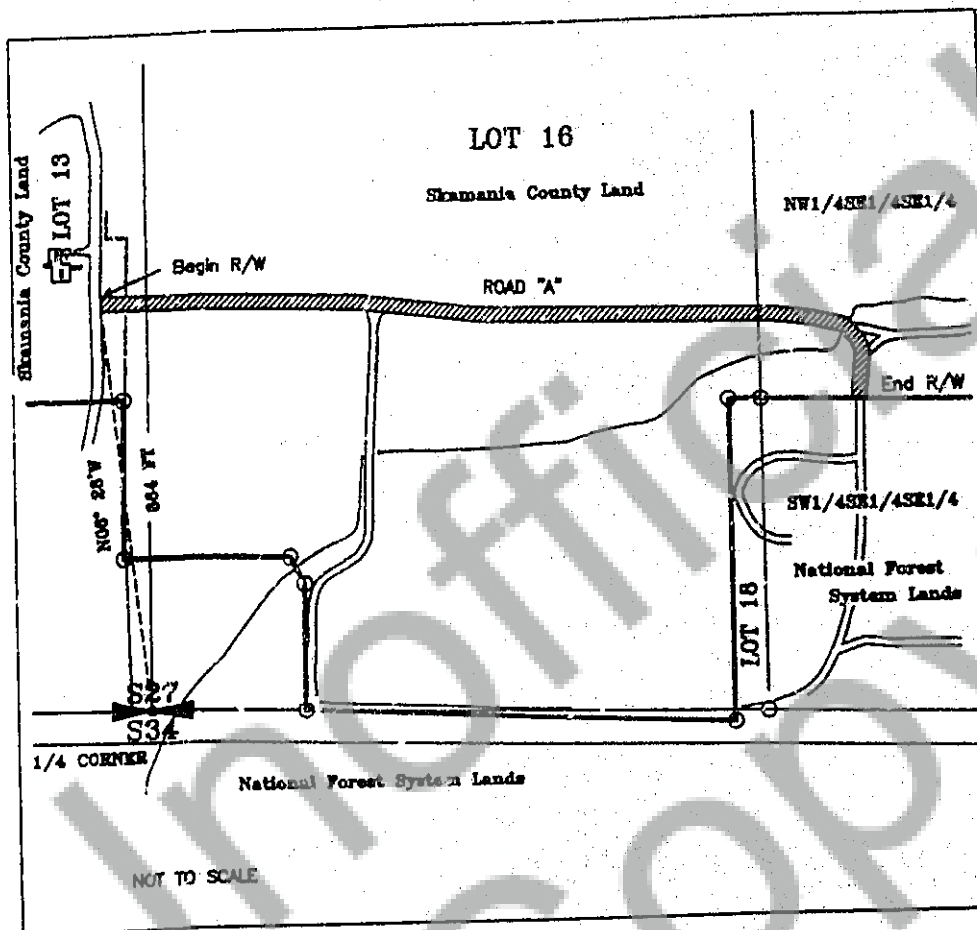


EXHIBIT C-6

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- DOTTED ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

ROAD RESERVATION RD "A"

TOTAL RIGHT OF WAY ACREAGE

1.19 ACRES (51,976 SQ FT)

ROAD LENGTH IS 1728 FEET

BASIS OF BEARING:
GRID

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 50 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS Utilities Design Map—Wind River Nursery, 1985.

LOCATION: LOTS 13 #18 and NW1/4SE1/4SE1/4,
SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

DESIGNED BY: DON KARSCH, PLS

6470 ROAD RIGHT-OF-WAY RESERVATION
U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIFFORD PINCHOT NATIONAL FOREST
WIND RIVER FORE CENTER

ACCEPTED BY:

FOR FOREST ENGINEER

EXHIBIT "C-7"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion the NW1/4 SE1/4 SE1/4 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-8 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the E 1/16 corner of Section 27, a brass cap described by Larry Eishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 17°-24' E, 837 feet to the junction of Forest Service Road A and Road B of the NW 1/4 SE 1/4 SE 1/4, said Section 27, the TRUE POINT OF BEGINNING;

Thence S 77° 26' E, 101 feet;

Thence N 67° 12' E, 153 feet;

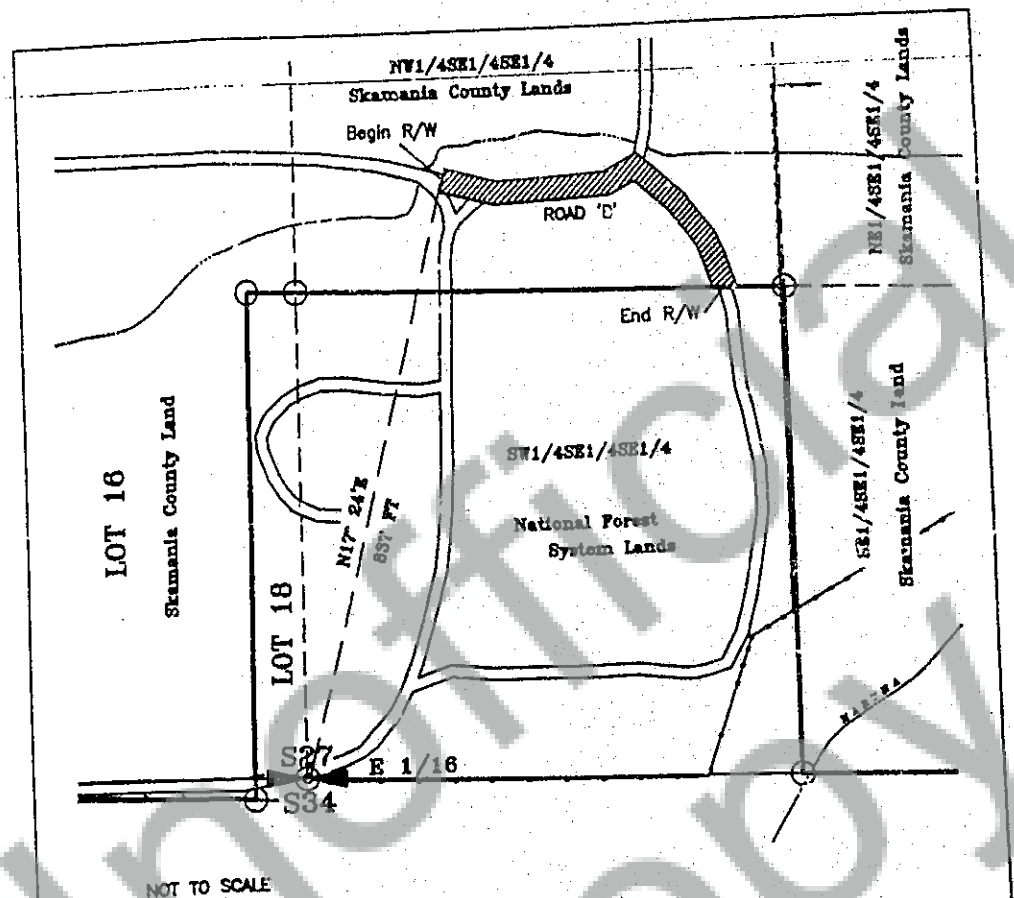
Thence N 60° 28' E, 41 feet;

Thence S 48° 45' E, 84 feet;

Thence S 32° 37' E, 72 feet;

Thence S 18° 39' E, 51 feet, to the true property line, the South line of the NW 1/4 SE 1/4 SE 1/4 of said Section 27.

The total right of way acreage is ± 0.35 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.



NOT TO SCALE

EXHIBIT C-8

<p>LEGEND</p> <ul style="list-style-type: none"> ○ CORNER OF RECORD — PROPERTY LINE — EXISTING ROAD — FENCE LINE ▨ EASEMENT/RIGHT OF WAY 	<p>ROAD RESERVATION RD "B"</p>	<p>TOTAL RIGHT OF WAY ACREAGE</p> <p>0.35 ACRES (15,072 SQ FT)</p> <p>ROAD LENGTH IS 602 FEET</p>
	<p>NOTE: The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS UNR/See Design Map-Wind River Nursery, 1993.</p>	
	<p>BASIS OF BEARING: GRID</p>	

<p>LOCATION: NW1/4SE1/4SE1/4, SEC 27, T4N, R7E, W1E</p> <p>PROJECT NAME: WIND RIVER NURSERY ROAD & UTILITY EASEMENTS</p> <p>REVIEWED BY: DON KARSCH, PLS</p>	<p>6470 ROAD RIGHT-OF-WAY RESERVATION</p> <p>U.S.D.A. FOREST SERVICE PACIFIC NW REGION</p> <p>GIFFORD PINCHOT NATIONAL FOREST</p> <p>WIND RIVER NURSERY CENTER</p> <p>ACCEPTED BY: [Signature] FOREST ENGINEER</p>
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EXHIBIT "C-9"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 13 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-10 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the C 1/4 corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 13°-25' W, 478 feet to the junction of Chapman Avenue and Government Lot 13, said Section 27, the TRUE POINT OF BEGINNING;

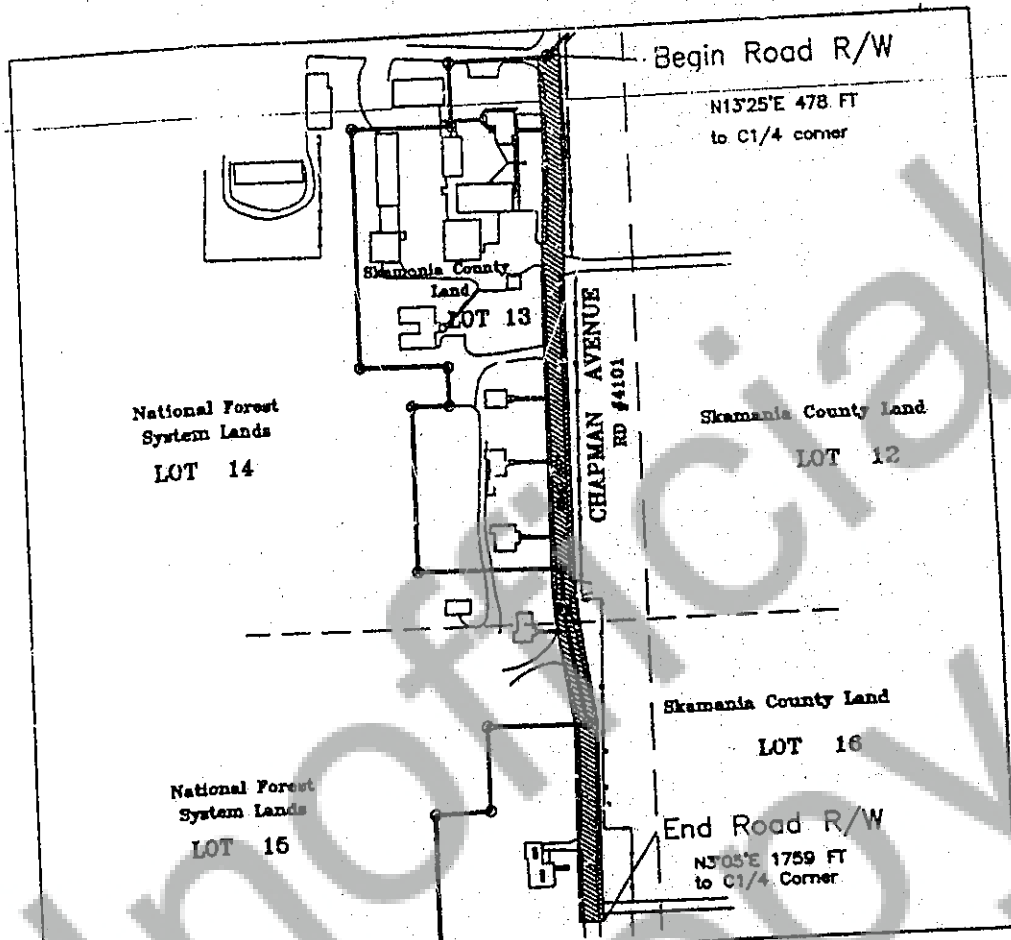
Thence S 00° 45' E, 153 feet;

Thence S 02° 33' W, 253 feet;

Thence S 00° 19' E, 388 feet;

Thence S 07° 55' E, 208 feet;

Thence S 01° 04' W, 292 feet, to the junction of Road A as portrayed on Exhibit C-6 Road Reservation, in Government Lot 13 of said Section 27. The total right of way acreage is ± 0.89 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.



NOT TO SCALE

EXHIBIT C-10

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- EASEMENT/RIGHT OF WAY

ROAD RESERVATION



TOTAL RIGHT OF WAY ACRAGE TO BE RESERVED

0.89 ACRES (38,520 SQ FT)

ROAD LENGTH = 1,284 FT

NOTE:

The right of way to be reserved extends from and terminates at the true property lines. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS Utilities Design Map - Wind River Nursery, 1988.

LOCATION: LOT 13, SEC 27
T4N, R7E, W4E

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

5470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
CLIFFORD PINCHOT NATIONAL FOREST
WIND RIVER FORE CENTER

ACCEPTED BY:

FOREST ENGINEER

EXHIBIT "D-1"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE AND DRAIN LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 8" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-2 "Water Line and Drain Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the South One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 22°-18' W, 713 feet to the intersection of the South line of Government Lot 13, Section 27, and the water line, the TRUE POINT OF BEGINNING;

Thence N 44° 43' W, 200 feet;

Thence N 00° 20' E, 153 feet;

Thence N 51° 41' W, 124 feet;

Thence N 07° 41' W, 125 feet, to the intersection of the property line of Government Lot 13, said Section 27. The total right of way acreage of the water line is ± 0.14 acres.

AND DRAIN LINE:

From the said S1/4 of section 27, Thence N 09° 13' W, 812 feet to the intersection of the main water line and drain line in Government lot 13 of said section, the TRUE POINT OF BEGINNING;

Thence S 06° 59' E, 79 feet;

Thence S 02° 39' W, 65 feet, to the intersection of the property line of Government Lot 13, said Section 27. The total right of way acreage of the drain line is ± 0.03 acres.

The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the water line and drain line location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51" Circle, Vancouver, Washington.

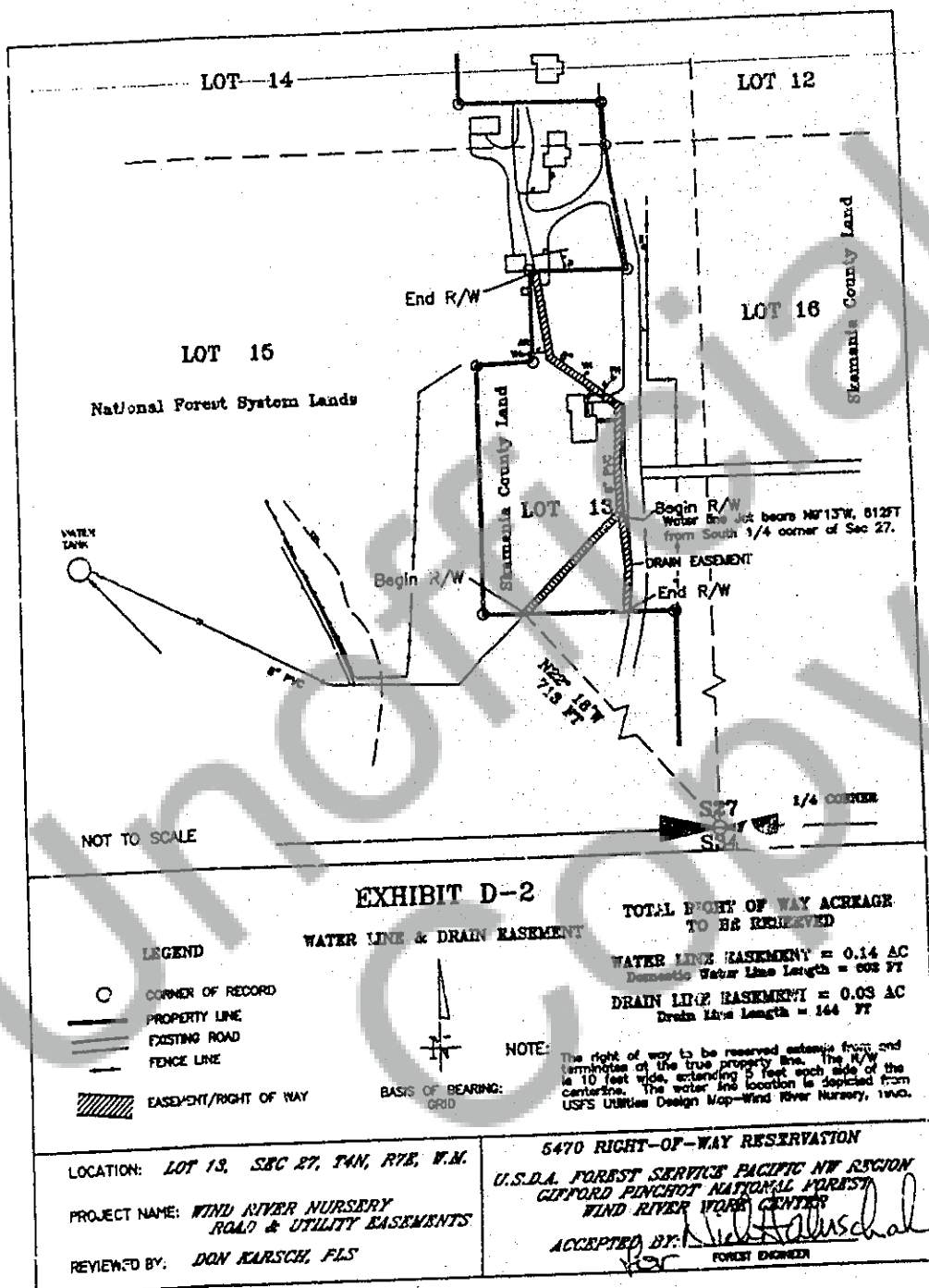


EXHIBIT "D-3"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 8" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-4 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the South One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 10°-58'W, 1419 feet to the property line of Government Lot 13, Section 27, and the water line the TRUE POINT OF BEGINNING:

Thence N 02° 18' E, 22 feet;

Thence N 08° 37' W, 21 feet;

Thence N 01° 19' W, 48 feet;

Thence N 03° 53' E, 99 feet;

Thence N 01° 24' W, 82 feet;

Thence N 06° 49' W, 104 feet;

Thence N 03° 29' E, 15 feet;

Thence N 50° 23' W, 45 feet;

Thence N 40° 51' W, 51 feet;

Thence North, 70 feet;

Thence N 88° 50'W, 39 feet;

Thence N 47° 42' W, 21 feet;

Thence N 00° 55' W, 113 feet, to the true property line of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian. The total right of way acreage is ± 0.17 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51" Circle, Vancouver, Washington.

EXHIBIT "D-5"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 12, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 6" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-6 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 35°-15'E, 278 feet to the property line of Government Lot 12, Section 27, Township 4 North, Range 7 East, Willamette Meridian, and the water line the TRUE POINT OF BEGINNING;

Thence East, 22 feet;

Thence N 84° 54' E, 75 feet;

Thence S 82° 27' E, 164 feet;

Thence N 07° 36' W, 20 feet, to the end of the 6" P.V.C. water line of Government Lot 12, said Section 27. The total right of way acreage is ± 0.07 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the water line location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

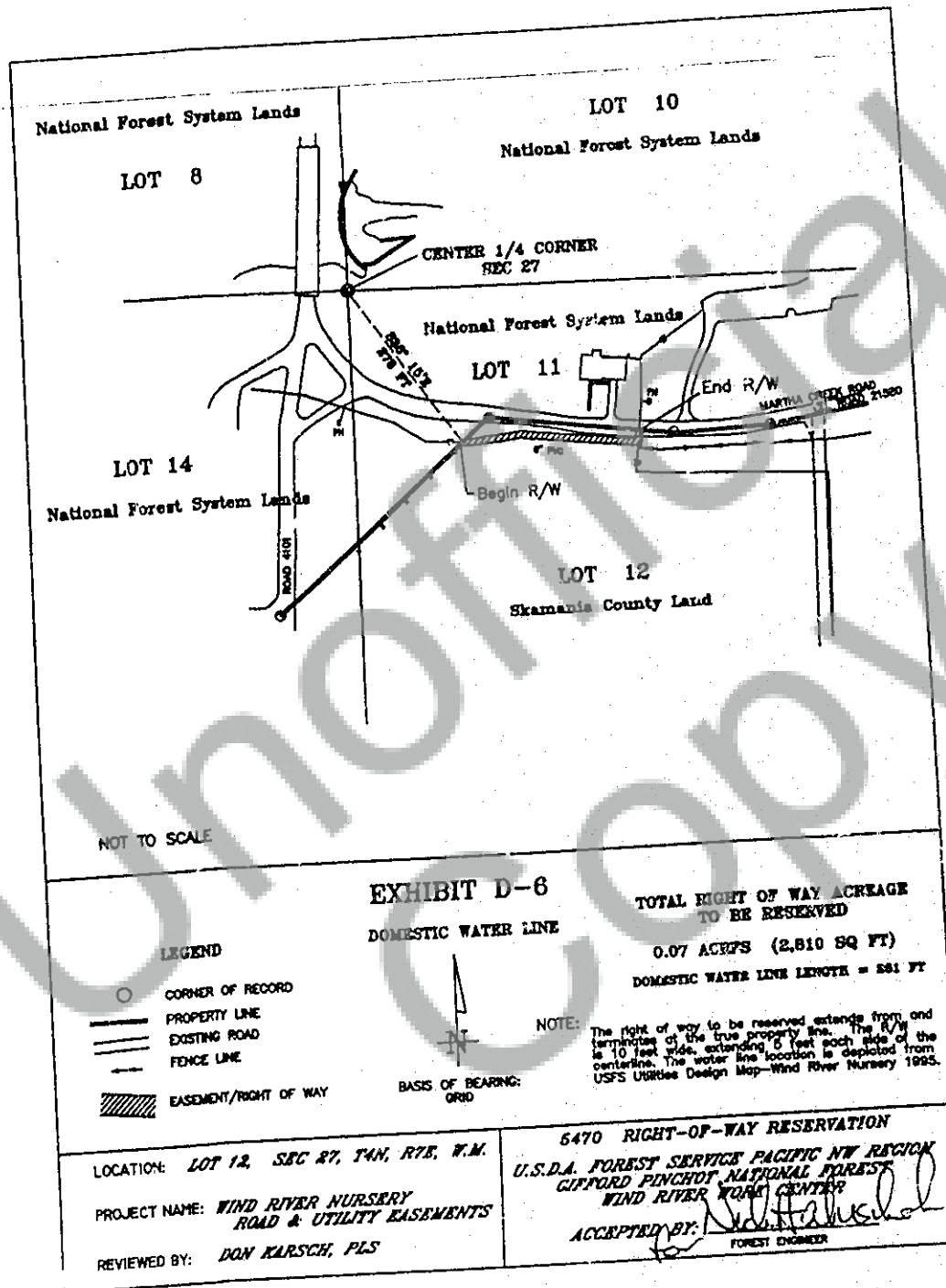


EXHIBIT "D-7"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 4 and Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 3" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-8 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 19°-38'W, 486 feet to the property line, the South line of Government Lot 4, Section 27, and the water line the TRUE POINT OF BEGINNING;

Thence N 00° 53' W, 39 feet;

Thence S 89° 18' E, 236 feet;

Thence N 03° 07' E, 73 feet;

Thence S 88° 57' E, 16 feet, to the end of the 3" main water line, in Government Lot 9, said Section 27. The total right of way acreage is ± 0.08 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51" Circle, Vancouver, Washington.

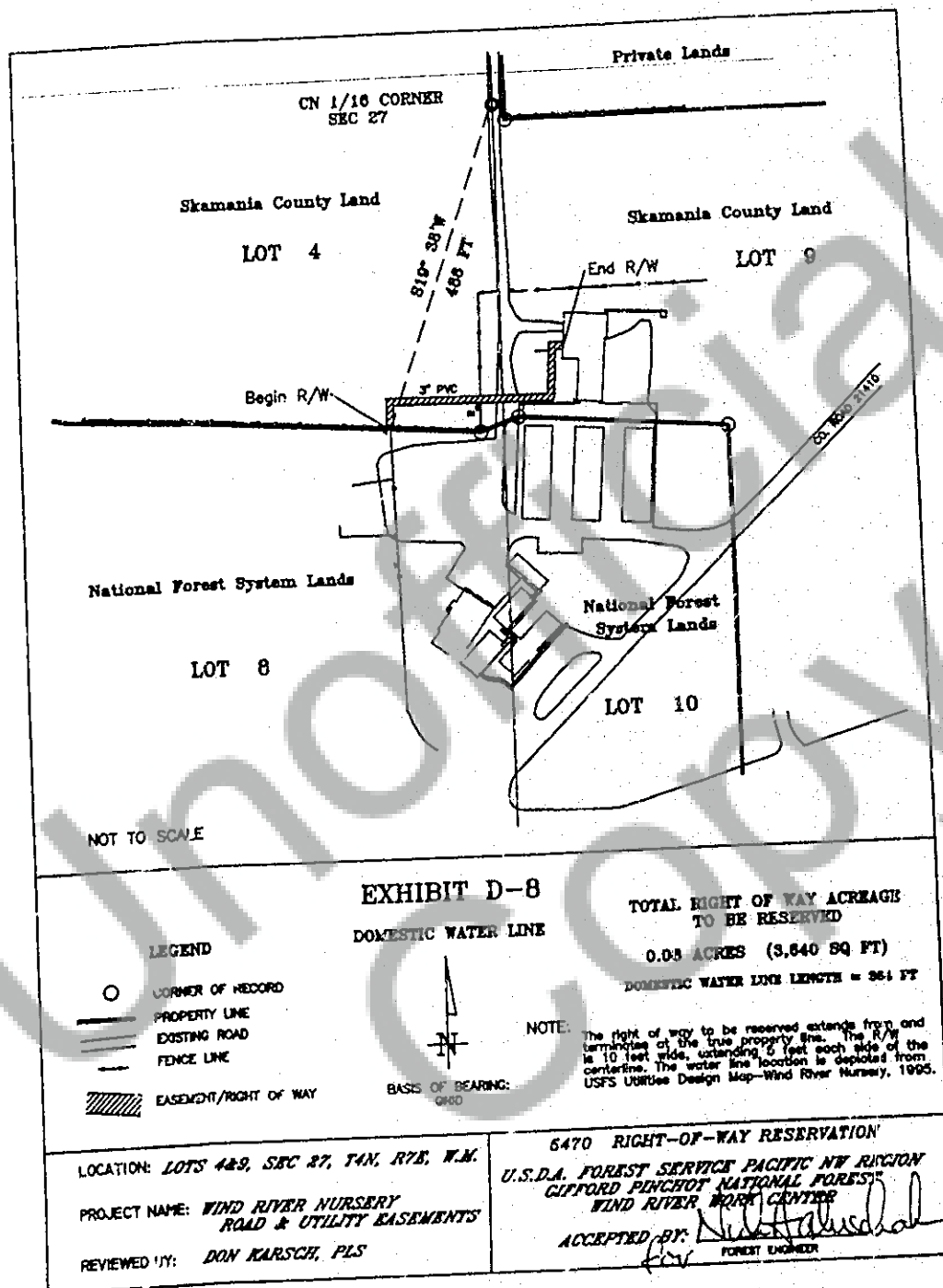


EXHIBIT "D-9"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 6" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-10 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 26°-27' E, 742 feet to the property line, the West line of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, and the TRUE POINT OF BEGINNING;

Thence N 45° 32' E, 249 feet;

Thence N 50° 54' E, 243 feet;

Thence S 85° 16' E, 34 feet;

Thence S 37° 17' E, 96 feet;

Thence S 11° 47' E, 129 feet;

Thence N 80° 52' E, 44 feet;

Thence S 08° 52' E, 175 feet;

Thence S 81° 29' E, 25 feet, to the end of the 6" main water line, in Government Lot 9, said Section 27. The total right of way acreage is ± 0.23 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

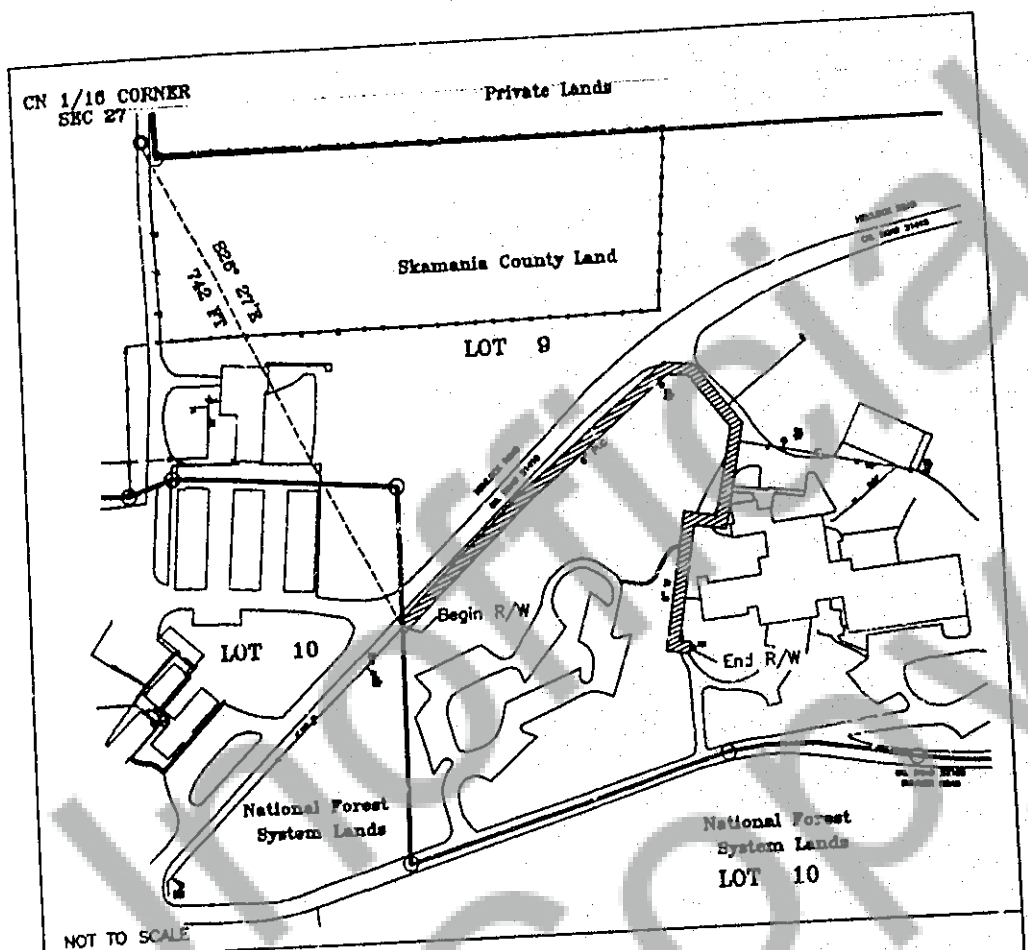


EXHIBIT D-10

DOMESTIC WATER LINE

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

BASIS OF BEARING: CRD

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The water line location is depicted from USFS Utilties Design Map-Wind River Nursery, 1997

TOTAL RIGHT OF WAY ACREAGE TO BE RESERVED

0.23 ACRES (9,955 SQ FT)

DOMESTIC WATER LINE LENGTH = 995 FT

LOCATION: LOT 9, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 RIGHT-OF-WAY RESERVATION
U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIFFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY: *[Signature]*
for FOREST ENGINEER

EXHIBIT "D-11"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 1 1/2" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-12 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 60°-57'E, 898 feet to the intersection of a 3" P.V.C. water pipe in Government Lot 9, said Section 27, and the 1 1/2" water line the TRUE POINT OF BEGINNING;

Thence S 77° 38' E, 259 feet, to the end of the 1 1/2" water line in Government Lot 9, said Section 27. The total right of way acreage is ± 0.06 acres. The basis of bearing for this description is Grid bearing, MAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10500 NE 51" Circle, Vancouver, Washington.

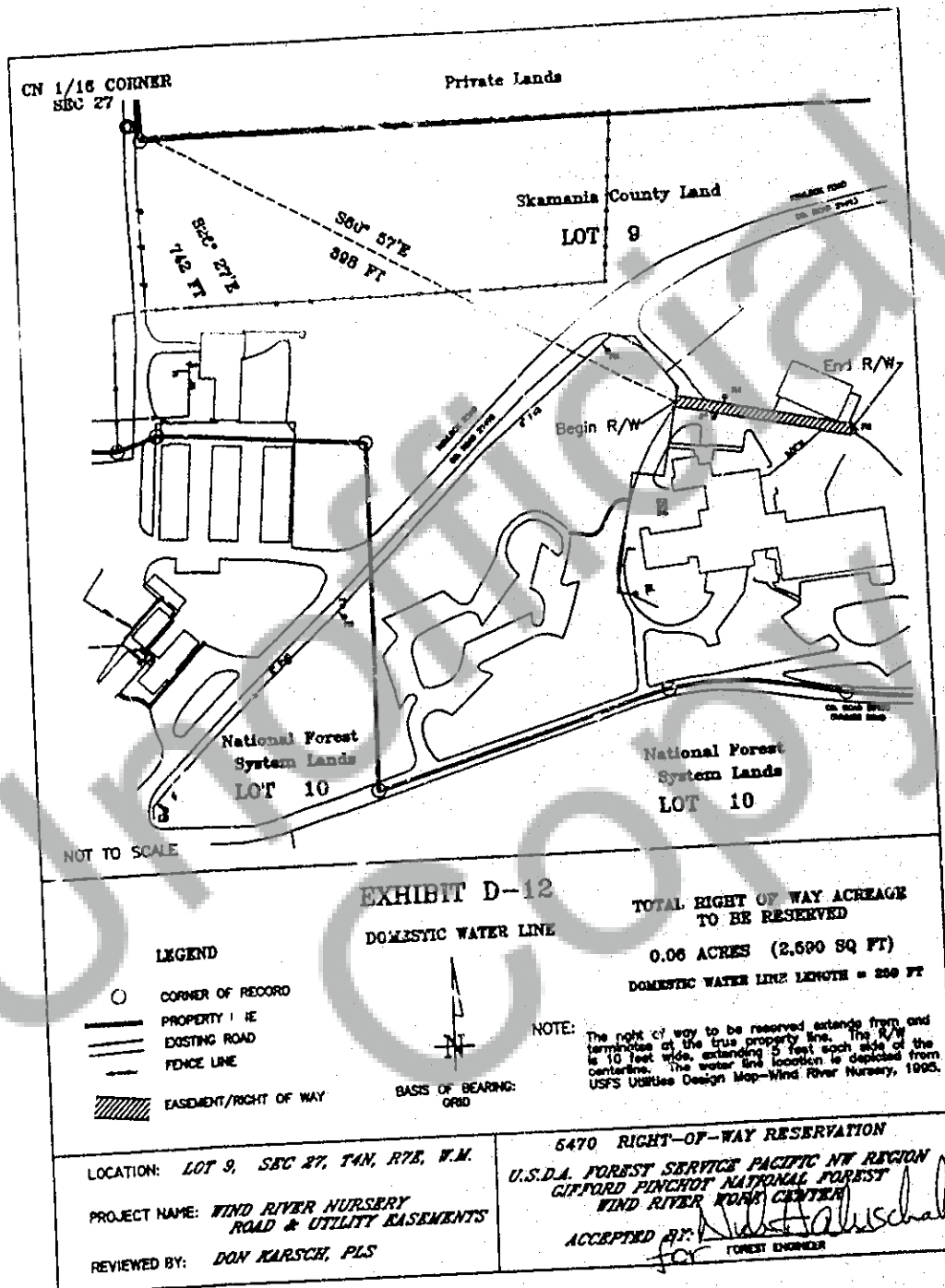


EXHIBIT "E-1"
SKAMANIA COUNTY WIND RIVER NURSERY
SEWER LINE EASEMENT #1, 2, AND 3

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of sewer line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The sewer line is a 8" P.V.C. pipe with service for other buildings, and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit E-2 "Sewer Line Easement #1, 2, and 3", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center One Quarter of Section 27, a Brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 08°-17'W, 1230 feet to the intersection of the South line of Government Lot 13, Section 27, and the sewer line #1 the TRUE POINT OF BEGINNING;

Thence N 17° 06' E, 4 feet;

Thence S 88° 07' E, 21 feet;

Thence N 46° 10' W, 18 feet;

Thence S 86° 13' E, 62 feet;

Thence N 01° 33' E, 674 feet;

Thence N 39° 47' E, 315 feet;

Thence S 88° 35' E, 191 feet;

Thence N 06° 04' E, 83 feet, to the intersection of the property line of Government Lot 11, said Section 27. The total right of way acreage is \pm 0.31 acres.

And sewer line # 2:

Beginning at the Center One Quarter of Section 27;

Thence S 06°-40'W, 536 feet to the intersection of the sewer line #1 the TRUE POINT OF BEGINNING;

Thence S 85° 12' W, 77 feet;

Thence N 26° 54' E, 76 feet, to the intersection of the property line of Government Lot 14, said Section 27. The total right of way acreage is \pm 0.04 acres.

And sewer line # 3:

Beginning at the Center One Quarter of Section 27;

Thence S 08°-44'E, 388 feet to the intersection of the sewer line #1 the
TRUE POINT OF BEGGINGING;

Thence N 40° 05' E, 51 feet, to the intersection of the property line
of Government Lot 11, said Section 27. The total right of way acreage is
± 0.01 acres.

The basis of bearing for this description is Grid bearing, NAD 1927
(theta angle of -1° - 02'). This description of the sewer line location
is approximate, as portrayed on U.S. Forest Service Engineering
Utilities Design Map of the Wind River Nursery, 1995, and is on file at
the Gifford Pinchot National Forest Headquarters, 10600 NE 51" Circle,
Vancouver, Washington.

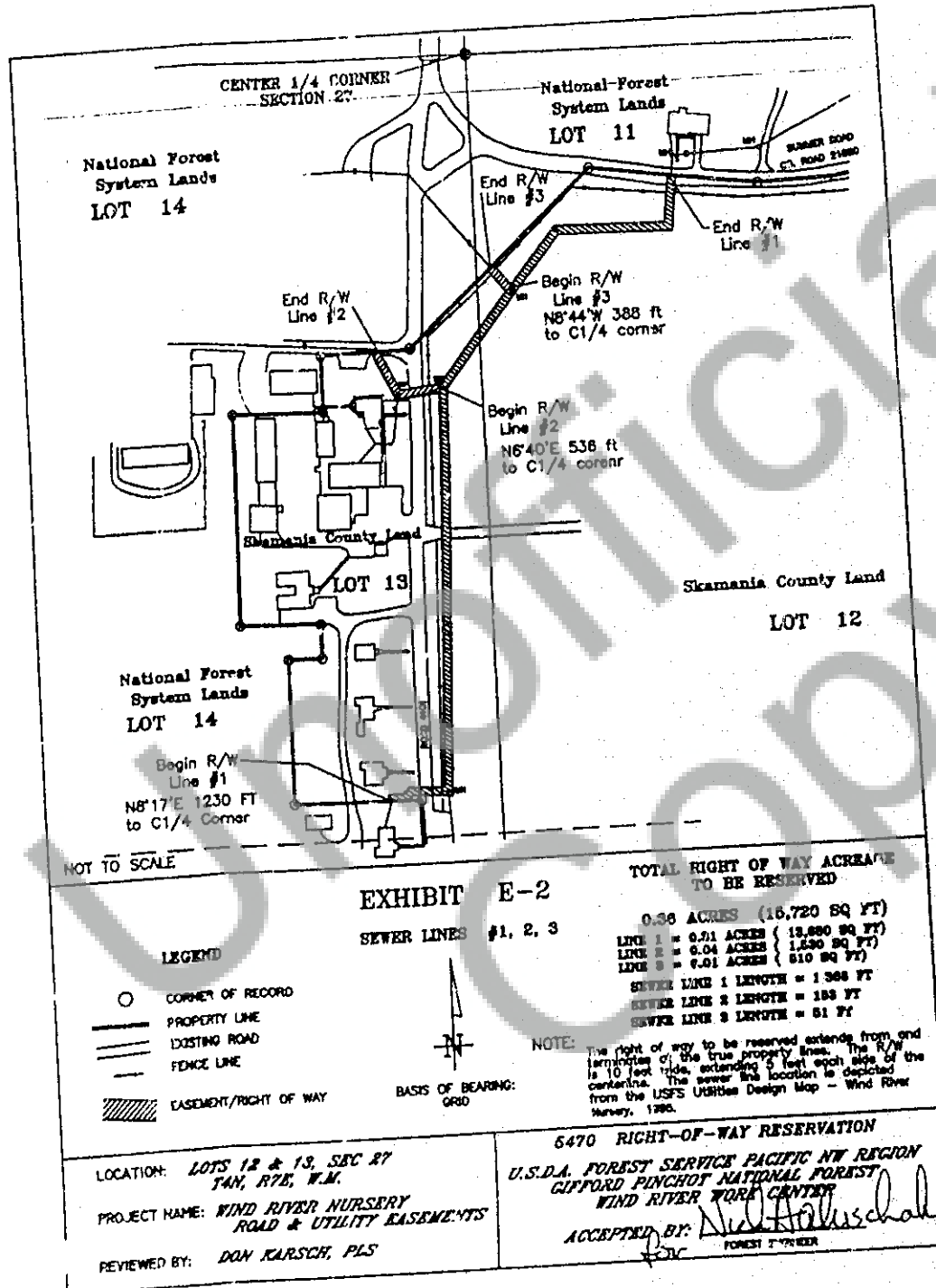


EXHIBIT "E-3"
SKAMANIA COUNTY WIND RIVER NURSERY
SEPTIC FIELD EASEMENT

An easement for the purpose of service and maintenance for a septic drain field across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The septic drain field is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit E-4 "SEPTIC DRAIN FIELD", attached. The approximate area of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth Corner of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 27°-44'E, 526 feet to the intersection of the North line of Government Lot 10, Section 27, and the TRUE POINT OF BEGINNING;

Thence N 05° 24' E, 42 feet;

Thence S 85° 07' E, 109 feet;

Thence S 05° 15' W, 154 feet;

Thence N 83° 14' W, 14 feet, to the intersection of the East line of Government Lot 10, said Section 27. The total right of way acreage is ±0.15 acres.

The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the septic drain field location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

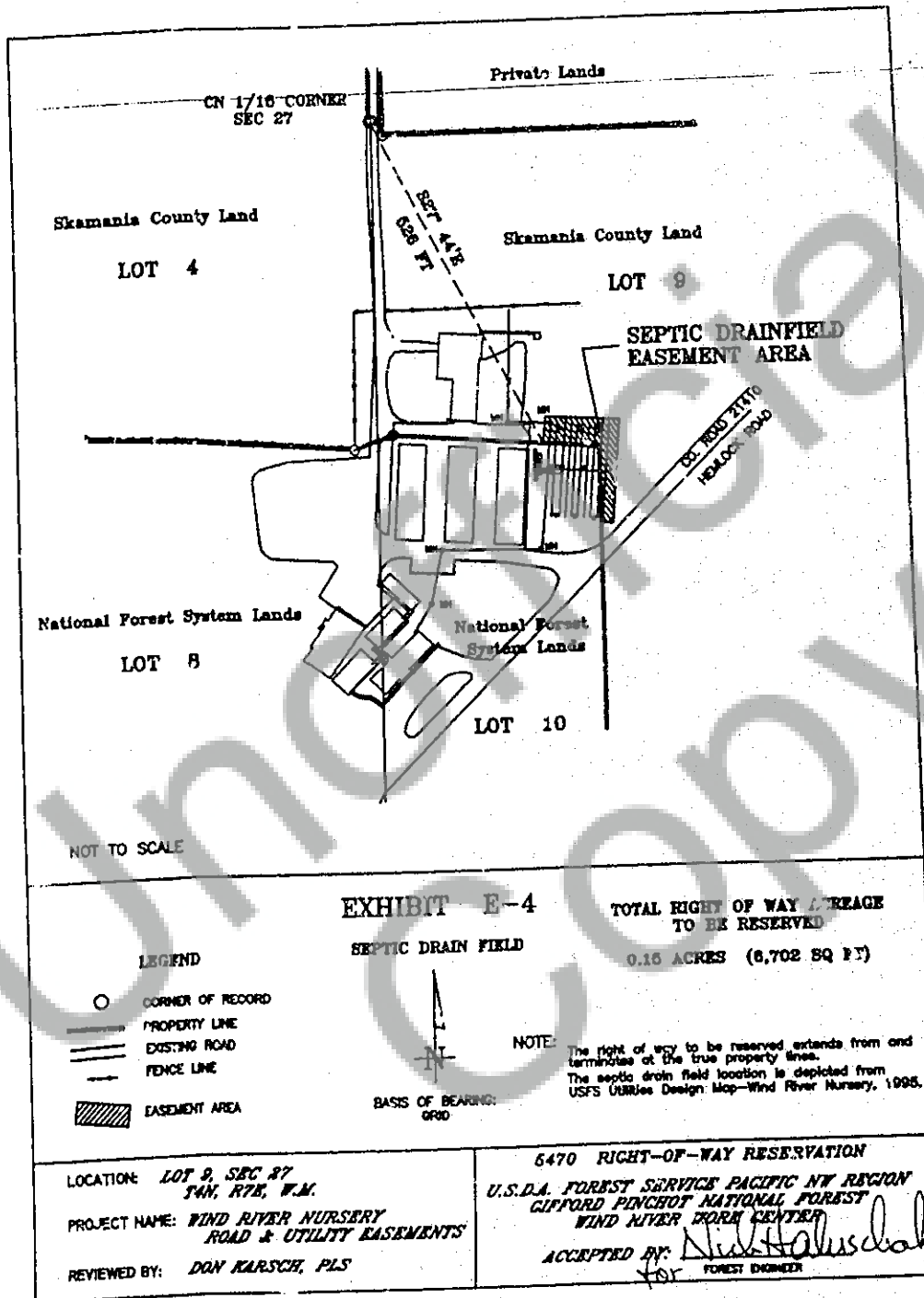


EXHIBIT F

CONVEYANCE PRESERVATION CLAUSE

Building numbers 1053, 1054, 1057, 1415, 2325, 2327 and associated property, along with part of Chapman Avenue and the historic nursery fields at the Gifford Pinchot National Forest wind River nursery Site are conveyed to Skamania county commissioners. Skamania County Commissioners specifically acknowledge that these properties are eligible for inclusion in the National register of Historic Places and therefore require protection under the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations (36 CFR Part 800). Therefore Skamania county Commissioners will coordinate any proposed aesthetic, structural or landscape alterations to these properties with the Washington State Historic Preservation Officer (SHPO) prior to undertaking said alterations. IN order to approve any aesthetic, structural or landscape alterations to these properties, all alterations must be done in accordance with the *Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (U.S. Department of the Interior, National Park Service, 1992) and will be the subject of consultation between Skamania county commissioners and the Washington SHPO. If requested, the Forest Service will make its best efforts to provide any comments on proposed alterations within twenty-on (21) days after receipt thereof.

MEMORANDUM OF AGREEMENT

AMONG
THE USDA FOREST SERVICE,

SKAMANIA COUNTY,
AND
THE WASHINGTON STATE HISTORIC PRESERVATION OFFICER

REGARDING:
WIND RIVER NURSERY PROPERTY CONVEYANCE
USDA FOREST SERVICE, GIFFORD PINCHOT NATIONAL FOREST

WHEREAS, Section 340 of the Fiscal Year 1998 Interior Appropriations Act legislates the conveyance of the former Wind River Nursery to Skamania County, and Section 341 of the Fiscal Year 1999 Appropriations Act defines the boundaries of the lands to be conveyed; and

WHEREAS, the USDA Forest Service has determined that the conveyance will have an effect upon properties that are eligible for listing in the National Register of Historic Places (hereinafter referred to as "historic properties"); and

WHEREAS, the historic properties consist of the Trout Creek Archaeological Site (45SA222) and the contributing structures and features of the Wind River Administrative Site Historic District (hereinafter "Historic District"); and

WHEREAS, the USDA Forest Service has consulted with the Washington State Historic Preservation Officer (SHPO), Yakama Nation, and the Advisory Council on Historic Preservation (ACHP) pursuant to 36 CFR Part 800.13(c) of the regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470f) to develop this Agreement; and

WHEREAS, in accordance with 36 CFR Part 800, the USDA Forest Service acknowledges and accepts the advice and conditions outlined in the Council's "Recommended Approach for Consultation on the Recovery of Significant Information from Archaeological Sites," published in the Federal Register on May 18, 1999; and

WHEREAS, the consulting parties agree that recovery of significant information from the Trout Creek archaeological site (45SA222) may be done in accordance with the published guidance; and

WHEREAS, to the best of our knowledge and belief, no human remains, associated or unassociated funerary objects or sacred objects, or objects of cultural patrimony as defined in the Native American Graves Protection and Repatriation Act (25 U.S.C. 3001), are expected to be encountered in the archaeological work; and

WHEREAS, appropriate restrictive devices have been prepared to protect historic properties within the Historic District (Historic Preservation Clause in Deed of Title transfer documents); and

WHEREAS, the consulting parties agree that it is in the public interest to expend funds to mitigate the effects of the project; and

NOW THEREFORE, the USDA Forest Service and Skamania County shall ensure that the following terms and conditions, including the appended Archaeological Data Recovery Plan, will be implemented in a timely manner and with adequate resources in compliance with the National Historic Preservation Act of 1966 (16 U.S.C. 470).

TERMS AND CONDITIONS

I. Recordation of Historic Properties For Mitigation of Adverse Effects

The USDA Forest Service will be responsible for the recordation of the Historic District using the accepted format of the Historic American Building Survey/Historic American Engineering Record (HABS/HAER). In addition to the narrative summary report, documentation shall include a site plan and representative black and white photographs of all contributing buildings, structures, sites, and landscape features within the historic district. Archival copies of the HABS/HAER documentation will be submitted to the appropriate repositories.

II. Management Plan For Historic District

The USDA Forest Service and Skamania County shall jointly develop a management plan for historic properties within the Historic District. This document will include long-range plans to manage and maintain historic properties, an interpretive plan, and protocol for consultation with the SHPO.

III. Interim Management Guidelines For Historic District

Until a management plan is developed, the following interim guidelines shall be in effect:

- A. Internal Management Guidelines, as stipulated in Section IV of the 1989 *Amended Programmatic Agreement Regarding Management of Depression-Era Administrative Structures on National Forest lands in Oregon and Washington*, remain in effect.
- B. The USDA Forest Service and Skamania County shall ensure that all historic properties contributing to the Historic District will be properly secured and protected from vandalism, fire, and weather damage.
- C. Project Review For Undertakings Within the Historic District

1. **Federal lands:** The review process will follow procedures in the 1997 *Programmatic Agreement Regarding Cultural Resource Management on National Forests in the State of Washington*.
2. **Skamania County lands:** Except for those activities described below as "Exempt Activities," prior to any construction, alteration, rehabilitation, demolition, disturbance of the ground surface, or any other action affecting historic properties, a representative of Skamania County shall submit plans and specifications to the SHPO for review, consultation, and approval.

D. The following repair and/or maintenance activities proposed by the USDA Forest Service or Skamania County within the Historic District are specifically exempt from review by the SHPO. Modifications to buildings necessary for their reuse are not considered repair and maintenance actions covered by this exemption.

~~Activities involving non-historic properties that will have no effect upon contributing elements of the Historic District.~~
~~In-kind street and parking area resurfacing, where no additional right-of-way is required within the Historic District.~~
~~Removal of dead or unsalvageable trees.~~
~~Modifications to interiors of non-contributing buildings.~~
~~Modifications to interiors of contributing buildings that will not alter character-defining features of the building interior.~~
~~Minor, in-kind repair or replacement of building or site features, elements, or materials that will be compatible with the character of the Historic District.~~
~~Installation of above-ground heating, ventilation, and air conditioning equipment, plumbing, and electrical systems, where such activities do not affect the character-defining features of contributing elements of the historic properties, and are compatible with the character of the Historic District.~~

1. Activities involving non-historic properties that will have no effect upon contributing elements of the Historic District.
2. In-kind street and parking area resurfacing, where no additional right-of-way is required within the Historic District.
3. Removal of dead or unsalvageable trees.
4. Modifications to interiors of non-contributing buildings.
5. Modifications to interiors of contributing buildings that will not alter character-defining features of the building interior.
6. Minor, in-kind repair or replacement of building or site features, elements, or materials that will be compatible with the character of the Historic District.
7. Installation of above-ground heating, ventilation, and air conditioning equipment, plumbing, and electrical systems, where such activities do not affect the character-defining features of contributing elements of the historic properties, and are compatible with the character of the Historic District.

OTHER TERMS AND CONDITIONS

I. The USDA Forest Service and Skamania County shall equally share in the costs of the archaeological data recovery project and development of a management plan for the Historic District.

II. Modification, amendment, or termination of this agreement as necessary shall be accomplished by the signatories in the same manner as the original agreement.

III. Disputes regarding the completion of the terms of this agreement shall be resolved by the signatories. If the signatories cannot agree regarding a dispute, any one of the signatories may request the participation of the ACHP to assist in resolving the dispute.

IV. This agreement shall be null and void if its terms are not carried out within 2 (two) years from the date of its execution, unless the signatories agree in writing to an extension for carrying out its terms.

Claire Lavendel
Claire Lavendel, Forest Supervisor
Gifford Pinchot National Forest
(Agency Official)

date: April 14, 2000

Allyson Brooks
Allyson Brooks, Ph.D
State Historic Preservation Officer

date: 4/4/2000

Edward A. McLarney
Edward McLarney, Chairman
Board of Commissioners, Skamania County

date: April 10, 2000

ATTEST
Gary M. Olson
Sk. Co. Auditor and Ex-Officio
Clerk of the Board



Approved AS TO form

Budley [Signature]

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APPENDIX 1
CONVEYANCE PRESERVATION CLAUSE

Building numbers 1053, 1054, 1057, 1415, 2325, 2327 and associated property, along with part of Chapman Avenue and the historic nursery fields at the Gifford Pinchot National Forest Wind River Nursery Site are conveyed to Skamania County Commissioners. Skamania County Commissioners specifically acknowledge that these properties are eligible for inclusion in the National Register of Historic Places and therefore require protection under the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations (36 CFR Part 800). Therefore Skamania County Commissioners will coordinate any proposed aesthetic, structural or landscape alterations to these properties with the Washington State Historic Preservation Officer (SHPO) prior to undertaking said alterations. In order to approve any aesthetic, structural or landscape alterations to these properties, all alterations must be done in accordance with the *Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (U.S. Department of the Interior, National Park Service, 1992) and will be the subject of consultation between Skamania County Commissioners and the Washington SHPO. If requested, the Forest Service will make its best efforts to provide any comments on proposed alterations within twenty-one (21) days after receipt thereof.



Mary, here is a copy of the Wind River MCA as we discussed
Gregory A. Griffith, A.I.C.P.

Deputy State Historic Preservation Officer

Office of Community Development
Office of Archaeology & Historic Preservation
1063 S. Capitol Way, Suite 106 • Olympia, WA 98501
(Mailing Address) P.O. Box 48343
Olympia, WA 98504-8343

Phone: 360-586-3073

Fax: 360-586-3067

e-mail: gregg@ohp.wa.gov

Home Page: www.ohp.wa.gov

greg.gri@ohp.wa.gov

Doc # 2005156600
Page 1 of 36
Date: 03/16/2005 09:19A
Filed by: BOARD OF COUNTY COMMISSIONERS
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$54.00

After Recording Return To:

Skamania County Commissioners
PO Box 790
Stevenson, WA 98648

Document Title(s) or transactions contained herein:	
1. Quit Claim Deed	REAL ESTATE EXCISE TAX 24751
GRANTOR(S) (Last name, first name, middle initial)	MAR 15 2005
1. Skamania County	PAID EXEMPT
<input type="checkbox"/> Additional names on page _____ of document.	<i>Sydney Kline Deputy</i> SKAMANIA COUNTY TREASURER
GRANTEE(S) (Last name, first name, middle initial)	
1. Wind River Public Development Authority	
<input type="checkbox"/> Additional names on page _____ of document.	
LEGAL DESCRIPTION (Abbreviated: i.e., Lot, Block, Plat or Section, Township, Range, Quarter/Quarter)	
Section 27 of Township 4 North, Range 7 East, W.M.	
<input checked="" type="checkbox"/> Complete legal on page three (3) of document.	
REFERENCE NUMBER(S) of Documents assigned or released:	
<input type="checkbox"/> Additional numbers on page _____ of document.	
ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER	
04-07-0-0-1800-00; 04-07-27-0-0-1900-00; 04-07-0-0-2000-00 3-15-05	
<input type="checkbox"/> Property Tax Parcel ID is not yet assigned	
<input type="checkbox"/> Additional parcel numbers on page _____ of document.	
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.	

DOC # 2005156677
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Exhibit C

Filed for Record at request of:

PETER S. BANKS
SKAMANIA COUNTY PROSECUTING ATTORNEY
PO Box 790
Stevenson, WA 98648

Quit Claim Deed

THE GRANTOR, SKAMANIA COUNTY, a municipal corporation, for and in consideration of TEN DOLLARS (\$10.00), conveys and quit claims to WIND RIVER PUBLIC DEVELOPMENT AUTHORITY the following described real estate, situated in the County of Skamania, State of Washington, together with all after acquired title of the grantor therein:

Legal Description attached hereto as Exhibit "A".

DATED this 10th day of March, 2005.

Albert E. McKee

STATE OF WASHINGTON)
) ss.
County of Skamania)

ON THIS DAY personally appeared before me Albert E. McKee, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that she/he signed the same as her/ his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 10th day of March, 2005.

CHERIE L. HALVORSON
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
DECEMBER 10, 2005

Cherrie L. Halvorson

Notary Public for the State of Washington

Residing at Vancouver

My commission expires Dec. 10, 2005

Gary H. Martin, Skamania County Assessor

Date 3-15-03 Parcel # 4-7-27-1800
5764 1900
2000

T. 4 N., R. 7 E., W.M.,

sec. 22, lot 2;
sec. 27, lots 2, 4, 6, 9, 12, 13, and 16, NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$, and
NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$;
sec. 34, lot 2.

The areas described aggregate 187.51 acres, according to the official plats of the surveys of the said lands on file in the Bureau of Land Management, as agreed to by both parties.

Together with all water rights appurtenant to the conveyed Property, including without limitation, all rights under Certificate Numbers S2-00817 C, S2-26536 C, R2-29196 C and G 2-25679 C (11.6 acre feet for community water, 9.5 acre feet of commercial water for the Nursery plant, and 12.5 acre feet of irrigation water for lawns; and all additional rights to the use of

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water which has been applied to a beneficial use upon the conveyed Property; pursuant to RCW 90.08.380, excepting and reserving to the United States and its assigns 23.92 irrigated acres permitted under Certificate Numbers S2-00817 C and S2-26536 C; and the remainder of water rights under G 2-25679 C (21.4 acre feet of community water and 11.5 acre feet of irrigation for lawns.)

EXCEPTING AND RESERVING TO THE UNITED STATES, and its assigns, from the lands so granted:

1. Five (5) exclusive perpetual easements, including all right, title and interest for existing roads as shown approximately on Exhibits C-1 through C-10 attached hereto and made a part hereof, and more particularly identified and described herein, and all appurtenances thereto, over, upon, or under the land so granted together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said roads.
 - a. Road No. 434
lot 2 of sec. 22, T. 4 N., R. 7 E.
 - b. Road No. 462
lot 4 of sec. 27, T. 4 N., R. 7 E.
 - c. Road "A"
lots 13 and 16, and NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 27, T. 4 N., R. 7 E.
 - d. Road "B"
NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 27, T. 4 N., R. 7 E.
 - e. Road No. 4101
lot 13 of sec. 27, T. 4 N., R. 7 E.

It is agreed that Skamania County, its successors and assigns, shall have the right to use the existing roads described above for all purposes deemed necessary or desirable in connection with the protection, administration, management and utilization of Skamania County lands or resources, subject, however, to traffic-control regulations under 36 CFR 261.12, and the bearing of road maintenance costs proportionate to use as provided in 36 CFR 212.5(d).

Provided, that if the Regional Forester determines that the road(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s)

water which has been applied to a beneficial use upon the conveyed Property; pursuant to RCW 90.03.380, excepting and reserving to the United States and its assigns 23.92 irrigated acres permitted under Certificate Numbers S2-00817 C and S2-26536 C; and the remainder of water rights under G 2-25679 C (21.4 acre feet of community water and 11.5 acre feet of irrigation for lawns.)

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NW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of sec. 27, T. 4 N., R. 7 E.
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Provided, that if the Regional Forester determines that the road(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s)



shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

2. Six (6) exclusive perpetual water line and drain line easements, including all right, title and interest for existing systems, as shown approximately on Exhibits D-1 through D-12 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 4, 9, 12, and 18 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said system.

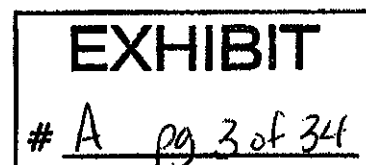
Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

3. Three (3) exclusive perpetual easements, including all right, title and interest for sewer line and septic field, including all right, title and interest for existing easements as shown approximately on Exhibits E-1 through E-4 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 9, 12, and 18 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said systems.

Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

GRANTING TO SKAMANIA COUNTY, and its assigns, from the lands to be retained in Federal ownership and to be recorded simultaneously to this Deed, are:

1. Five (5) Forest Road nonexclusive easements, subject to existing easements and valid rights, for use of roads further identified on Exhibits A-1 through A-6 and A-9 through A-13.



shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

2. Six (6) exclusive perpetual water line and drain line easements, including all right, title and interest for existing systems, as shown approximately on Exhibits D-1 through D-12 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 4, 9, 12, and 13 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said system.

Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

3. Three (3) exclusive perpetual easements, including all right, title and interest for sewer line and septic field, including all right, title and interest for existing easements as shown approximately on Exhibits E-1 through E-4 attached hereto and made a part hereof, and all appurtenances thereto, over, upon, or under lots 9, 12, and 13 of sec. 27, T. 4 N., R. 7 E., W.M., together with such reasonable rights of temporary use of the lands immediately adjacent to said rights-of-way as may be necessary for the maintenance and/or repair of said systems.

Provided, that if the Regional Forester determines that the easement(s), or any segment thereof, is no longer needed for the purposes reserved, the easement(s) shall terminate. The termination shall be evidenced by a statement in recordable form furnished by the Regional Forester to Skamania County, or its successors or assigns in interest.

GRANTING TO SKAMANIA COUNTY, and its assigns, from the lands to be retained in Federal ownership and to be recorded simultaneously to this Deed, are:

1. Five (5) Forest Road nonexclusive easements, subject to existing easements and valid rights, for use of roads further identified on Exhibits A-1 through A-6 and A-9 through A-13.

EXHIBIT

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2. One (1) Forest Road Easement - Limited Use, subject to existing easements and valid rights for use of a road further identified on Exhibits A-7 through A-8.
3. Five (5) Irrigation Water Transmission Pipeline nonexclusive easements, subject to existing easements and valid rights for irrigation further identified on Exhibits B-1 through B-9.

SUBJECT TO:

1. Easement for a telephone line owned and operated by United Telephone Company of the Northwest for which no recorded permit or easement exists (affects SE $\frac{1}{4}$ of sec. 22 and all of sec. 27, T. 4 N, R 7 E.)
2. Easement for electrical transmission powerline owned and operated by Skamania County Public Utility District for which no recorded permit or easement exists (affects SE $\frac{1}{4}$ of sec. 22 and all of sec. 27, T. 4 N, R 7 E.)
3. Covenant on Building Numbers 1053, 1054, 1057, 1415, 2325, 2327 and associated property along with Chapman Avenue and the historic nursery fields on the Wind River Nursery Site for inclusion in the National Register of Historic Places and protection under the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations (36 CFR Part 800), more particularly described on Exhibit F attached hereto and made a part hereof.

WHEREAS, potentially hazardous substances and petroleum products used for heating certain facilities contained in buried oil tanks were used on the property. All remedial action necessary to protect human health and the environment with respect to these facilities being conveyed to the County, including without limitation Building Numbers 1053, 1054, 1057, 1065, 2025, 2127, 2226, and 2325, and with respect to any hazardous substances found on the Property will be conducted by the United States. The United States reserves a right of access to these facilities for purposes of conducting such remedial or corrective action, if necessary.

IN WITNESS WHEREOF, the Grantor, by its Director of Recreation, Lands, and Mineral Resources, Forest Service, Pacific Northwest Region, has executed this deed pursuant to the delegation of authority by the Secretary of Agriculture to the Assistant Secretary for Natural Resources and Conservation, the delegation of authority by the Assistant Secretary for Natural Resources and Conservation to the Chief, Forest Service, 7 CFR 2.60, and the delegation of authority by the Chief,

EXHIBIT

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Forest Service, 49 F.R. 34283, published August 29, 1984, on the day and year first above written.

UNITED STATES OF AMERICA

Kimberly Evert Bown

Kimberly Evert Bown, Director, RLM
Recreation, Lands, and Mineral Resources
Pacific Northwest Region
USDA Forest Service

ACKNOWLEDGMENT

STATE OF OREGON)

)ss.

County of Multnomah)

On this 1st day of February, 2002, before me, the undersigned, a Notary Public in and for said State personally appeared Kimberly Evert Bown, Director of Recreation, Lands, and Mineral Resources, Pacific Northwest Region, Forest Service, Department of Agriculture, the same person who executed the within and foregoing instrument, who being by me duly sworn according to law, did say that he/she executed said instrument on behalf of the United States of America by its authority duly given and by his/her delivered as and for its act and deed. And he/she did further acknowledge that he/she executed said instrument as the free act and deed of the United States of America, for the purposes and consideration herein mentioned and set forth, and I do hereby so certify.

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



Louisa Herrera
(Signature)

Name (Printed): Louisa Herrera
Notary Public for the State of Oregon
My Commission Expires 10/10/2003

Certified correct as to consideration, description, conditions and form.

Vicky Nessling 1/25/02
Vicky Nessling, Zone Leader

Unofficial Copy

EXHIBIT
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EXHIBIT "C-1"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 2, Section 22, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-2 "Road RESERVATION", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the SW corner of Section 22, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 13°-37'E, 578 feet to the true property line, the West line of Government Lot 2, said Section 22, and the centerline of Forest Service road #434 the TRUE POINT OF BEGINNING;

Thence N 82° 28' E, 694 feet, to the true property line, the North Line of Government Lot 2, said Section 22. The total right of way acreage is ± 0.48 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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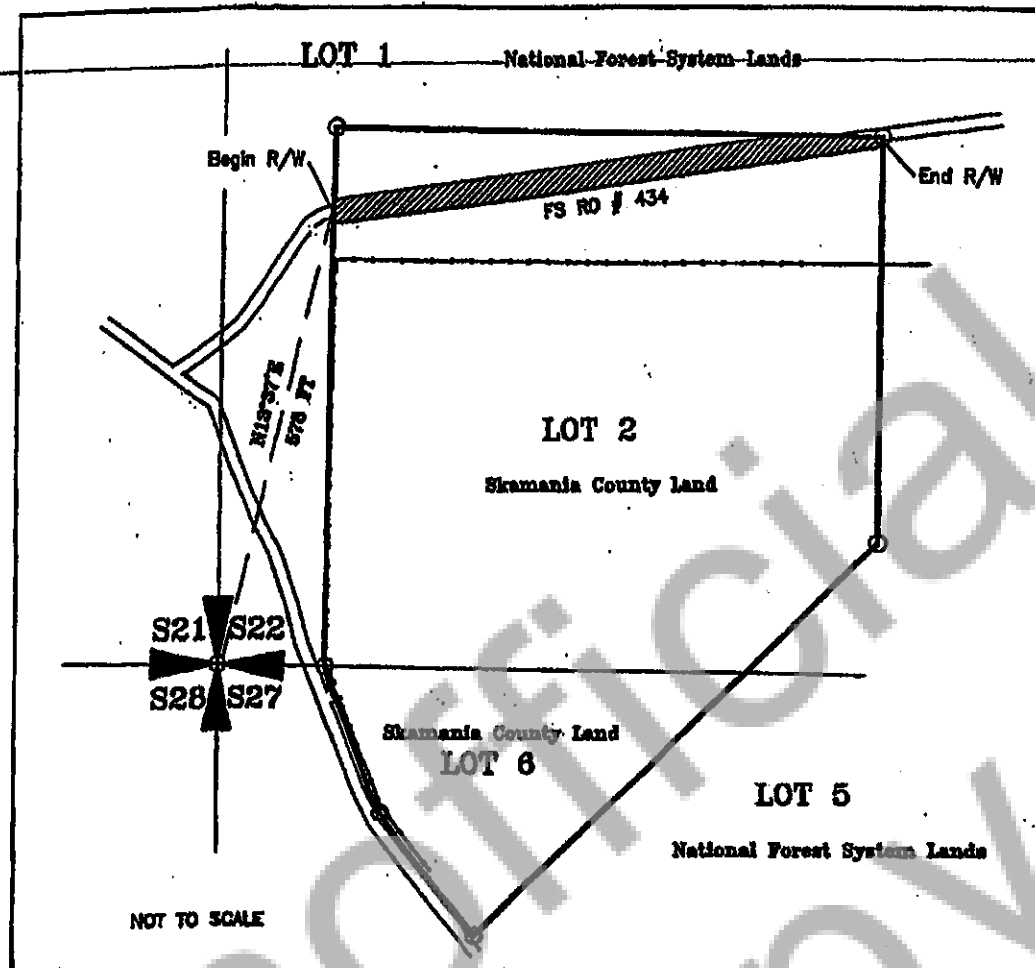


EXHIBIT C-2

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

ROAD RESERVATION

RD #434

TOTAL RIGHT OF WAY ACREAGE

0.48 ACRES (20,820 SQ FT)

ROAD LENGTH IS 894 FEET



NOTE:

The right of way to be reserved extends from and terminates at the line property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the Digital Orthophoto Quadangle Station 7/18/84.

LOCATION: LOT 2, SEC 22, T4N, R7E, W2

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 ROAD RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIPFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

FOR FOREST ENGINEER

EXHIBIT

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EXHIBIT "C-3"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 4, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-4 "Road RESERVATION", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the NW corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 62° 21' E, 1693 feet to the true property line, Lot 4, said Section 22, and the centerline of Forest Service Road #462 the TRUE POINT OF BEGINNING;

Thence S 88° 52' E, 575 feet;

Thence N 58° 11' E, 184 feet, to the true property line, the North Line of Government Lot 4, said Section 27. The total right of way acreage is ± 0.52 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of $-1^{\circ} - 02'$). This description of the road alignment location is approximate as depicted from Digital Orthophoto Quadrangle "Stabler" 7/19/94, and as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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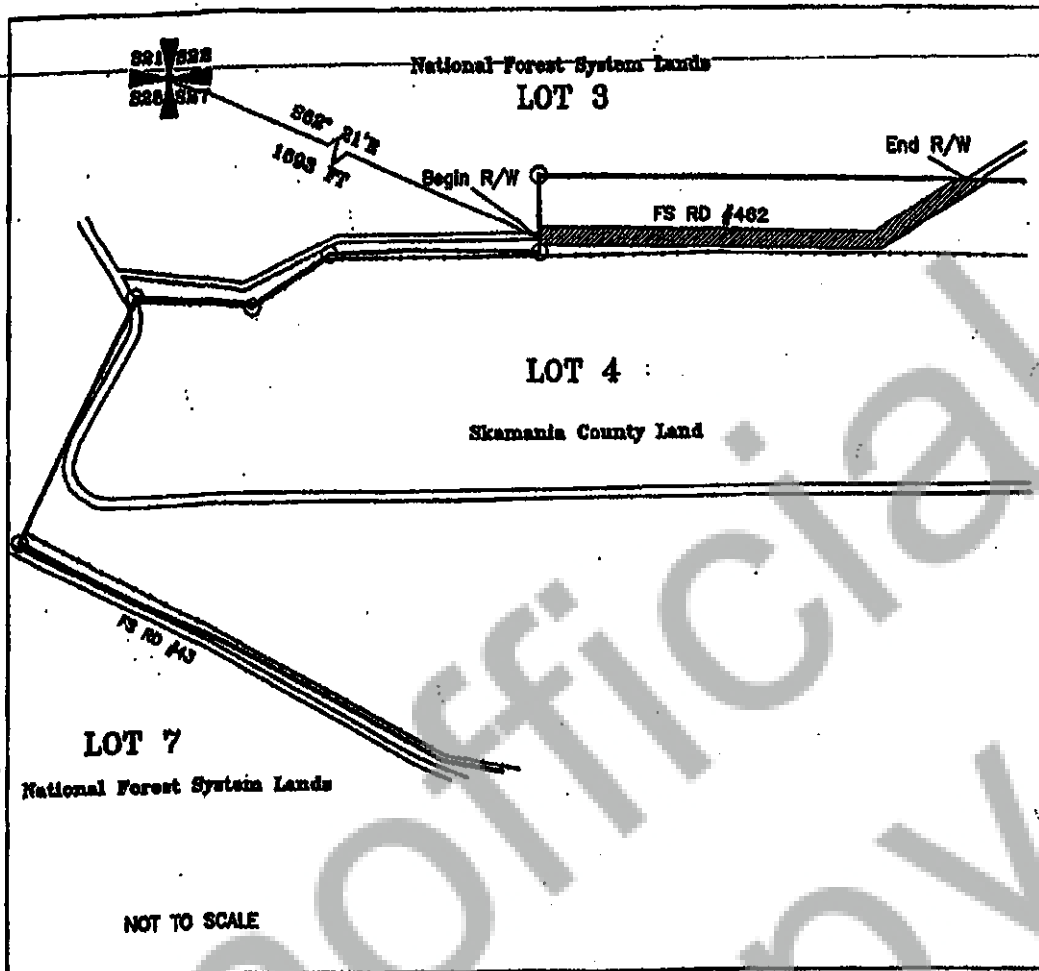


EXHIBIT C-4

LEGEND	ROAD RESERVATION	RD #462	TOTAL RIGHT OF WAY ACRES
○ CORNER OF RECORD			0.62 ACRES (22,770 SQ FT)
— PROPERTY LINE			ROAD LENGTH IS 700 FEET
— EXISTING ROAD			
— FENCE LINE			
▨ EASEMENT/RIGHT OF WAY			

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the Digital Orthophoto Quadrangle "Stabler" 7/19/84.

LOCATION: LOT 4, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 ROAD RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIFFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

FOREST ENGINEER

EXHIBIT

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EXHIBIT "C-5"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lots 13 & 16, and the NW 1/4 SE 1/4 SE 1/4 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-6 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the S 1/4 corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 06°-28'W, 864 feet to Government Lot 13, said Section 27, and the road alignment starting at the junction of Chapman Avenue and the West end of Forest Service Road A, the TRUE POINT OF BEGINNING;

Thence N 88° 14' E, 237 feet;

Thence S 87° 10' E, 89 feet;

Thence S 89° 48' E, 178 feet;

Thence S 81° 47' E, 73 feet;

Thence S 82° 49' E, 181 feet;

Thence S 88° 29' E, 614 feet;

Thence S 88° 24' E, 43 feet;

Thence S 82° 10' E, 82 feet;

Thence S 76° 03' E, 78 feet;

Thence S 32° 28' E, 36 feet;

Thence S 12° 04' W, 42 feet;

Thence S 01° 53' W, 61 feet, to the true property line, the South line of the NW 1/4 SE 1/4 SE 1/4 of said Section 27.

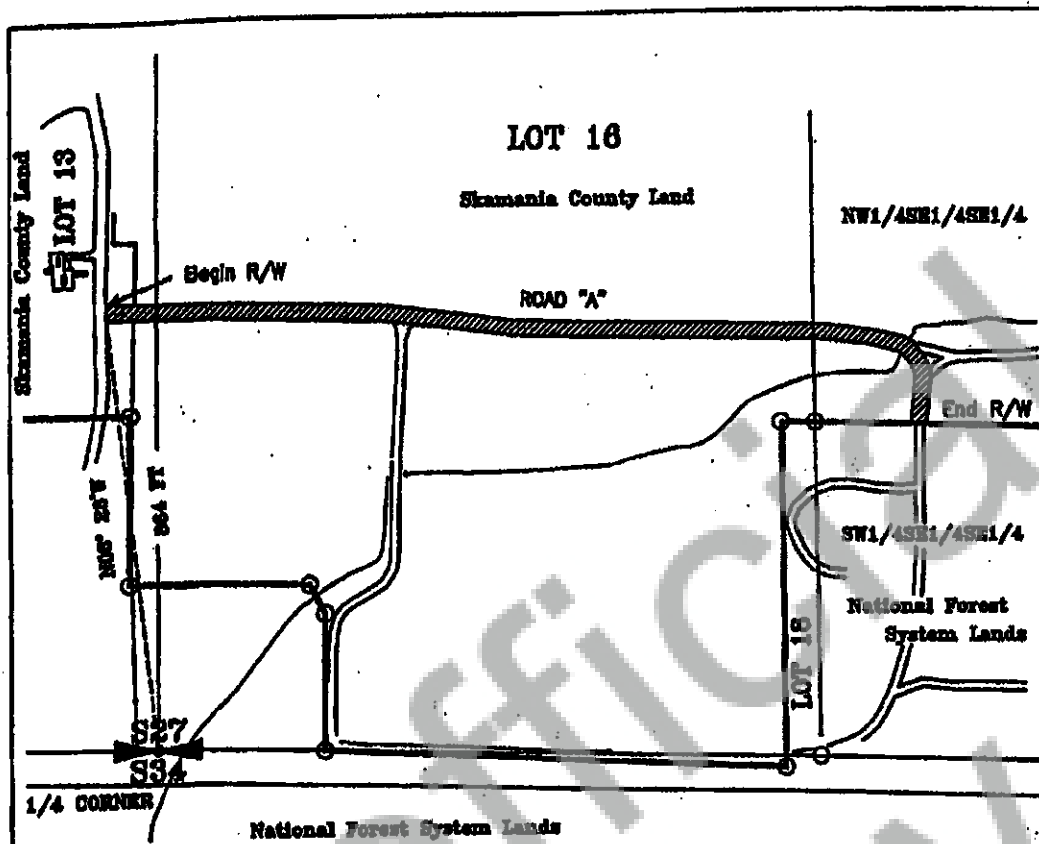
The total right of way acreage is ± 1.19 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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NOT TO SCALE

EXHIBIT C-6

- LEGEND**
- CORNER OF RECORD
 - PROPERTY LINE
 - EXISTING ROAD
 - FENCE LINE
 - EASEMENT/NIGHT OF WAY

ROAD RESERVATION RD "A"

TOTAL RIGHT OF WAY ACREAGE

1.19 ACRES (51,975 SQ FT)

ROAD LENGTH IS 1702 FEET



NOTE: The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS Utilities Design Map-Wind River Nursery, 1953.

LOCATION: LOTS 13 & 16 and NW1/4SE1/4SE1/4, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 ROAD RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIPFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

for

FOREST ENGINEER

EXHIBIT

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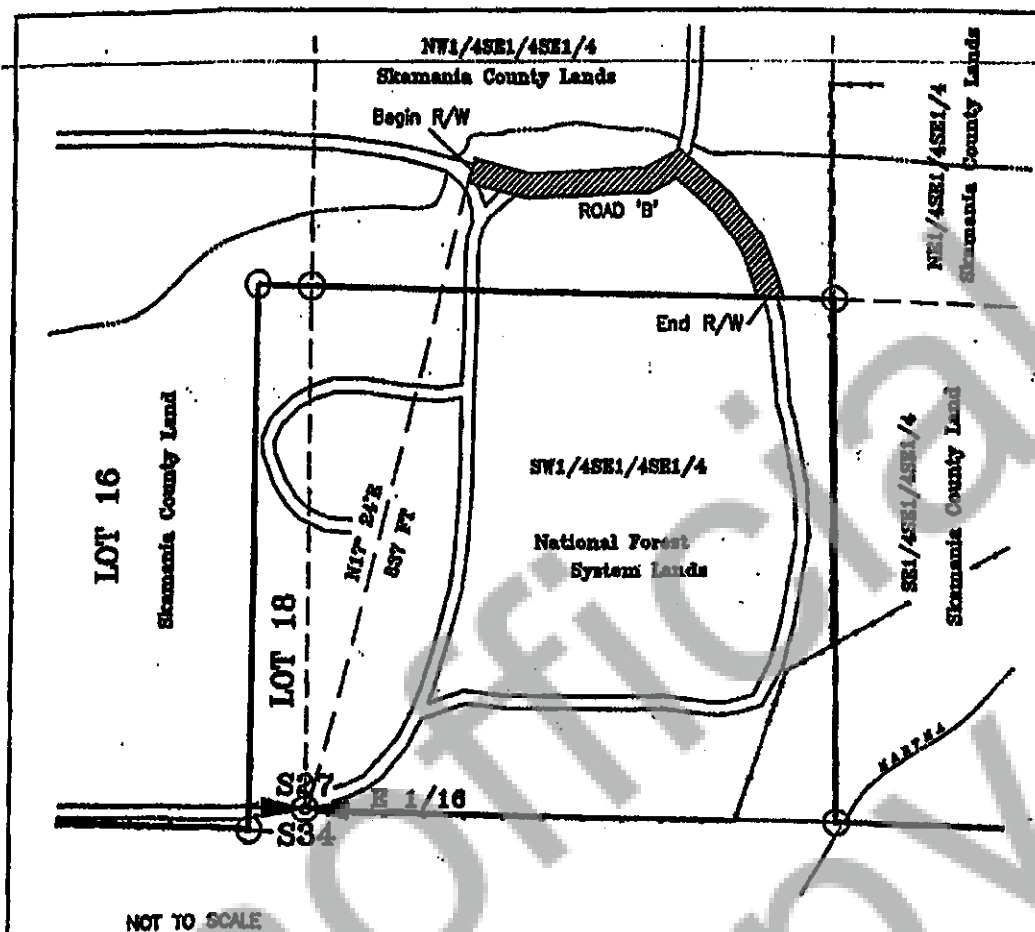





EXHIBIT C-8

LEGEND

 CORNER OF RECORD
 PROPERTY LINE
 EXISTING ROAD
 FENCE LINE

EASEMENT/RIGHT OF WAY

ROAD RESERVATION RD "B"

TOTAL RIGHT OF WAY ACREAGE

0.35 ACRES (15,072 SQ FT)

ROAD LENGTH IS 600 FEET

NOTES

The right of way to be reserved extends from and terminates at the true property line. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS Utilities Design Map—Wind River Nursery, 1995.

BASIS OF BEARING:
GRID

LOCATION: NW1/4SE1/4SE1/4,
SEC 27, T4N, R7E, W.M.

PROJECT NAME: ***WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS***

REVIEWED BY: *DON KARSCH, PLS*

5470 ROAD RIGHT-OF-WAY RESERVATION

**U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIFFORD PINCHOT NATIONAL FOREST
WIND RIVER WORK CENTER**

ACCEPTED FOR PUBLICATION

FOREIGN ENGLISH

EXHIBIT

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EXHIBIT "C-9"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion of Government Lot 13 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-10 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the C 1/4 corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 13°-25' W, 478 feet to the junction of Chapman Avenue and Government Lot 13, said Section 27, the TRUE POINT OF BEGINNING;

Thence S 00° 45' E, 153 feet;

Thence S 02° 33' W, 253 feet;

Thence S 00° 19' E, 388 feet;

Thence S 07° 55' E, 208 feet;

Thence S 01° 04' W, 292 feet, to the junction of Road A as portrayed on Exhibit C-6 Road Reservation, in Government Lot 13 of said Section 27. The total right of way acreage is ± 0.89 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Clifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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EXHIBIT "C-7"
U.S. FOREST SERVICE WIND RIVER NURSERY
ROAD RESERVATION

An easement 30 feet in width, 15 feet each side of centerline for the purpose of access over and across a portion the NW1/4 SE1/4 SE1/4 of Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The road alignment is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit C-8 "Road Reservation", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the E 1/16 corner of Section 27, a brass cap described by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 17°-24'E, 837 feet to the junction of Forest Service Road A and Road B of the NW 1/4 SE 1/4 SE 1/4, said Section 27, the TRUE POINT OF BEGINNING;

Thence S 77° 26' E, 101 feet;

Thence N 87° 12' E, 153 feet;

Thence N 60° 28' E, 41 feet;

Thence S 48° 45' E, 84 feet;

Thence S 32° 37' E, 72 feet;

Thence S 18° 39' E, 51 feet, to the true property line, the South line of the NW 1/4 SE 1/4 SE 1/4 of said Section 27.

The total right of way acreage is ± 0.35 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the road alignment location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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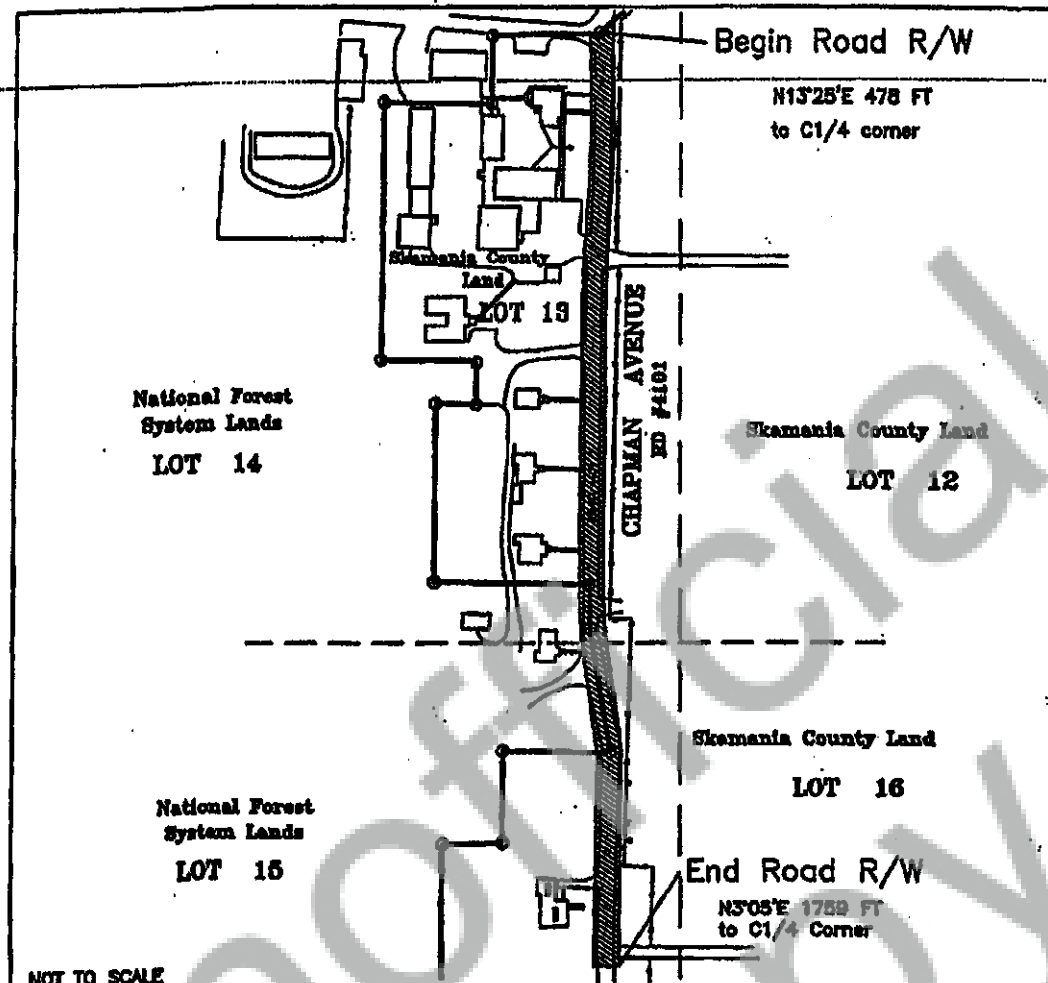


EXHIBIT C-10.

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- EASEMENT/RIGHT OF WAY

ROAD RESERVATION



TOTAL RIGHT OF WAY ACRRAGE TO BE RESERVED

0.89 ACRES (38,820 SQ FT)

ROAD LENGTH = 1,294 FT

NOTE

The right of way to be reserved extends from and terminates at the true property lines. The R/W is 30 feet wide, extending 15 feet each side of the centerline. The road location is depicted from the USFS Utilities Design Map -- Wind River Nursery, 1995.

LOCATION: LOT 13, SEC 27
T4N, R7E, N.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

5470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIFFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

FOR FOREST ENGINEER

EXHIBIT

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DOC # 2005156677

EXHIBIT "D-1"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE AND DRAIN LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 8" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-2 "Water Line and Drain Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the South One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 22°-18'W, 713 feet to the intersection of the South line of Government Lot 13, Section 27, and the water line, the TRUE POINT OF BEGINNING;

Thence N 44° 43' W, 200 feet;

Thence N 00° 20' E, 153 feet;

Thence N 31° 41' W, 124 feet;

Thence N 07° 41' W, 125 feet, to the intersection of the property line of Government Lot 13, said Section 27. The total right of way acreage of the water line is ± 0.14 acres.

AND DRAIN LINE:

From the said S1/4 of section 27, Thence N 09° 13' W, 812 feet to the intersection of the main water line and drain line in Government lot 13 of said section, the TRUE POINT OF BEGINNING;

Thence S 06° 59' E, 79 feet;

Thence S 02° 39' W, 65 feet, to the intersection of the property line of Government Lot 13, said Section 27. The total right of way acreage of the drain line is ± 0.03 acres.
The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the water line and drain line location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

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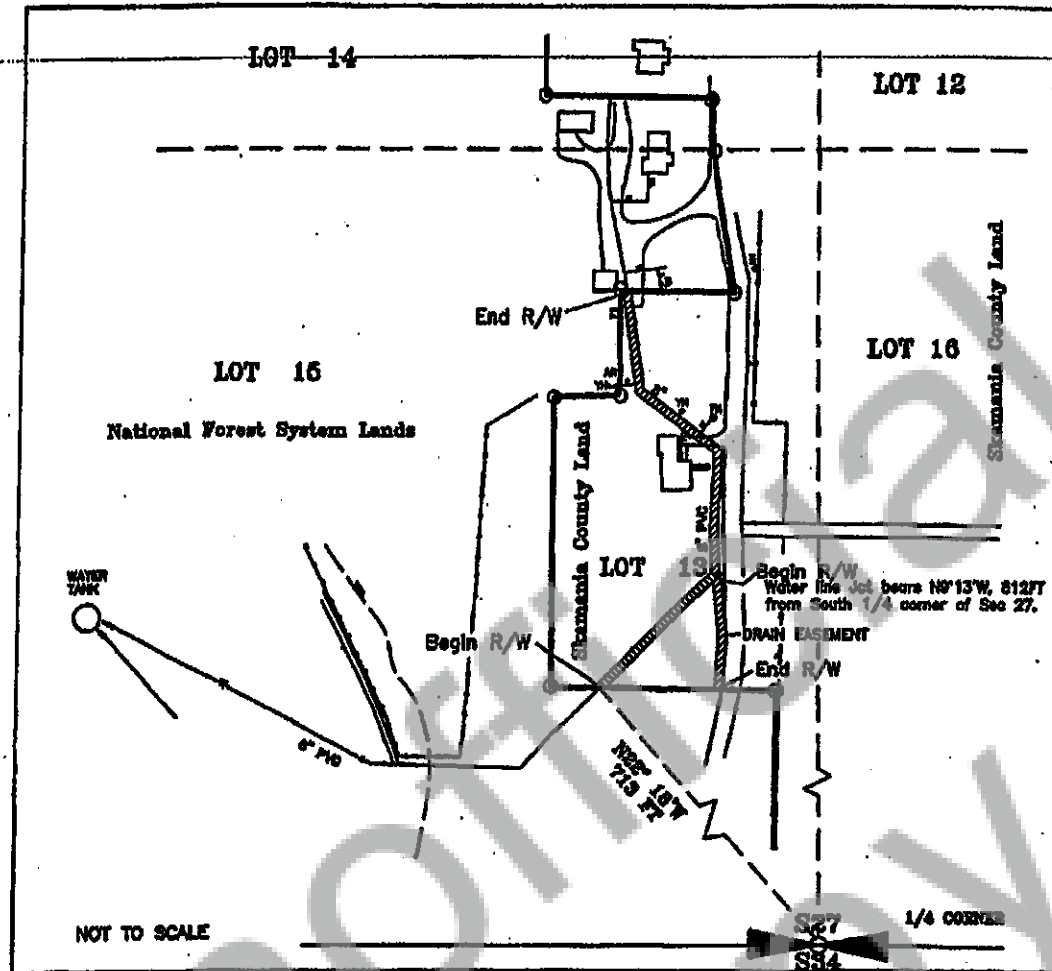


EXHIBIT D-2

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

WATER LINE & DRAIN EASEMENT



TOTAL RIGHT OF WAY ACREAGE TO BE RESERVED

WATER LINE EASEMENT = 0.14 AC
Domestic Water Line Length = 608 FT

DRAIN LINE EASEMENT = 0.03 AC
Drain Line Length = 144 FT

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet upon side of the easement. The water line location is depicted from USFS Utilites Design Map-Wind River Nursery, 1980.

LOCATION: LOT 13, SEC 27, T4N, R7E, N.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

5470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
CLIFFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

FOREST ENGINEER

EXHIBIT

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EXHIBIT "D-3"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 8" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-4 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the South One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence N 10°-58'W, 1419 feet to the property line of Government Lot 13, Section 27, and the water line the TRUE POINT OF BEGINNING;

Thence N 02° 18' E, 22 feet;

Thence N 08° 37' W, 21 feet;

Thence N 01° 19' W, 48 feet;

Thence N 03° 53' E, 99 feet;

Thence N 01° 24' W, 82 feet;

Thence N 06° 49' W, 104 feet;

Thence N 03° 29' E, 15 feet;

Thence N 50° 23' W, 45 feet;

Thence N 40° 51' W, 51 feet;

Thence North, 70 feet;

Thence N 88° 50'W, 39 feet;

Thence N 47° 42 W, 21 feet;

Thence N 00° 55' W, 113 feet, to the true property line of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian. The total right of way acreage is ± 0.17 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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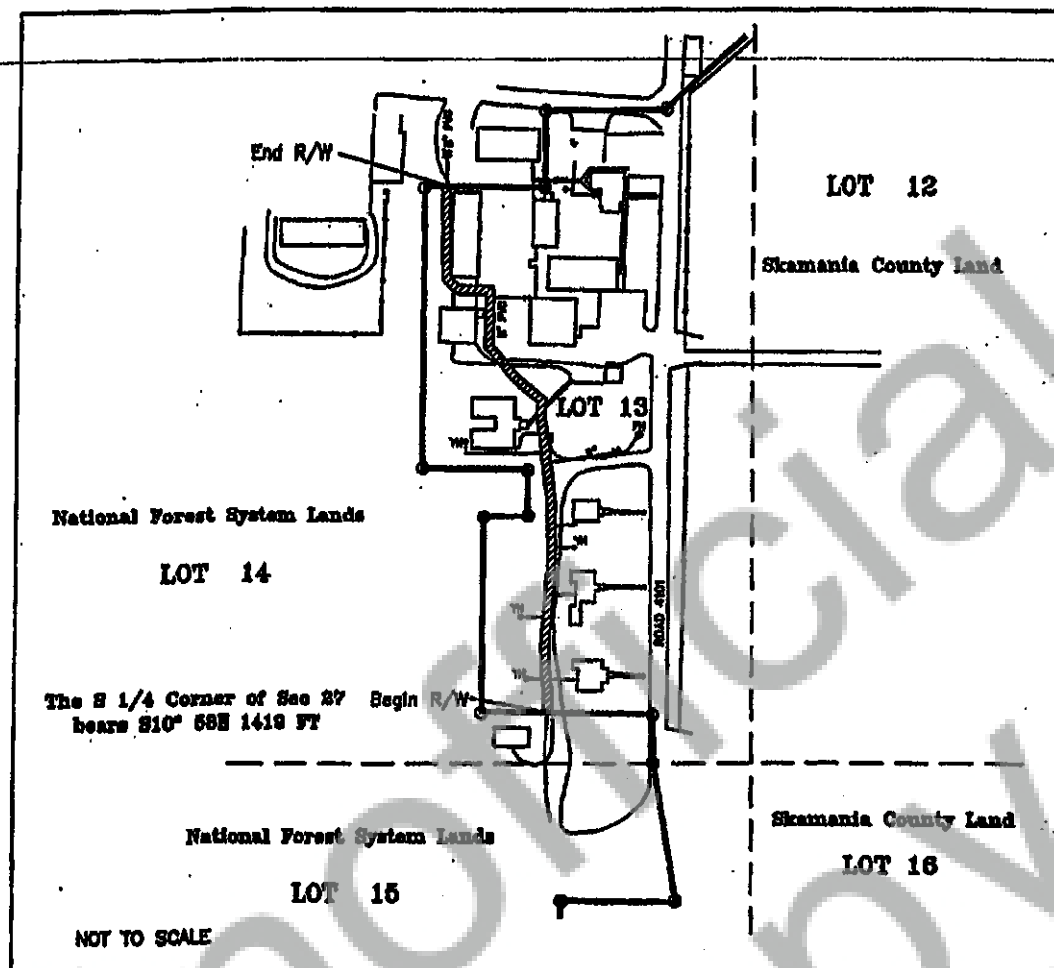


EXHIBIT D-4

DOMESTIC WATER LINE

TOTAL RIGHT OF WAY ACREAGE
TO BE RESERVED

0.17 ACRES (7,300 SQ FT)

DOMESTIC WATER LINE LENGTH = 730 FT

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY



BASIS OF BEARING:
GRID

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The water line location is depicted from USFS Utilities Design Map-Wind River Nursery, 1905.

LOCATION: LOT 13, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIPFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY:

FOREST ENGINEER

EXHIBIT

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EXHIBIT "D-5"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 12, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 6" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-6 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 35°-15'E, 278 feet to the property line of Government Lot 12, Section 27, Township 4 North, Range 7 East, Willamette Meridian, and the water line the TRUE POINT OF BEGINNING;

Thence East, 22 feet;

Thence N 84° 54' E, 75 feet;

Thence S 82° 27' E, 164 feet;

Thence N 07° 36' W, 20 feet, to the end of the 6" P.V.C. water line of Government Lot 12, said Section 27. The total right of way acreage is ± 0.07 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the water line location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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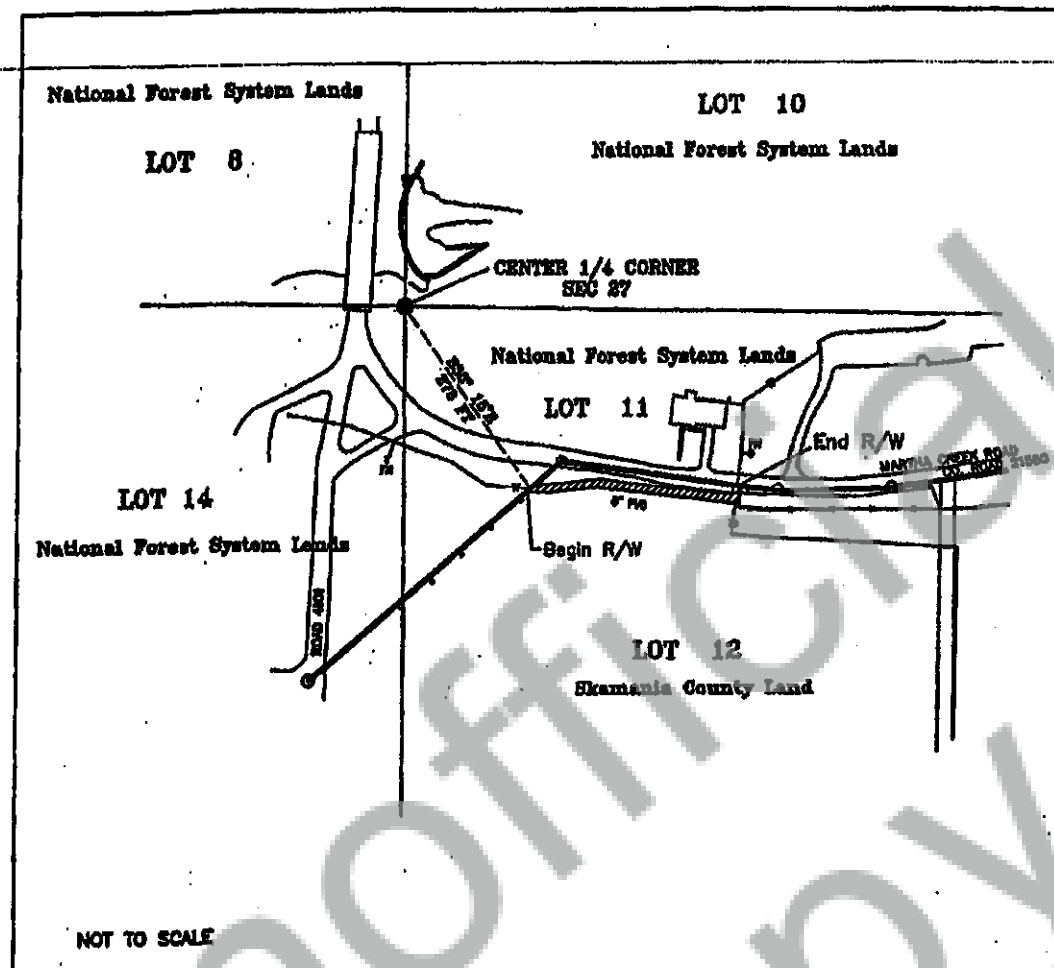


EXHIBIT D-6

DOMESTIC WATER LINE

TOTAL RIGHT OF WAY ACREAGE
TO BE RESERVED

0.07 ACRES (2,810 SQ FT)

DOMESTIC WATER LINE LENGTH = 281 FT

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY

BASIS OF BEARING:
GTD

NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The water line location is depicted from USFS Utilites Design Map-Wind River Nursery 1993.

LOCATION: LOT 12, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

5470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
CLIFFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY

ACCEPTED BY:

FOREST ENGINEER

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EXHIBIT

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EXHIBIT "D-7"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 4 and Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 3" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-8 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 19°-38'W, 486 feet to the property line, the South line of Government Lot 4, Section 27, and the water line the TRUE POINT OF BEGINNING;

Thence N 00° 53' W, 39 feet;

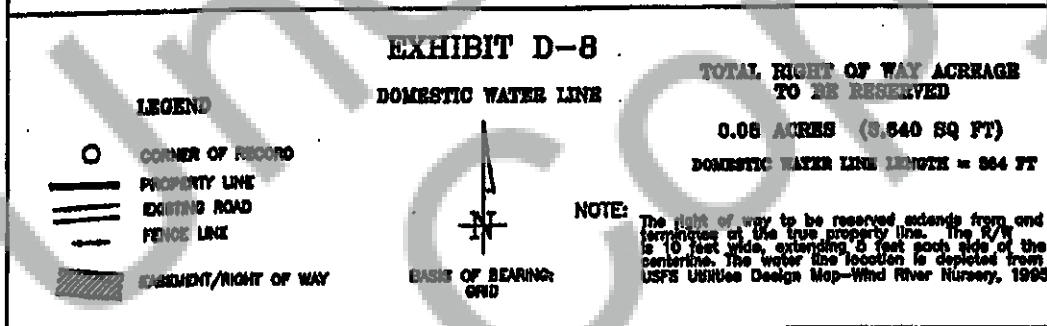
Thence S 89° 18' E, 236 feet;

Thence N 03° 07' E, 73 feet;

Thence S 88° 57' E, 16 feet, to the end of the 3" main water line, in Government Lot 9, said Section 27. The total right of way acreage is ± 0.08 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

EXHIBIT

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LOCATION: 40°53' 44.9, 50°02' 14.4, 14°N, 87°E, 7.5M.

**PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS**

REVIEWED BY: DON KARSCH, PLS

6470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIPFORD PINCHOT NATIONAL FOREST
WIND RIVER MORN'G CENTER

ACCEPTED BY

POWER ENGINEER

EXHIBIT

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EXHIBIT "D-9"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 6" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-10 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 26°-27'E, 742 feet to the property line, the West line of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, and the TRUE POINT OF BEGINNING;

Thence N 45° 32' E, 249 feet;

Thence N 50° 54' E, 243 feet;

Thence S 85° 16' E, 34 feet;

Thence S 37° 17' E, 96 feet;

Thence S 11° 47' E, 129 feet;

Thence N 80° 52' E, 44 feet;

Thence S 08° 52' E, 175 feet;

Thence S 81° 29' E, 25 feet, to the end of the 6" main water line, in Government Lot 9, said Section 27. The total right of way acreage is ± 0.23 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'); This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

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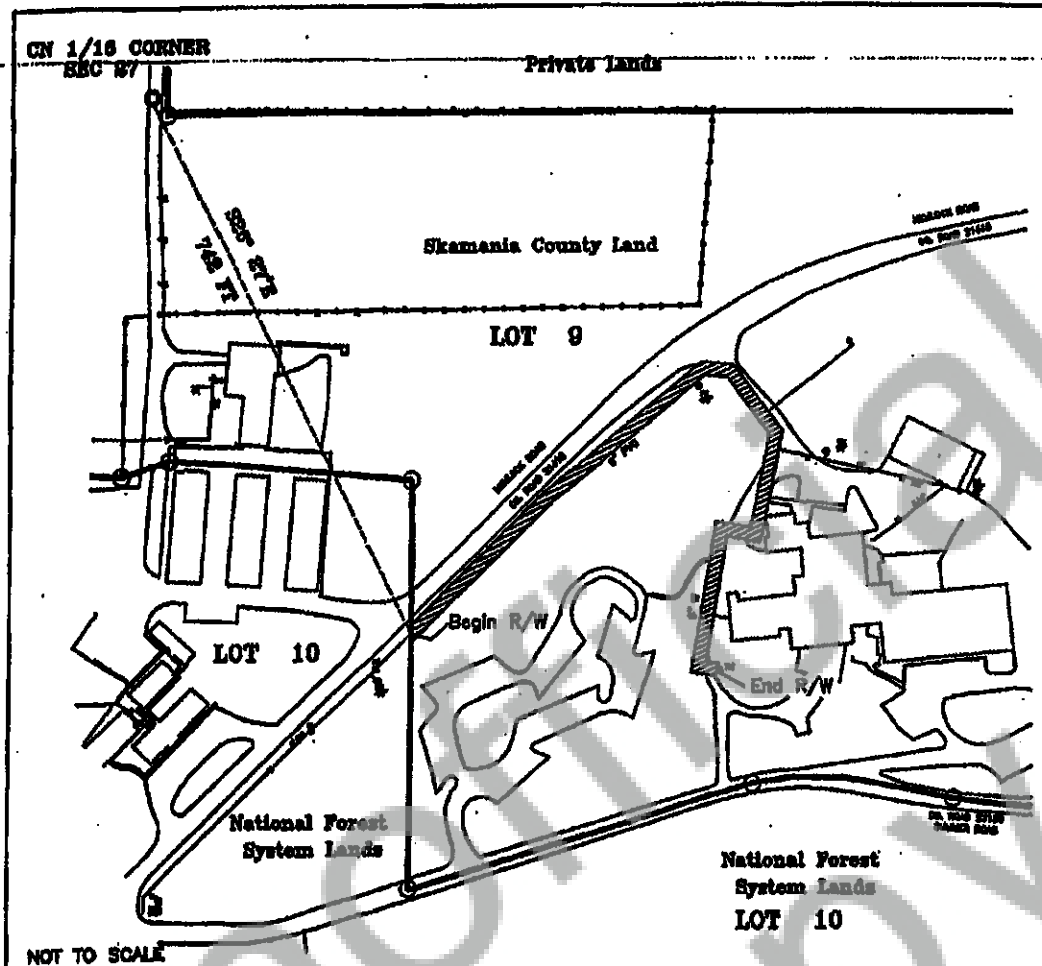


EXHIBIT D-10

DOMESTIC WATER LINE

TOTAL RIGHT OF WAY ACREAGE
TO BE RESERVED

0.23 ACRES (9,955 SQ FT)

DOMESTIC WATER LINE LENGTH = 686 FT

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY



NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The water line location is depicted from USFS Utilites Design Map-Wind River Nursery, 1995.

LOCATION: LOT 9, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON MARSH, PLS

5470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GILFORD PINCHOT NATIONAL FOREST
WIND RIVER WORK CENTER

ACCEPTED BY:

for FOREST ENGINEER

EXHIBIT

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EXHIBIT "D-11"
SKAMANIA COUNTY WIND RIVER NURSERY
WATER LINE EASEMENT

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of water line service and maintenance over and across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The water line is a 1 1/2" P.V.C. pipe with service for other buildings and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit D-12 "Water Line Easement", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 60°-57'E, 898 feet to the intersection of a 3" P.V.C. water pipe in Government Lot 9, said Section 27, and the 1 1/2" water line the TRUE POINT OF BEGINNING;

Thence S 77° 38' E, 259 feet, to the end of the 1 1/2" water line in Government Lot 9, said Section 27. The total right of way acreage is ± 0.06 acres. The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the waterline location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

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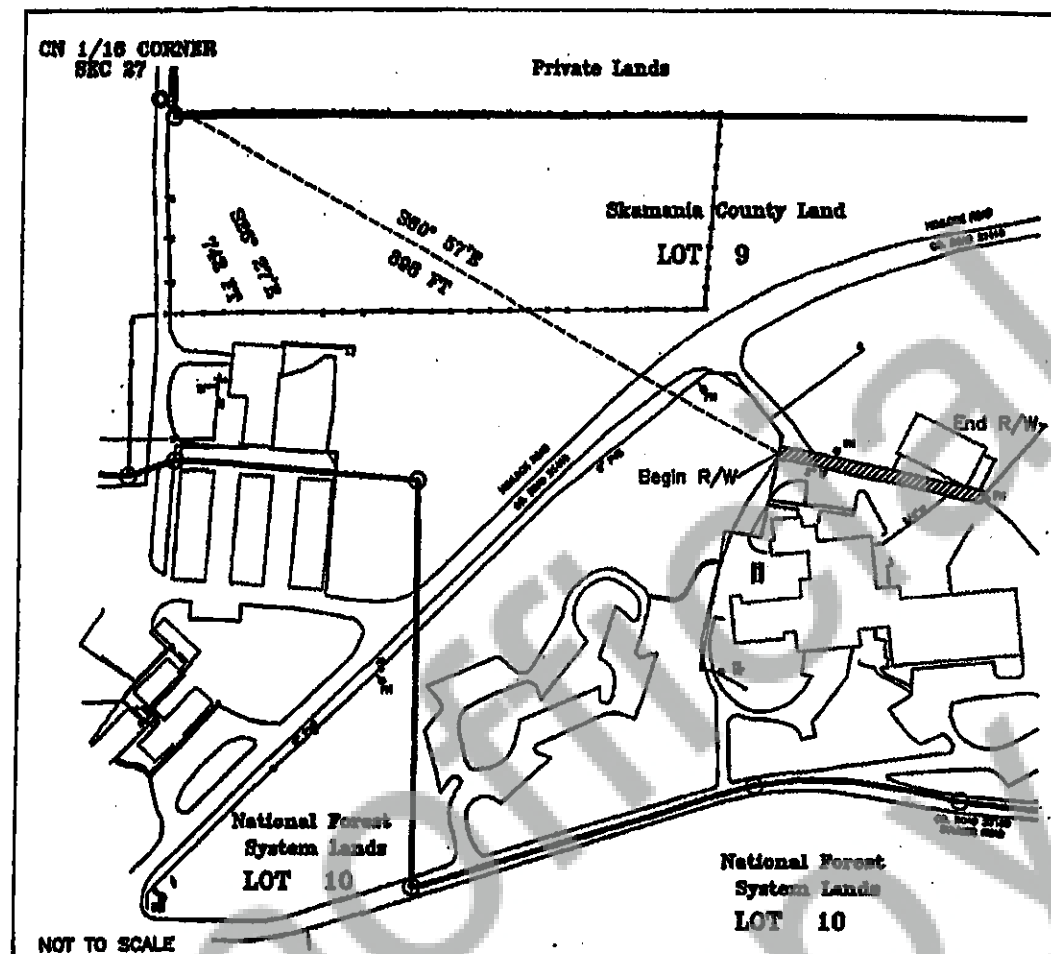


EXHIBIT D-12

DOMESTIC WATER LINE

TOTAL RIGHT OF WAY ACREAGE
TO BE RESERVED

0.06 ACRES (2,590 SQ FT)

DOMESTIC WATER LINE LENGTH = 390 FT

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- EXISTING ROAD
- FENCE LINE
- ▨ EASEMENT/RIGHT OF WAY



NOTE:

The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The water line location is depicted from USFS USDES Design Map-Wind River Nursery, 1990.

LOCATION: LOT 9, SEC 27, T4N, R7E, W.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 RIGHT-OF-WAY RESERVATION

U.S.D.A. FOREST SERVICE PACIFIC NW REGION
GIPFORD PINCHOT NATIONAL FOREST
WIND RIVER NURSERY CENTER

ACCEPTED BY: *[Signature]*
for FOREST ENGINEER

EXHIBIT

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EXHIBIT "E-1"
SKAMANIA COUNTY WIND RIVER NURSERY
SEWER LINE EASEMENT #1, 2, AND 3

An easement 10.00 feet in width, 5 feet each side of the centerline for the purpose of sewer line service and maintenance over and across a portion of Government Lot 13, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The sewer line is a 8" P.V.C. pipe with service for other buildings, and is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit E-2 "Sewer Line Easement #1, 2, and 3", attached. The centerline alignment of this easement is more particularly described as follows:

Beginning at the Center One Quarter of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 08°-17'W, 1230 feet to the intersection of the South line of Government Lot 13, Section 27, and the sewer line #1 the TRUE POINT OF BEGINNING;

Thence N 17° 06' E, 4 feet;

Thence S 88° 07' E, 21 feet;

Thence N 46° 10' W, 18 feet;

Thence S 86° 13' E, 62 feet;

Thence N 01° 33' E, 674 feet;

Thence N 39° 47' E, 315 feet;

Thence S 88° 35' E, 191 feet;

Thence N 06° 04' E, 83 feet, to the intersection of the property line of Government Lot 11, said Section 27. The total right of way acreage is ± 0.31 acres.

And sewer line # 2:

Beginning at the Center One Quarter of Section 27;

Thence S 06°-40'W, 536 feet to the intersection of the sewer line #1 the TRUE POINT OF BEGINNING;

Thence S 85° 12' W, 77 feet;

Thence N 26° 54' E, 76 feet, to the intersection of the property line of Government Lot 14, said Section 27. The total right of way acreage is ± 0.04 acres.

And sewer line # 3:

Beginning at the Center One Quarter of Section 27;

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Thence S 08°-44'E, 388 feet to the intersection of the sewer line #1 the
TRUE POINT OF BEGGINGING;

Thence N 40° 05' E, 51 feet, to the intersection of the property line
of Government Lot 11, said Section 27. The total right of way acreage is
± 0.01 acres.

The basis of bearing for this description is Grid bearing, NAD 1927
(theta angle of -1° - 02'). This description of the sewer line location
is approximate, as portrayed on U.S. Forest Service Engineering
Utilities Design Map of the Wind River Nursery, 1995, and is on file at
the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle,
Vancouver, Washington.

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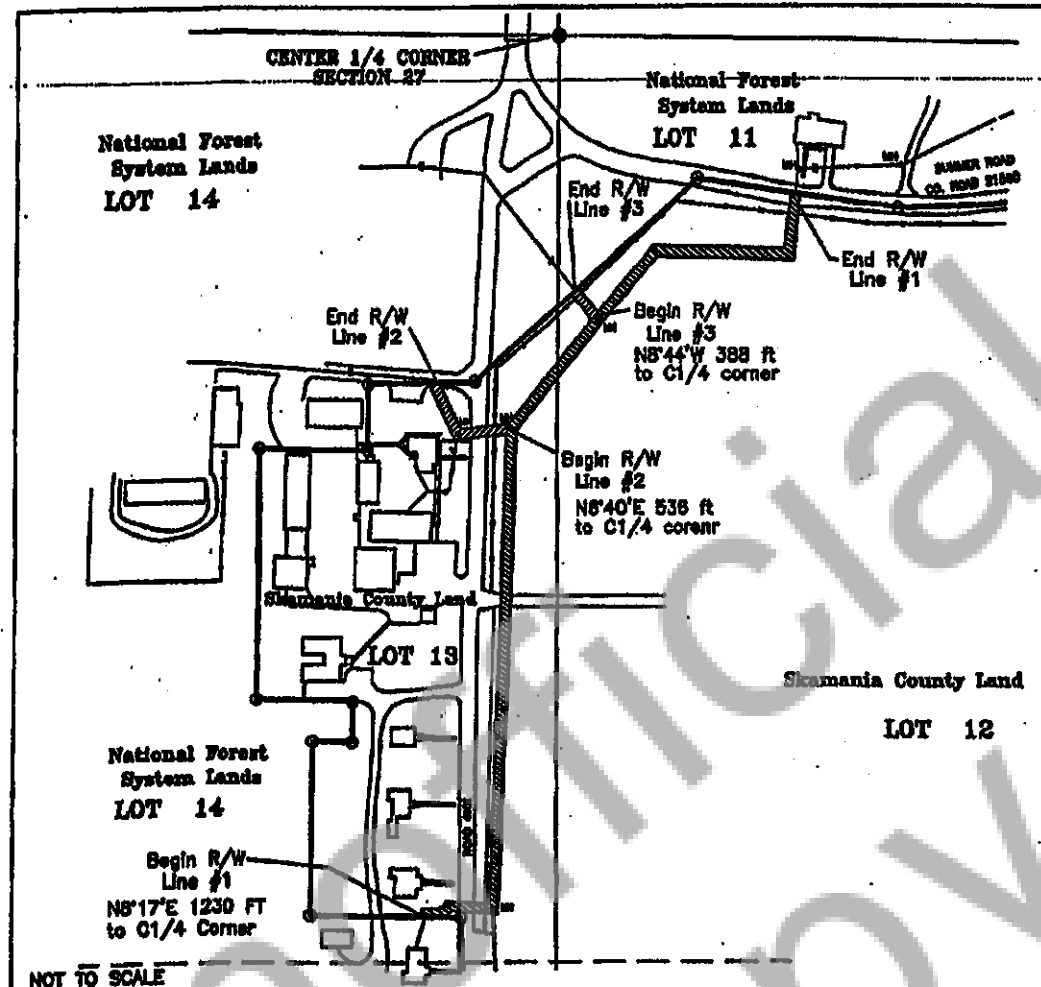


EXHIBIT E-2

LEGEND

- CORNER OF RECORD
- PROPERTY LINE
- == DISTING ROAD
- - - FENCE LINE
- /// EASEMENT/RIGHT OF WAY

SEWER LINES #1, 2, 3

TOTAL RIGHT OF WAY ACREAGE TO BE RESERVED

0.36 ACRES (15,780 SQ FT)

LINE 1 = 0.01 ACRES (13,690 SQ FT)
 LINE 2 = 0.04 ACRES (1,580 SQ FT)
 LINE 3 = 0.01 ACRES (510 SQ FT)

SEWER LINE 1 LENGTH = 1,500 FT
 SEWER LINE 2 LENGTH = 154 FT
 SEWER LINE 3 LENGTH = 51 FT

NOTE: The right of way to be reserved extends from and terminates at the true property line. The R/W is 10 feet wide, extending 5 feet each side of the centerline. The sewer line location is depicted from the USFS Utility Design Map - Wind River Nursery, 1994.

LOCATION: LOTS 12 & 13, SEC 27
T4N, R7E, N.M.

PROJECT NAME: WIND RIVER NURSERY
ROAD & UTILITY EASEMENTS

REVIEWED BY: DON KARSCH, PLS

6470 RIGHT-OF-WAY RESERVATION
 U.S.D.A. FOREST SERVICE PACIFIC NW REGION
 GIFFORD PINCHOT NATIONAL FOREST
 WIND RIVER NURSERY CENTER

ACCEPTED BY: *Nick Haluschak*
 FOREST ENGINEER

EXHIBIT
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EXHIBIT "E-3"
SKAMANIA COUNTY WIND RIVER NURSERY
SEPTIC FIELD EASEMENT

An easement for the purpose of service and maintenance for a septic drain field across a portion of Government Lot 9, Section 27, Township 4 North, Range 7 East, Willamette Meridian, Skamania County, Washington. The septic drain field is approximate as shown on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and Exhibit E-4 "SEPTIC DRAIN FIELD", attached. The approximate area of this easement is more particularly described as follows:

Beginning at the Center North One Sixteenth Corner of Section 27, a brass cap established by Larry Bishop, filed at the Skamania County Auditors office, Stevenson, Washington, Book 2 of Surveys, page 44;

Thence S 27°-44'E, 526 feet to the intersection of the North line of Government Lot 10, Section 27, and the TRUE POINT OF BEGINNING;

Thence N 05° 24' E, 42 feet;

Thence S 85° 07' E, 109 feet;

Thence S 05° 15' W, 154 feet;

Thence N 83° 14' W, 14 feet, to the intersection of the East line of Government Lot 10, said Section 27. The total right of way acreage is ±0.15 acres.

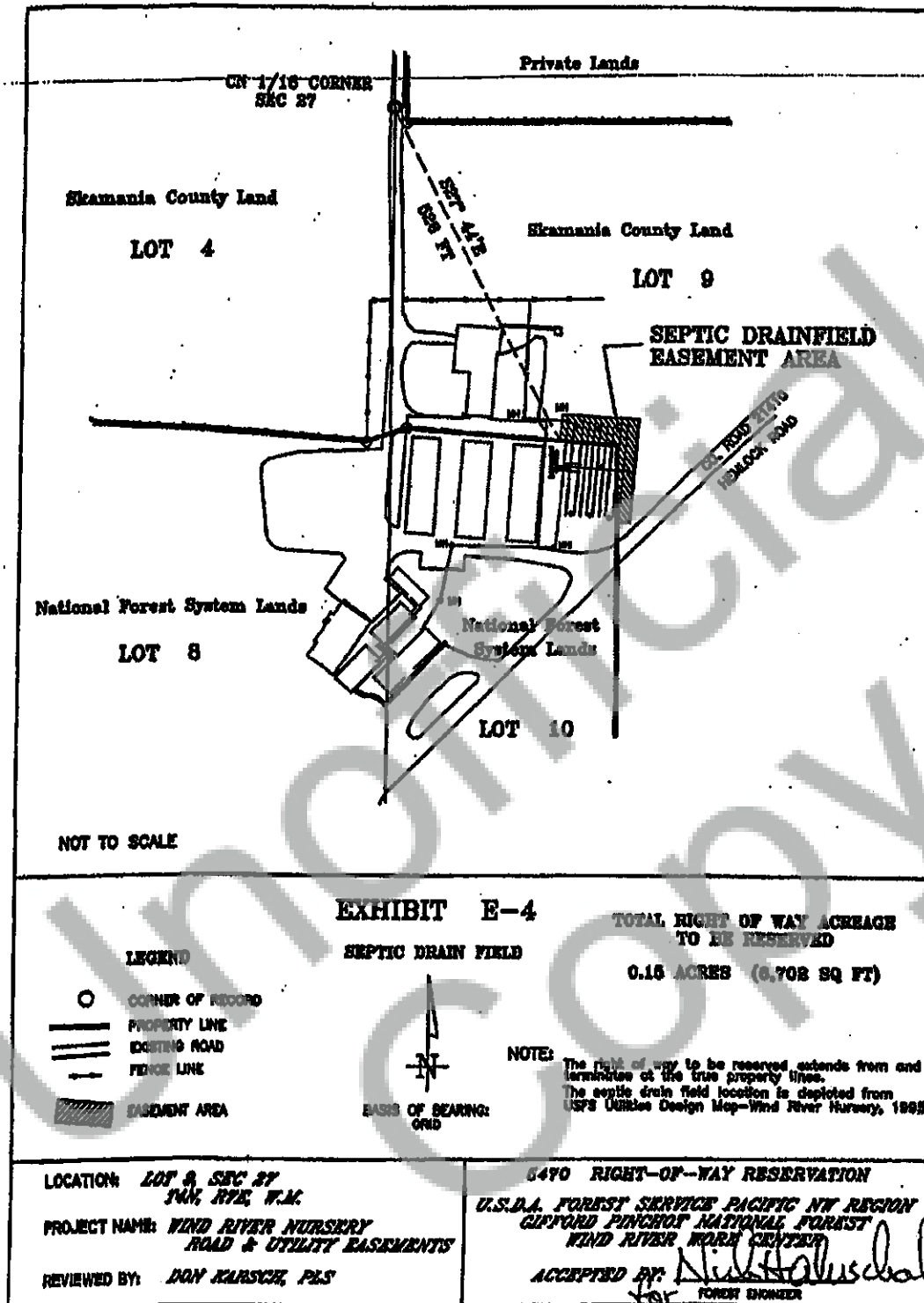
The basis of bearing for this description is Grid bearing, NAD 1927 (theta angle of -1° - 02'). This description of the septic drain field location is approximate, as portrayed on U.S. Forest Service Engineering Utilities Design Map of the Wind River Nursery, 1995, and is on file at the Gifford Pinchot National Forest Headquarters, 10600 NE 51st Circle, Vancouver, Washington.

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EXHIBIT F

CONVEYANCE PRESERVATION CLAUSE

Building numbers 1053, 1054, 1057, 1415, 2325, 2327 and associated property, along with part of Chapman Avenue and the historic nursery fields at the Gifford Pinchot National Forest wind River nursery Site are conveyed to Skamania county commissioners. Skamania County Commissioners specifically acknowledge that these properties are eligible for inclusion in the National register of Historic Places and therefore require protection under the National Historic Preservation Act (16 U.S.C. 470) and its implementing regulations (36 CFR Part 800). Therefore Skamania county Commissioners will coordinate any proposed aesthetic, structural or landscape alterations to these properties with the Washington State Historic Preservation Officer (SHPO) prior to undertaking said alterations. IN order to approve any aesthetic, structural or landscape alterations to these properties, all alterations must be done in accordance with the *Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (U.S. Department of the Interior, National Park Service, 1992) and will be the subject of consultation between Skamania county commissioners and the Washington SHPO. If requested, the Forest Service will make its best efforts to provide any comments on proposed alterations within twenty-one (21) days after receipt thereof.

EXHIBIT

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