

November 7, 2005

Return Address:

Michael Fortin  
2018 NE 129<sup>th</sup> Ave  
Vancouver, WA. 98684

Please amend the Declaration of Covenants, Conditions, and Restrictions (CC & R's) for Three Rivers Recreational Area, recorded October 17, 2005, as File # 2005159105, to include the document provided you on November 4, 2005 at approximately 8:45 AM. This document is to be incorporated into the proposed Fortin Short Plat only, and is not intended for inclusion with any other Three Rivers Recreational Area CC & R's.

This property is identified as follows:

- Section 24, T7N, R6E, WM
- Tax Lot No. 07-06-24-0-0-0100-00

This document was to be recorded with the original proposed Fortin Short Plat CC & R's document on October 17, 2005, but was inadvertently omitted. Therefore, I am formally requesting that the Three Rivers Recreational Area CC & R's for the proposed Fortin Short Plat be amended to incorporate this document immediately.

Please let me know if you require anything additional. I look forward to your confirmation that this document has been incorporated into my properties CC & R's and has been recorded as requested.

Thank you in advance for your assistance.

Respectfully,

Michael Fortin

**Fortin Short Plat CC&R's**

This provision to be inserted in the Declaration:

These CC&R's shall be of no force or effect unless that certain purchase and sale among and between David A. Creagan, as Buyer, and Michael A. Fortin, as Seller, is closed on or before January 31, 2006. In the event that the purchase and sale is not concluded by that date, the Declarant agrees to take such action as is necessary to remove the CC&R's as an encumbrance against the Property. In the event Declarant fails to do so, and Seller is required to institute a suit or action to remove the CC&R's, Declarant agrees to pay Seller his reasonable costs and expenses, including reasonable attorney fees incurred, at trial, or on appeal.

SELLER:

BUYER: *For David Creagan*

Unofficial Copy

EXHIBIT 'A'

A portion of the Southwest Quarter and the West Half of the Southeast Quarter of Section 24, Township 7 North, Range 6 East of the Willamette Meridian, Skamania County, Washington, described as follows (bearings are "NAD 83", Washington Coordinate System South Zone):

Beginning at a concrete monument at the Northwest corner of Section 24; thence South 01°18'16" West, 2649.45 feet to a concrete monument at the Quarter corner between Sections 23 and 24; thence South 51°56'55" East, 1659.85 feet to a ½ inch iron rod at a "property corner" as shown on a Record of Survey recorded on May 7, 2004 and filed under Skamania County Auditor File No. 2004152896 (hereinafter referred to as the "2004 Survey"); thence South 89°01'49" East, along the property line as shown on the "2004 Survey", 711.00 feet to the True Point of Beginning; thence North 89°01'49" West, 711.00 feet to said iron rod; thence South 01°06'01" West, 330.00 feet to a ¾ inch iron pipe near the Southwest corner of the Northeast Quarter of the Southwest Quarter of Section 24, as shown on the "2004 Survey"; thence South 01°13'26" West, along a line shown on the "2004 Survey" (near the West line of Government Lot 4), 723 feet, more or less, to the Ordinary High Water Mark on the North bank of the North Fork of the Lewis River; thence Southeasterly, along the Ordinary High Water Mark, 880 feet, more or less, to a point that bears South 01°18'16" West, from the True Point of Beginning; thence North 01°18'16" East, parallel with the West line of the Northwest Quarter of Section 24, for a distance of 1544 feet, more or less, to the True Point of Beginning.

Together with a 40 foot easement for ingress, egress and utilities (and such additional widths as necessary for associated cuts and fills) over an existing road the centerline which generally follows a route described as follows:

Beginning at the Northwest corner of Section 24; thence South 01°18'16" West, along the West line of the Northwest Quarter of Section 24, for a distance of 2230.00 feet; thence South 88°41'44" East, at right angles to said West line, 55.00 feet to the True Point of Beginning of said centerline at a point in the center of "USFS 25 Road"; thence Easterly and Southeasterly along the existing road, 1700 feet, more or less, to a point approximately 500 feet South of the Northwest corner of the Northeast Quarter of the Southwest Quarter of Section 24; thence Easterly and Southeasterly along the existing road, 1500 feet, more or less, to the East line of the Northeast Quarter of the Southwest Quarter of Section 24 at a point approximately 860 feet South of the Northeast corner thereof.

Together with a 40 foot easement for ingress, egress and utilities, the centerline of which is described as follows:

Beginning at a concrete monument at the Northwest corner of Section 24; thence South 01°18'16" West, 2649.45 feet to a concrete monument at the Quarter corner between Sections 23 and 24; thence South 51°56'55" East, 1659.85 feet to a ½ inch iron rod at a property corner as shown on a Record of Survey recorded on May 7, 2004 and filed under Skamania County Auditor File No. 2004152896 (hereinafter referred to as the "2004 Survey"); thence South 89°01'49" East, along the property line as shown on the "2004 Survey", 1310.00 feet to a point hereinafter called Point "A" and the True Point of Beginning of the easement centerline to be described; thence North 01°18'16" East, parallel with the West line of the Northwest Quarter of Section 24, for a distance of 130 feet, more or less, to the center of the existing roadway, above described. (The sidelines of said easement to be extended or shortened, so as to terminate on a line that runs South 89°01'49" East and North 89°01'49" West from the True Point of Beginning.

Together with a 40 foot non-exclusive easement for ingress, egress and utilities the centerline of which is described as follows:

Beginning at Point "A", above described; thence South 01°18'16" West, 215.00 feet; thence North 89°01'49" West, 600 feet, more or less, to the terminus of said easement centerline (and sidelines) on the East line of the above described parcel.

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