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105 W. Evergreen Blvd., Suite 200
Vancouver, WA 98660

REAL ESTATE EXCISE TAX

N/A

JUL 12 2006

PAID

N/A

Vickie Clelland, Deputy
SKAMANIA COUNTY TREASURER

Doc # 2006162276
Page 1 of 11
Date: 07/12/2006 03:17P
Filed by: CLARK COUNTY TITLE
Filed & Recorded in Official Records
of SKAMANIA COUNTY
J. MICHAEL GARVISON
AUDITOR
Fee: \$42.00

EASEMENT AGREEMENT

Grantors: DARWIN COOK AND SHARON COOK, husband and wife
Grantee: ESTELLE MARIE KELLEY TRUSTEE OF THE ESTELLE MARIE KELLEY
TRUST, DATED JULY 21, 1987, additional grantee on page 2
Legal Description: Adjusted Tract 4 and 5 of Beacon Highlands, Full Legal on pages
Assessor's Tax Parcel ID#: 02062630010000 & 02062626330000 5-11
References Nos. of Documents Released or Assigned: _____

5/B 0206-26300100 & 020626300300 SHM

Grantors are the owners of Adjusted Tract 5 of "Beacon Highlands" located in Skamania County, Washington, the legal description of which is attached hereto as Exhibit C. Grantors will establish a well on the easterly portion of said Adjusted Tract 5, which well will provide water for Adjusted Tracts 3, 4 and 5 of Beacon Highlands. Grantors are also the owners of Adjusted Tract 4 which is 11.7 acres in Beacon Highlands, which they are selling to Grantees and which is described in Exhibit D attached hereto and by reference made a part hereof. Grantors also reserve the right to draw water for domestic purposes from the existing well located on Adjusted Tract 4 for use on Adjusted Tract 5.

Whereas the Grantors have an existing obligation to Adjusted Tract 3 to provide water for domestic purposes from a well on Adjusted Tract 4 and whereas Adjusted Tract 5 has need for a domestic water supply, all parties agree that this would advantageously be achieved with a common water system. This system would be composed of the fully-equipped existing water well on Adjusted Tract 4 and adding a second well, related equipment and piping to connect the two wells. The Grantors will bear the capital cost of the additional system.

Grantors do hereby grant, convey, establish and reserve easements over, under and across Adjusted Tracts 4 and 5 of Beacon Highlands as described in Exhibit A attached hereto and by reference made a part hereof for the purposes of providing a water line from the well to be created on Adjusted Tract 5 and from the existing well on Adjusted Tract 4 to serve and for the benefit of the parcels known as Tracts 3, 4 and 5 of Beacon Highlands, their respective owners and their successors and assigns. The location of the water line easement is depicted on Exhibit B attached hereto and by reference made a part hereof. When the well is actually drilled and the water lines

RAC
WDC

constructed, if there is any deviation from the easement as described, new legal descriptions will be prepared and this easement re-recorded.

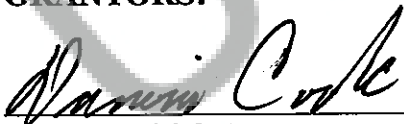
The well and easements created hereby also benefit Adjusted Tract 3 of Beacon Highlands which is described in Exhibit E attached hereto, which is currently owned by Robert Connon and Kim Lan Simmons Connon, husband and wife. It is intended that the easement created herein will not replace a prior easement, which is recorded in Skamania County under Skamania County Auditor's Index No. 2005-15-6094 recorded January 31, 2005, which shall remain in full force and effect.

The easements created herein are for the purpose of transporting domestic water from the to-be-drilled well located on Adjusted Tract 5 and the existing well on Adjusted Tract 4 and for the purposes of constructing, operating, repairing and maintaining a two-inch PVC water line. While Grantors are under no obligation to maintain in any particular state or condition the easement, water line or well, all the owners of Adjusted Tracts 3, 4 and 5 and their successors and assigns shall be jointly and equally responsible for the cost of any repairs, maintenance or replacement to both wells, pump houses and pumps and related equipment located within the wells and pump houses that are commonly used by all tracts and said owners shall be allowed access over and across said easement for the purpose of maintaining and repairing the pipes leading from the wells and serving the various properties. Any such pipe or equipment that benefits only one tract shall be repaired and maintained by the owner of said tract at its sole expense.

In the event any owner of the individual tracts described herein chooses to obtain water from another water supply, said owner and its successors will no longer be responsible for any costs of repair or maintenance upon ceasing to use the water system described herein.

7-10-06 IN WITNESS WHEREOF, this instrument is executed by the Grantors this
day of July, 2006.

GRANTORS:


DARWIN COOK


SHARON COOK

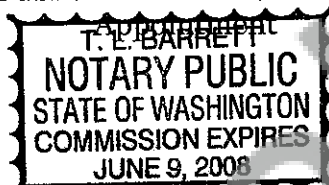


I certify that I know or have satisfactory evidence that DARWIN COOK and SHARON COOK, husband and wife, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: 7/10/06

6/9/08

Notary Public for WA, County of Clark
My



Expires:

The above and foregoing easement is acknowledged and accepted for the respective Tracts of land.

OWNERS, ADJUSTED TRACT 3

R. L. Connon

ROBERT CONNON

K. L. Simmons, Connon

KIM LAN SIMMONS CONNON

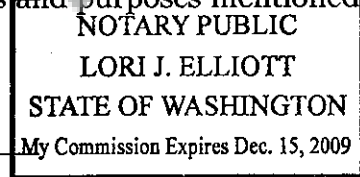
STATE OF WASHINGTON)

: ss.

County of Clark)

I certify that I know or have satisfactory evidence that ROBERT CONNON and KIM LAN SIMMONS CONNON, husband and wife, signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: July 8 2006
Lori J Elliott



Lori J Elliott

Notary Public
My

Appointment

Expires:

[continues...]

PURCHASER OF ADJUSTED TRACT 4

ESTELLE MARIE KELLEY TRUST

By: Estelle M. Kelley
Estelle M. Kelley, Trustee
Print name title

STATE OF WASHINGTON)
: ss.
County of Clark)

I certify that I know or have satisfactory evidence that Estelle M. Kelley signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the Trustee, of the Estelle Marie Kelley Trust, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: 7/10/06

[Signature]
Notary Public
My Appointment

6/9/08

Expires:

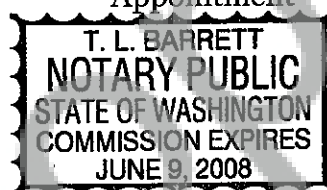


EXHIBIT A

July 5, 2006

LEGAL DESCRIPTION FOR DARWIN AND SHERRY COOK

WATERLINE EASEMENTS TO SERVE REVISED TRACTS 3, 4, and 5:

10-foot easements for operation, maintenance, and renewal of a 2 inch PVC waterline and existing wells, located in the West half of the Southwest quarter of Section 26, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, the centerlines of which are described as follows:

BEGINNING at the Southeast corner of Tract 4 of "Beacon Highlands", a land division shown in Volume 1 of Surveys, page 257, Skamania County Auditor's Records, said point also being an inner corner of Tract 3; thence North $89^{\circ} 32' 43''$ West, along the South line of Tract 4, for a distance of 205.00 feet; thence leaving said South line, North $10^{\circ} 00' 00''$ East, 210.00 feet, to the **TRUE POINT OF BEGINNING** of the 10-foot waterline easement to be described (said "true point" being the actual waterline pipe itself; the following bearings and distances likewise being approximations of the actual pipe location, the easement being centered on the "actual pipe" and "actual wells"); thence North 56° West, 300 feet; thence North 37° West, 194 feet to an existing well; thence South 34° West, 200 feet to a "tee"; thence South 21° East, 80 feet; thence South 44° East, 290 feet to a proposed well and the terminus of said 10-foot easement centerline. **Also**, another 10-foot waterline easement beginning at the "tee", above noted; thence North 50° West, 80 feet, thence South 52° West, 131 feet, more or less, to the West line of "Tract 4" (11.7 acres as "boundary adjusted" by a description dated February 17, 2005), at a point that bears South $31^{\circ} 00' 00''$ East, 15 feet from the most westerly corner of "Tract 4", and the terminus of said 10-foot easement centerline.

RSC
KASC

*See
KASC*

EXHIBIT B

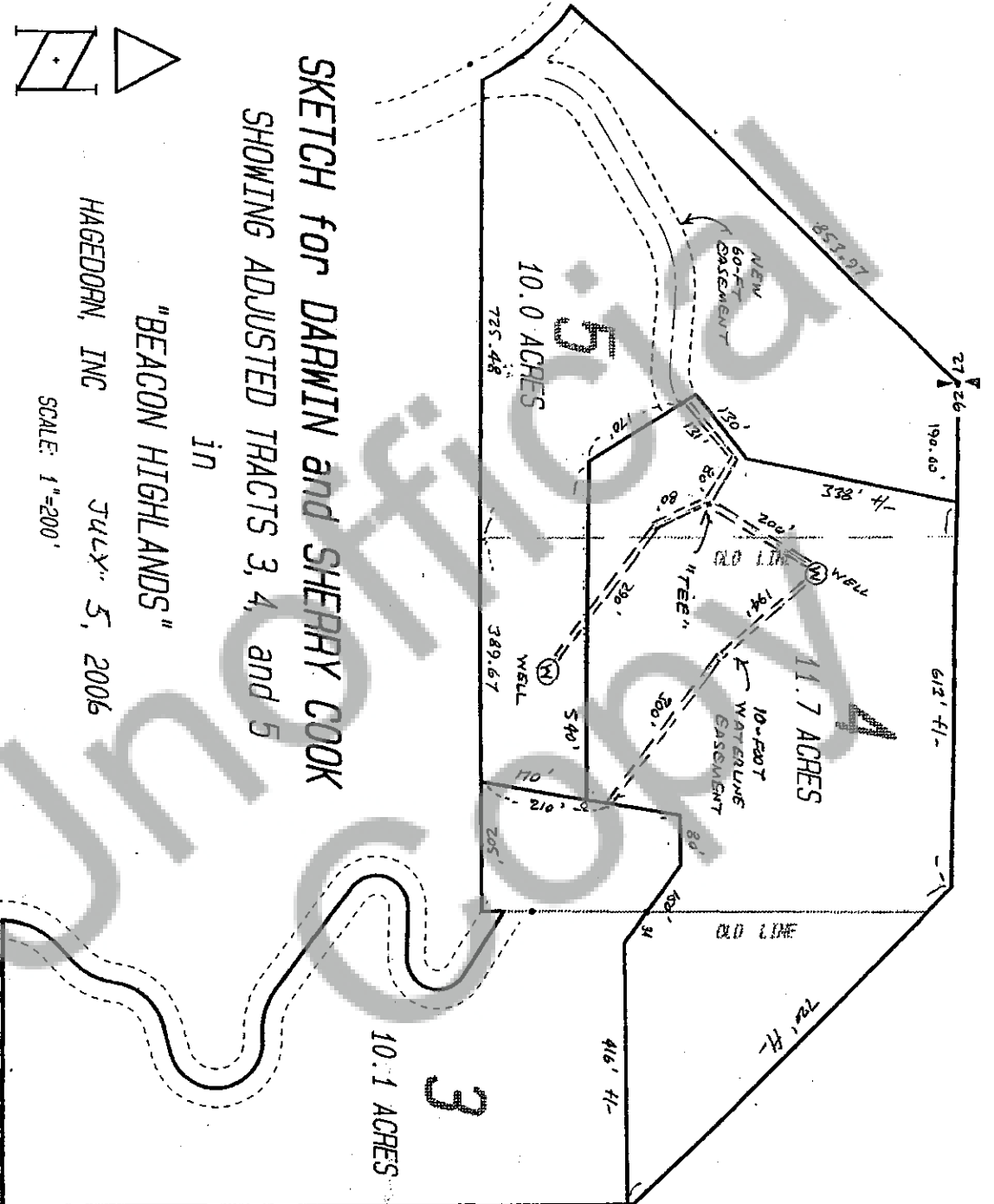
SKETCH for DARWIN and SHERRY COOK
SHOWING ADJUSTED TRACTS 3, 4, and 5

in

"BEACON HIGHLANDS"

HAGEDORN, INC JULY 5, 2006

SCALE: 1"=200'



February 17, 2005

**LEGAL DESCRIPTION
FOR
DARWIN AND SHERRY COOK**

ADJUSTED TRACT 5 (10.0 ACRES):

A portion of the West half of the Southwest quarter of Section 26, and the Northeast quarter of the Southeast quarter of Section 27, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Southeast corner of Tract 4 of "Beacon Highlands", a land division shown in Volume 1 of Surveys, page 257, Skamania County Auditor's Records, said point also being an inner corner of Tract 3 as shown thereon; thence North $89^{\circ} 32' 43''$ West, along the South line of Tract 4, for a distance of 205.00 feet to a corner of the "Connon tract" as described in Skamania County Auditor's File No. 2005156092; thence leaving said South line, North $10^{\circ} 00' 00''$ East, along the West line of the "Connon tract", 170.00 feet to the TRUE POINT OF BEGINNING; thence South $10^{\circ} 00' 00''$ West, 170.00 feet to said corner of the "Connon tract"; thence North $89^{\circ} 32' 43''$ West, 389.67 feet to the Southeast corner of Tract 5, "Beacon Highlands"; thence North $89^{\circ} 04' 38''$ West, 725.48 feet to the Southerly Southwest corner of Tract 5; thence North $25^{\circ} 08' 14''$ West, 7.51 feet; thence along the arc of a 350 foot radius curve to the left, through a central angle of $29^{\circ} 06' 52''$, for an arc distance of 177.85 feet to the most Westerly corner of Tract 5; thence North $44^{\circ} 51' 35''$ East, 853.97 feet to the Quarter Corner between Sections 26 and 27; thence East along the North line of Tract 5, for a distance of 190.00 feet; thence South $12^{\circ} 25' 40''$ West, 338 feet, more or less, to a point that bears North $64^{\circ} 14' 00''$ West, 600.16 feet from the TRUE POINT OF BEGINNING; thence South $52^{\circ} 00' 00''$ West, 130.00 feet; thence South $31^{\circ} 00' 00''$ East, 30.00 feet to a point hereinafter called Point "A"; thence continuing South $31^{\circ} 00' 00''$ East, 170.00 feet; thence South $89^{\circ} 00' 00''$ East, 540.00 feet to the TRUE POINT OF BEGINNING.

EXHIBIT C

Legal Description for
Darwin and Sherry Cook
Adjusted Tract 5 (10.0 Acres)
February 17, 2005
Page 2

SUBJECT TO a 60-foot non-exclusive easement for ingress, egress, and utilities the centerline of which is described as follows:

BEGINNING at the Southerly Southwest corner of Tract 5 of "Beacon Highlands"; thence North $02^{\circ} 00' 00''$ West, 65.00 feet; thence along the arc of a 124.76 foot radius curve to the right, through a central angle of $62^{\circ} 00' 00''$, for an arc distance of 135.00 feet; thence North $60^{\circ} 00' 00''$ East, 200.00 feet; thence along the arc of a 196.44 foot radius curve to the right, through a central angle of $35^{\circ} 00' 00''$, for an arc distance of 120.00 feet; thence South $85^{\circ} 00' 00''$ East, 107.36 feet; thence along the arc of a 102.23 foot radius curve to the left, through a central angle of $36^{\circ} 00' 00''$, for an arc distance of 64.23 feet to the terminus of said centerline at Point "A", above described.

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EXHIBIT C

February 17, 2005

**LEGAL DESCRIPTION
FOR
DARWIN AND SHERRY COOK**

ADJUSTED TRACT 4 (11.7 ACRES):

A portion of the West half of the Southwest quarter of Section 26, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Southeast corner of Tract 4 of "Beacon Highlands", a land division shown in Volume 1 of Surveys, page 257, Skamania County Auditor's Records, said point also being an inner corner of Tract 3 as shown thereon; thence North $89^{\circ} 32' 43''$ West, along the South line of Tract 4, for a distance of 205.00 feet to a corner of the "Connon tract" as described in Skamania County Auditor's File No. 2005156092; thence leaving said South line, North $10^{\circ} 00' 00''$ East, along the West line of the "Connon tract", 170.00 feet to the TRUE POINT OF BEGINNING; thence continuing North $10^{\circ} 00' 00''$ East, 150.00 feet to the Northwest corner of the "Connon tract"; thence, following the North line of the "Connon tract", North $90^{\circ} 00' 00''$ East, 80.00 feet; thence South $53^{\circ} 00' 00''$ East, 150.00 feet; thence North $90^{\circ} 00' 00''$ East, 416 feet, more or less, to the East line of the West half of the Southwest quarter of Section 26 (and the Northeast corner of the "Connon tract"); thence North and Northwesterly, along the Easterly line of Tracts 3 and 4 of "Beacon Highlands", for a distance of 720 feet, more or less, to the Northerly Northeast corner of Tract 4 at a point on the North line of the West half of the Southwest quarter of Section 26; thence West, along the North line of Tract 4, for a distance of 613 feet, more or less, to a point that is 190.00 feet East of the Northwest corner of the West half of the Southwest quarter of Section 26; thence South $12^{\circ} 25' 40''$ West, 338 feet, more or less, to a point that bears North $64^{\circ} 14' 00''$ West, 600.16 feet from the TRUE POINT OF BEGINNING; thence South $52^{\circ} 00' 00''$ West, 130.00 feet; thence South $31^{\circ} 00' 00''$ East, 30.00 feet to a point hereinafter called Point "A"; thence continuing South $31^{\circ} 00' 00''$ East, 170.00 feet; thence South $89^{\circ} 00' 00''$ East, 540.00 feet to the TRUE POINT OF BEGINNING.

EXHIBIT D

Legal Description for
Darwin and Sherry Cook
Adjusted Tract 4 (11.7 Acres)
February 17, 2005
Page 2

TOGETHER WITH a 60-foot non-exclusive easement for ingress, egress, and utilities the centerline of which is described as follows:

BEGINNING at the Southerly Southwest corner of Tract 5 of "Beacon Highlands"; thence North $02^{\circ} 00' 00''$ West, 65.00 feet; thence along the arc of a 124.76 foot radius curve to the right, through a central angle of $62^{\circ} 00' 00''$, for an arc distance of 135.00 feet; thence North $60^{\circ} 00' 00''$ East, 200.00 feet; thence along the arc of a 196.44 foot radius curve to the right, through a central angle of $35^{\circ} 00' 00''$, for an arc distance of 120.00 feet; thence South $85^{\circ} 00' 00''$ East, 107.36 feet; thence along the arc of a 102.23 foot radius curve to the left, through a central angle of $36^{\circ} 00' 00''$, for an arc distance of 64.23 feet to the terminus of said centerline at Point "A", above described.

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EXHIBIT D

January 3, 2005

**LEGAL DESCRIPTION
FOR
DARWIN AND SHERRY COOK**

REVISED TRACT 3 (10.1 ACRES):

A portion of the West half of the Southwest quarter of Section 26, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at the Southeast corner of Tract 4 of "Beacon Highlands", a land division shown in Volume 1 of Surveys, page 257, Skamania County Auditor's Records, said point also being an inner corner of Tract 3; thence North $89^{\circ} 32' 43''$ West, along the South line of Tract 4, for a distance of 205.00 feet; thence leaving said South line, North $10^{\circ} 00' 00''$ East, 320.00 feet; thence North $90^{\circ} 00' 00''$ East, 80.00 feet; thence South $53^{\circ} 00' 00''$ East, 150.00 feet; thence North $90^{\circ} 00' 00''$ East, 416 feet, more or less, to the East line of the West half of the Southwest quarter of Section 26; thence South, along said East line (and the East line of Tract 3), for a distance of 994 feet, more or less, to the Southeast corner of Tract 3; thence North $89^{\circ} 21' 53''$ West, 426 feet, more or less, to a 1/2 inch iron rod on the South line of Tract 3; thence continuing North $89^{\circ} 21' 53''$ West, 30.04 feet to the centerline of Easement "C" and the Southwest corner of Tract 3 (Survey 1-257); thence Northerly, along the West line of Tract 3 (and the centerline of Easement "C"), 1308 feet, more or less, to the East line of Tract 4; thence South $00^{\circ} 38' 07''$ West, 34.35 feet to the POINT OF BEGINNING.

SUBJECT TO easements and restrictions of record.

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EXHIBIT E

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KSJC