

AFTER RECORDING RETURN TO:

Name: BERT W. GERBER
Address: 37390 Resort Drive
City/State: Cloverdale OR 97112
SEA 29091

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

1. STIPULATED JUDGMENT & ORDER GRANTING EASEMENT
- 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. KANE, JOHN E.
2. KANE, MARY M.
3. GERBER, BURT W.
4. GERBER, DIANA K.

5. ☐ Additional names on page _____ of document

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

1. KANE, JOHN E.
2. KANE, MARY M.
3. GERBER, BURT W.
4. GERBER, DIANA K.

5. ☐ Additional names on page _____ of document

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

LOTS 2 AND 3 OF THE JOHN FISHER NO. 2 SHORT PLAT

☐ Complete legal description is on page 3 of document

Assessor's Property Tax Parcel/Account Number(s): Gary H. Martin, Skamania County Assessor

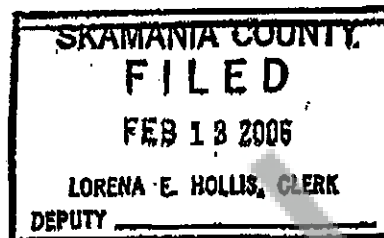
Date 10-17-06 Parcel # 04092210020400
210

04-09-22-1-0-0204-00 AND 04-09-22-1-0-0205-00

REAL ESTATE EXCISE TAX

N/A
OCT 17 2006

PAID N/A
Shirley F. Smith, Jcty
SKAMANIA COUNTY TREASURER



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

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JOHN E. KANE and MARY M. KANE,) No. 04-2-00069-8
husband and wife,)
Plaintiffs)
v.)
BURT W. GERBER and DIANA K.)
GERBER, husband and wife,)
Defendants.)

STIPULATED JUDGMENT
AND ORDER GRANTING
EASEMENT

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Pursuant to Civil Rule 2A and as agreed to in open court and on the
record on July 15, 2005, the parties, as represented by their attorneys of record,
Robert D. Weisfield for the Plaintiffs and Charles H. Buckley, Jr., for the
Defendants, hereby stipulate to the final settlement of and entry of judgment in
the above-entitled action upon the following terms and conditions:

1. Plaintiffs relinquish any claim for ingress and egress over any
portion of the defendants' real property.

Kane v. Gerber
Stipulated Judgment and Order Granting Easement
Page 1 of 3

ROBERT D. WEISFIELD
Attorney-at-Law
WSBA # 3538
P.O. Box 421
Bingen, WA 98605
(509) 493-2772

RECORDER'S NOTE:
NOT AN ORIGINAL DOCUMENT

-38-

Doc # 2006163389
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1 2. The parties have shared the expense of installing a new driveway
2 over an existing easement shown on the plat, which was created for ingress and
3 egress to plaintiff's real estate.
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5 3. The Gerbers are granted an easement over the Kanes' property as
6 follows:
7

8 The East half of the Southeast Quarter of the Southeast Quarter of
9 the Northeast Quarter of Section 22, Township 4 North, Range 9
10 East of the Willamette Meridian, in the County of Skamania, State
11 of Washington. Also known as Lot 2 of the John Fisher No. 2 Short
12 Plat, recorded in Book 3 of Short Plats, Page 241, Skamania County
13 Records. Abbreviated Legal Description: Lot 2, John Fisher No. 2,
14 Bk. 3, Pg. 241, SCSPR, in Sec. 18, T3N, R10E; Assessor's Tax
15 Parcel No.: 04-09-22-1-0-0205-00.

16 This easement is ten feet in width, measured five feet on either side of the
17 existing buried telephone and electricity utility lines, a portion of which run
18 approximately parallel with the existing driveway on said Lot 2, until it makes a
19 turn to the West and runs to the Western boundary of said Lot 2. If repairs to
20 existing utility or telephone lines must be made, only the appropriate utility
21 company may make said repairs on the Kanes' property. The Gerbers are
22 specifically not granted rights of ingress and egress onto the Kanes' property.

23 4. The Kanes are granted an easement over the Gerbers' property as
24 follows:
25

26 The West half of the Southeast Quarter of the Southeast Quarter of
27 the Northeast Quarter of Section 22, Township 4 North, Range 9
28 East of the Willamette Meridian, in the County of Skamania, State
of Washington. Also known as Lot 3 of the John Fisher No. 2 Short
Plat, recorded in Book 3 of Short Plats, Page 241, Skamania County

Records. Abbreviated Legal Description: Lot 3, John Fisher No. 2,
Bk. 3, Pg. 241, SCSRP, in Sec. 18, T3N, R10E; Assessor's Tax
Parcel No.: 04-09-22-1-0-0204-00.

This easement is ten feet in width, measured five feet on either side of the
existing buried telephone and electricity utility lines, a portion of which run
approximately parallel with the existing driveway on said Lot 3. If repairs to
existing utility or telephone lines must be made, only the appropriate utility
company may make said repairs on the Gerbers' property. The Kanes are
specifically not granted rights of ingress and egress onto the Gerbers' property.

5. The easements ordered hereinabove are binding upon the heirs,
successors and assigns of the parties.

6. Each party is responsible for their own costs and attorney's fees;

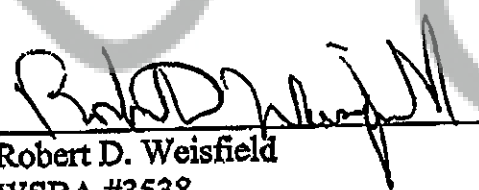
7. The bond heretofore posted by the Plaintiffs is hereby exonerated
and shall be refunded to Plaintiffs.

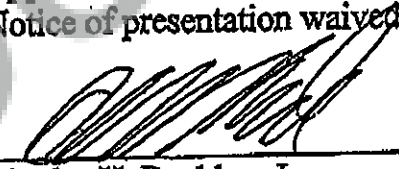
Done this 16th day February, 2006.


Judge/Court Commissioner

Presented by:

Approved as to form:
Notice of presentation waived:


Robert D. Weisfield
WSBA #3538
Attorney for Plaintiffs


Charles H. Buckley, Jr.
WSBA #9048
Attorney for Defendants

Kane v. Gerber
Stipulated Judgment and Order Granting Easement
Page 3 of 3

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