

**RETURN TO:**

Alexander Mecl  
3858 Carson Street, Suite 220  
Torrance, CA 90503

**EASEMENT FOR ACCESS AND UTILITIES**

The information contained in this boxed section is for recording purposes only pursuant to RCW 36.18 and RCW 65.04, and is not to be relied upon for any other purpose and shall not affect the intent of any warranty contained in the document itself.

**Reference number(s) of related document:** \_\_\_\_\_

**Grantors:** (1) **ORGANIC PRODUCE, LLC**  
(2) **WINE SPRING, LLC**

**Grantee:** (1) **HIGHLAND ORCHARDS, LLC**

**Abbreviated Legal Description:** (300) Secs. 18 and 19, T3N, R10 - Ptn SE1/4 NE1/4 NW1/4 Sec. 19; NE1/4 NE1/4 NW1/4 Sec. 19; Ptn of SW1/4 NE1/4 NW1/4 Sec. 19; Ptn of NW1/4 NE1/4 NW1/4 Sec. 19; Ptn of Parcel V W1/2 E1/2 W1/2 SW1/4 Sec. 18; (302) Lots 3 and 4 SEELEY SUBDIV; SW1/4 SE1/4 NW1/4; Ptn SE1/4 SE1/4 NW1/4 and S1/2 N1/2 SE 1/4 NW 1/4, Sec. 19, T3N, R10; (303) Ptn NE1/4 of Govt Lot 2 and Ptn SE1/4 of Govt Lot 1, Ptn N1/2 N1/2 SE1/4 NW1/4; Ptn SW1/4 NE1/4 NW1/4; W1/2 SW1/4 NW1/4 SE1/4 NW1/4 Sec. 19 T3N R10 EWM; (304) SE1/4 NE1/4 NW1/4; Ptn E1/2 SE1/4 NW1/4; Ptn W1/2 E1/4 NW1/4, Sec. 19, T3N, R10 EWM

**Complete legal descriptions are on page 2, 3 and 4 of this document.**

**Assessor's Tax Parcel ID No.:** 03101900030000; 03101900030003; and 03101900030089; 03101900030200; 03101900030300; 03101900030303; 03101900030400; and 03101900030403

**DATE:** April 26, 2007

**GRANTORS:** (1) **ORGANIC PRODUCE, LLC,**  
a Washington limited liability company; and  
(2) **WINE SPRING, LLC,**  
a Washington limited liability company

**GRANTEE:** (1) **HIGHLAND ORCHARDS, LLC,**  
a Washington limited liability company;

**BENEFITTED PARCELS:**

**Skamania County Assessor's Tax Parcel Nos. 03101900030000;  
03101900030003 and 03101900030089 (TL 300 as shown on  
Exhibit B attached hereto):**

A parcel located in Sections 18 and 19, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington, more specifically described as: The East 8 rods of the Southeast quarter of the Northeast quarter of the Northwest quarter of said Section 19; The described tract of land recorded in Book 85 of Skamania County Deed Records, page 213 as found in the second paragraph of Parcel II;

The Northeast quarter of the Northeast quarter of the Northwest quarter of Section 19;

That portion of the Southwest quarter of the Northeast quarter of the Northwest quarter of Section 19, lying North of the centerline of an existing road located approximately 860 feet, more or less, South of the North line of said Section 19, said centerline is oriented East and West and said South line includes the East and West extension of said centerline to the East and West lines of the Southwest quarter of the Northeast quarter of the Northwest quarter of said Section 19;

That portion of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19, lying East of the East line of the West half of the East half of the West half of the Northwest quarter of the Northeast quarter of the Northwest quarter of Section 19.

That portion of land described in Book 85 of Skamania County Deeds, page 213 as Parcel V lying East of the East line of the West half of the East half of the West half of the Southwest quarter of the Southeast quarter of the Southwest quarter of Section 18, Skamania County, Washington.

**BURDENED PARCELS:**

**Skamania County Assessor's Tax Parcel No. 03101900030200 (TL  
302 as shown on Exhibit B attached hereto):**

Lots 3 and 4, SEELEY SUBDIVISION, recorded in Skamania County, Washington, Volume "A" of Plats, page 32;

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The Southwest quarter of the Southeast quarter of the Northwest quarter;  
All that portion of the Southeast quarter of the Southeast quarter of the Northwest quarter of Section 19 and the South half of the North half of the Southeast quarter of the Northwest quarter of Section 19, West of a line that starts at the intersection of Kollock-Knapp Road and Ausplund Road; thence North along the centerline of Ausplund Road, 500 feet; thence perpendicular and East of said centerline an offset of 80 feet for the length of 400 feet; thence returning perpendicular to said centerline and continuing North along said centerline to the North line of said South half of the North half of the Southeast quarter of the Northwest quarter of Section 19.  
EXCEPTING the West half of the West half of the West half of the Southeast quarter of the Northwest quarter of Section 19.

**Skamania County Assessor's Tax Parcel No. 03101900030300;**  
**03101900030303 (TL 303 as shown on Exhibit B attached hereto):**

A parcel located in Section 19 of Township 3 North, Range 10 East of the Willamette Meridian Skamania County, Washington, more specifically described as:

That portion of the Northeast quarter of Government Lot 2 and the portion of the Southeast quarter of the Government Lot 1, both of Section 19, South of the South line of a parcel described in Deed Record W, of Skamania County, page 290, and East of a tract of land consisting of 32.01 acres, more or less, conveyed to Broughton Lumber Company, by deed dated July 16, 1952, and recorded July 24, 1952, at page 342, of Book 35 of Deeds, under Auditor's File No. 44316, records of Skamania County.

That portion of the North half of the North half of the Southeast quarter of the Northwest quarter and that portion of the Southwest quarter of the Northeast quarter of the Northwest quarter, West of the centerline of Ausplund Road and South the centerline of an existing road located approximately 860 feet, more or less, South of the North line of said Section 19, said centerline is oriented East and West and said South line includes the East and West extension of said centerline to the East and West lines of the Southwest quarter of the Northeast quarter of the Northwest quarter of said Section 19.

EXCEPT County roads.

The West half of the Southwest quarter of the Northwest quarter of the Southeast quarter of the Northwest quarter of Section 19, in Skamania County, Washington.  
EXCEPT County roads.

**Skamania County Assessor's Tax Parcel Nos. 03101900030400 and 03101900030403 (TL 304 as shown on Exhibit B attached hereto):**

A parcel located in Section 19 of Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington, more specifically described as:

The Southeast quarter of the Northeast quarter of the Northwest quarter of Section 19;

THAT PORTION of the East half of the Southeast quarter of the Northwest quarter of Section 19 lying East of a line that starts at the intersection of Kollock-Knapp Road and Ausplund Road; thence North along the centerline of Ausplund Road 500 feet; thence perpendicular and East of said centerline an offset of 80 feet for the length of 400 feet; thence returning perpendicular to said centerline and continuing North along said centerline to the West line of the East half of the Southeast quarter of Section 19;

THAT PORTION of the West half of the East half of the Northwest quarter of Section 19 lying West of the centerline of Ausplund Road and South of the centerline of an existing road located approximately 860 feet, more or less, South of the North line of said Section 19, said centerline is oriented East and West and said South line includes the East and West extension of said centerline to the East and West lines of the Southwest quarter of the Northeast quarter of the Northwest quarter of said Section 19;

EXCEPTING the East 8 rods of the Southeast quarter of the Northwest quarter of said Section 19 and the East 8 rods of the Northeast quarter of the Northwest quarter of Section 19, Skamania County, Washington.

AND EXCEPT County roads.

### GRANT OF EASEMENTS

GRANTORS for and in consideration of the mutual covenants and agreements herein contained, and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, hereby grant and convey to GRANTEE, its successors and assigns, access and utility easements ("Easements") in, under, upon, about, over and through the BURDENED PARCELS as follows:

1. Nature and Location of Easements. The Easements granted herein by GRANTORS shall be permanent easements for the benefit of GRANTEE for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, replacing, renewing, using and operating an access road and utility lines (including water lines, electrical lines and telecommunications lines), in, under, upon, about, over and through the BURDENED PARCELS as legally described above. Such Easements are legally described on *Exhibit "A"* and are graphically described and depicted on *Exhibit "B"*, both of which are attached hereto and incorporated herein by this reference.

2. Access Easement. GRANTORS also hereby dedicate, convey and grant to GRANTEE a permanent non-exclusive right of access for ingress and egress over and through the Easements for all purposes set forth herein.

3. Right of Entry. GRANTEE shall have the right, without notice and without prior institution of any suit or proceeding at law or equity, at all times as may be necessary to enter upon the BURDENED PARCELS to install, lay, construct, maintain, inspect, repair, remove, replace, renew, use and operate the access road and utility lines. GRANTEE agrees to restore the BURDENED PARCELS as nearly as reasonably possible to their condition prior to any material disturbance from construction, operation, maintenance, repair, or replacement of the access road or utility lines.

4. Encroachment/Construction Activity. GRANTORS shall not undertake, authorize, permit or consent to any construction or excavation including, without limitation, digging, tunneling, or other forms of construction activity on or near the Easements which might in any fashion unearth, undermine, or damage the access road or utility lines or endanger the lateral or other support of the access road or utility lines without GRANTEE'S prior written approval. GRANTORS further agree that no structure or obstruction including, without limitation, fences and rockeries shall be erected over, upon or within the Easements, and no trees, bushes or other shrubbery shall be planted or maintained within the Easements, provided GRANTORS shall have full use of the surface of the BURDENED PARCELS within the Easements, so long as such use does not interfere with the Easements, access road or the utility lines.

5. Binding Effect. The Easements and the covenants, terms, and conditions contained herein shall be binding upon the parties hereto, their heirs, successors and assigns and shall constitute a covenant running with the land. Nothing herein shall limit the right of the parties from entering into further agreements with respect to the easements, including the repair and maintenance thereof.

EXECUTED as of the date and year first above written.

**ORGANIC PRODUCE, LLC,**  
a Washington limited liability company

By: \_\_\_\_\_

Alexander S. Mecl, Manager

**WINE SPRING, LLC**  
a Washington limited liability company

By: \_\_\_\_\_

Alexander S. Mecl, Manager

STATE OF CALIFORNIA )

) ss.

County of Los Angeles )

On this day personally appeared before me **ALEXANDER S. MECL**, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or entities upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this 16 day of April, 2007.

[ SEAL ]



\_\_\_\_\_  
(print name)  
NOTARY PUBLIC in and for the state  
of California, residing at Los Angeles  
My appointment expires July 26, 2008

**EXHIBIT A TO  
EASEMENT FOR ACCESS AND UTILITIES**

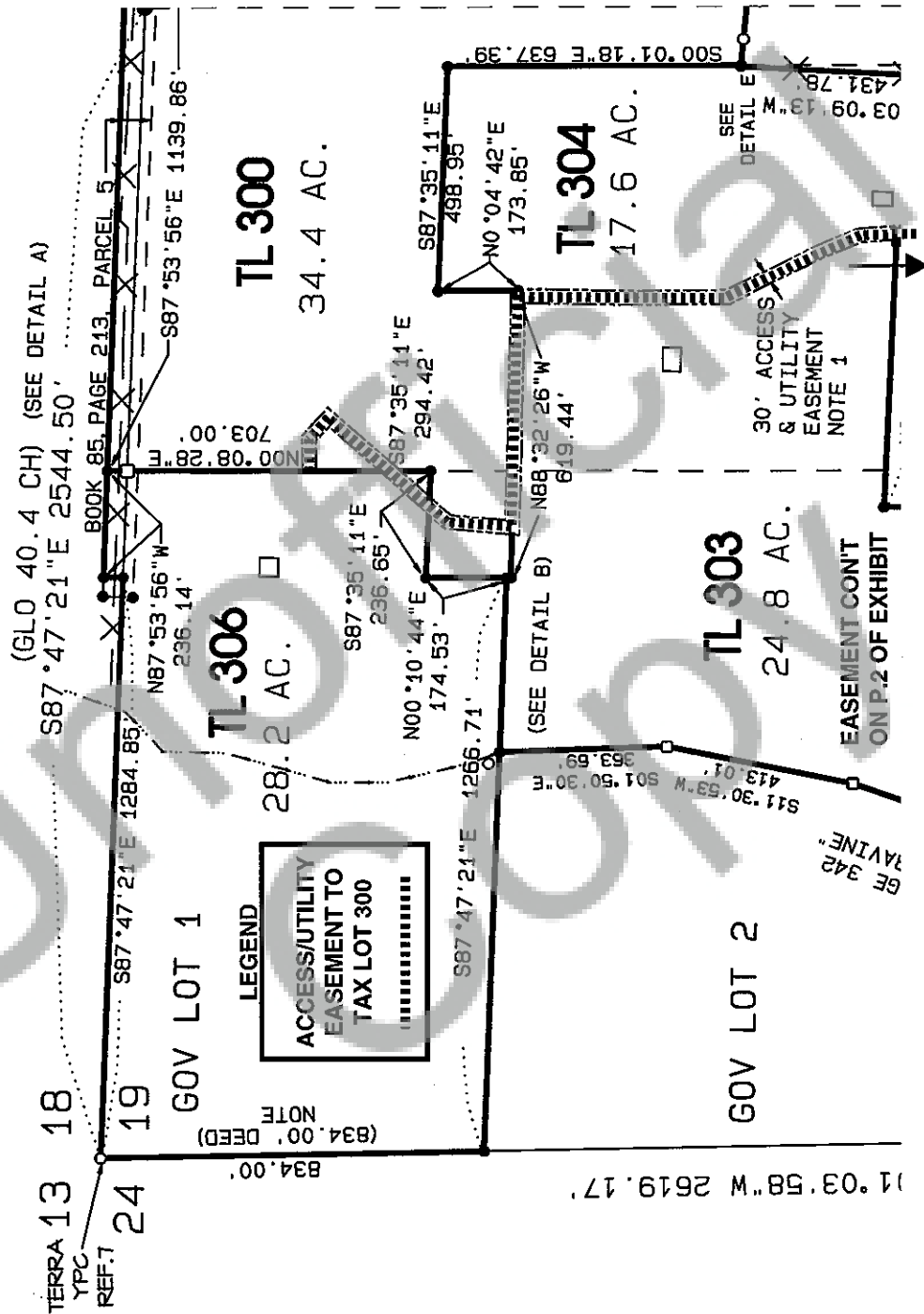
A thirty foot (30') easement for ingress, egress and utilities, fifteen feet (15') on either side of the below described centerline located in Section 19, Township 3 North, Range 10 East, Willamette Meridian., Skamania County, Washington, or more precisely described as:

Beginning at the point of intersection of the centerlines of Ausplund County Road and Kollock-Knapp County Road;

thence along the centerline of an existing road as per the following segments;  
North 30°16'43" West, a distance of 89.84 feet;  
thence North 18°10'12" West, a distance of 86.63 feet;  
thence North 11°01'49" West, a distance of 113.83 feet;  
thence North 06°49'33" West, a distance of 208.31 feet;  
thence North 08°08'22" West, a distance of 183.05 feet;  
thence North 02°45'10" West, a distance of 92.79 feet;  
thence North 07°09'30" East, a distance of 111.70 feet;  
thence North 10°22'21" East, a distance of 108.73 feet;  
thence North 03°22'25" West, a distance of 89.55 feet;  
thence North 21°32'06" West, a distance of 94.95 feet;  
thence North 27°09'16" West, a distance of 223.24 feet;  
thence North 00°15'37" East, a distance of 458.78 feet to the south line of Tax Lot 300;  
thence North 88°32'26" West along the south line of said tax lot 300, a distance of 507.73 feet;  
thence North 05°11'20" East, a distance of 140.14 feet;  
thence North 41°45'43" East, a distance of 348.90 feet;  
thence North 48°14'17" West, a distance of 63.32 feet;  
thence North 90°00'00" West, a distance of 71.87 feet, more or less, to the east line of tax lot 306.



**EXHIBIT B TO  
EASEMENT FOR ACCESS AND UTILITIES  
(PAGE 1 OF 2)**





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