

Doc # 2007165891
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Filed by: JOHN CRUMPACKER
Filed & Recorded in Official Records
of SKAMANIA COUNTY
SKAMANIA COUNTY AUDITOR
J MICHAEL GARVISON
Fee: \$37.00

RETURN TO:

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

EASEMENT FOR UTILITIES (ONLY)

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: _____

Grantor: (1) ORGANIC PRODUCE, LLC

Grantee: (1) SIXTY SIX ACRES, LLC

Abbreviated Legal Description: (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; (307) Lots 2, 7, 10, 14 and 15 SEELEY SUBDIV; Ptn of Lot 9 SEELEY SUBDIV; Ptn of Govt Lot 2 and W1/2 W1/2 SW1/4 SE1/4 NW1/4, Sec. 19, T3N, R10 EWM

Complete legal descriptions are on page 2 of this document.

Assessor's Tax Parcel ID No.: 03101900030200; 03101900030700; and 03101900030706

DATE: April 26, 2007

GRANTOR: (1) ORGANIC PRODUCE, LLC
a Washington limited liability company

GRANTEE: (1) SIXTY SIX ACRES, LLC
a Washington limited liability company

BENEFITTED PARCELS:

Skamania County Assessor's Tax Parcel Nos. 03101900030700 and 03101900030706 (TL 307 as shown on Exhibit B attached hereto)

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

Lots 2, 7, 10, 14 and 15, SEELEY SUBDIVISION, recorded in Book "A" of plats, page 32, records of Skamania County, Washington and that portion of Lot 9 of said SEELEY SUBDIVISION South of the centerline of the Cook Underwood Road. EXCEPT the Northeast quarter of Lot 7.

That portion of the South half of Government Lot 2 of Section 19 East of a tract of land 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, Washington;

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

EXCEPT County roads.

BURDENED PARCEL:

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;

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.

GRANT OF EASEMENT

GRANTOR 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 grants and conveys to GRANTEE, its successors and assigns, a utility easement ("Easement") in, under, upon, about, over and through the BURDENED PARCEL as follows:

1. Nature and Location of Easement. The Easement granted herein by GRANTOR shall be a permanent easement for the benefit of GRANTEE for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, replacing, renewing, using and operating utility lines (including water lines, electrical lines and telecommunications lines), in, under, upon, about, over and through the BURDENED PARCEL as legally described above. Such Easement is legally described on *Exhibit "A"* and is graphically described and depicted on *Exhibit "B"*, both of which are attached hereto and incorporated herein by this reference.
2. 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 PARCEL to install, lay, construct, maintain, inspect, repair, remove, replace, renew, use and operate the utility lines. GRANTEE agrees to restore the BURDENED PARCEL as nearly as reasonably possible to its condition prior to any material disturbance from construction, operation, maintenance, repair, or replacement of the utility lines.
3. Encroachment/Construction Activity. GRANTOR 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 Easement which might in any fashion unearth, undermine, or damage the utility lines or endanger the lateral or other support of the utility lines without GRANTEE'S prior written approval. GRANTOR further agrees that no structure or obstruction including, without limitation, fences and rockeries shall be erected over, upon or within the Easement, and no trees, bushes or other shrubbery shall be planted or maintained within the Easement, provided GRANTOR shall have full use of the surface of the BURDENED PARCEL within the Easement, so long as such use does not interfere with the Easement or the utility lines.

4. Binding Effect. The Easement 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 Easement, 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

STATE OF CALIFORNIA)

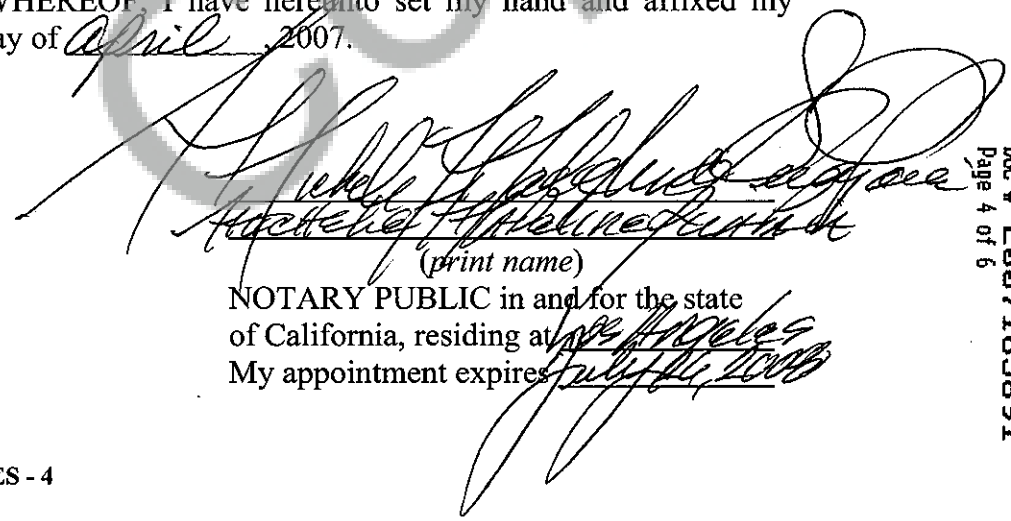
) ss.

County of Los Angeles)

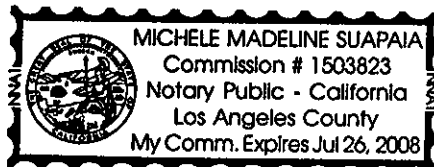
On this day personally appeared before me ALEXANDER S. MECL, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the 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 26 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

EASEMENT FOR UTILITIES - 4



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**EXHIBIT A TO
EASEMENT FOR UTILITIES**

A thirty foot (30') easement for utilities, fifteen feet (15') on either side of the North line the Southwest Quarter of Section 19, Township 3 North, Range 10 East, Willamette Meridian., Skamania County, Washington, or more precisely described as:

Beginning at a point which is located at the intersection of the North line the Southwest Quarter of said Section 19 and the center line of the Ausplund County Road;

thence North 86°58'44" West along the North line the Southwest Quarter of said Section 19, a distance of 1458.34 feet to the east line of Lot 1 of the Seely Subdivision recorded in Book A., Page 32 of plats of Skamania County.

LEGEND

UTILITY (ONLY)
EASEMENT TO
TAX LOT 307

BOOK 35, PAGE 1
BOTTOM OF PLAT

TL 307
64 AC.

TL 302
32.2 AC.

TL 309
19.9 AC.

GOV LOT 3

3° SKAMIA CO. BC

30' UTILITY EASEMENT
NOTE 1

20' ACCESS AND UTILITY EASEMENT
AFN 200716-471

REBAR W/ CAP (REF 5)

REBAR (REF 3)

FD BENT & HOR BURIED PIPE NEAR CALC POSITION NOT HELD

REF 3 PIPE NOT FOUND HELD DIST

SEE DETAIL D

SEE DETAIL F

SEE DETAIL C

SEE DETAIL E

SEE DETAIL G

SEE DETAIL H

SEE DETAIL I

SEE DETAIL J

SEE DETAIL K

SEE DETAIL L

SEE DETAIL M

SEE DETAIL N

SEE DETAIL O

SEE DETAIL P

SEE DETAIL Q

SEE DETAIL R

SEE DETAIL S

SEE DETAIL T

SEE DETAIL U

SEE DETAIL V

SEE DETAIL W

SEE DETAIL X

SEE DETAIL Y

SEE DETAIL Z

SEE DETAIL AA

SEE DETAIL AB

SEE DETAIL AC

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SEE DETAIL AE

SEE DETAIL AF

SEE DETAIL AG

SEE DETAIL AH

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