

Doc # 2007166229  
Page 1 of 35  
Date: 05/25/2007 10:23A  
Filed by: GERALD SAUER  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
SKAMANIA COUNTY AUDITOR  
J MICHAEL GARVISON  
Fee: \$66.00

**WHEN RECORDED RETURN TO:**

STEVE C MORASCH  
SCHWABE, WILLIAMSON & WYATT  
700 WASHINGTON ST, STE 701  
VANCOUVER WA 98660

**DOCUMENT TITLE(S)**

DECLARATION OF EASEMENTS

**REAL ESTATE EXCISE TAX**

**REFERENCE NUMBER(S)** of Documents assigned or released:

N/A

MAY 25 2007

☐ Additional numbers on page \_\_\_\_\_ of document.

PAID

N/A

**GRANTOR(S):**

BRADLEY S. THOMAS  
DAVE CREAGAN & BRENDA CREAGAN, HUSBAND AND WIFE  
GERALD SAUER & MARY SAUER, HUSBAND AND WIFE

*Andrew Fakhri Deputy*  
SKAMANIA COUNTY TREASURER

☐ Additional names on page \_\_\_\_\_ of document.

**GRANTEE(S):**

BRADLEY S. THOMAS  
DAVE CREAGAN & BRENDA CREAGAN, HUSBAND AND WIFE  
GERALD SAUER & MARY SAUER, HUSBAND AND WIFE

☐ Additional names on page \_\_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

S23 T7N R5E

☒ Complete legal on page ATTACHED of document.

**TAX PARCEL NUMBER(S):**

07-05-26-0-0-0700-00  
07-05-26-0-0-0800-00  
07-05-26-0-0-0600-00  
07-05-26-0-0-0500-00  
07-05-26-0-0-0501-00

*220  
5/25/07*

☐ Additional parcel numbers on page \_\_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

After Recording Return To:

Steve C. Morasch  
Schwabe, Williamson & Wyatt  
700 Washington Street, Suite 701  
Vancouver, WA 98660

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### **DECLARATION OF EASEMENTS**

THIS DECLARATION OF EASEMENTS ("Declaration")  
is made this \_\_\_\_ day of \_\_\_\_\_, 2007

by

GERALD SAUER and MARY SAUER, husband and wife

("Declarant")

### **RECITALS**

Declarant is the owner of that certain parcel of land conveyed to Gerald T. Sauer by deed recorded under Auditors' file No. 2006164331, records of Skamania County, Washington (referred to herein at the "Burdened Parcel").

Declarant desires to declare a maintenance agreement and easement for ingress, egress and utilities encumbering portions of the Burdened Parcel described on Exhibit A (the "Easement Area") hereto and running to the benefit of (i) that certain tract of land conveyed to Bradley S. Thomas by deed recorded under Auditors' file No. 2006164332, records of Skamania County, Washington; and (ii) the property described in Exhibit B; (all of which is collectively referred to herein as the "Benefited Property") and other property pursuant to the terms and conditions set forth herein.

NOW THEREFORE, the Declarant hereby declares the following:

**1. Declaration of Easements.**

**1.1 Easement for Ingress, Egress and Utilities.** In consideration of the owners of the Benefited Property having agreed to share in the maintenance of the Easement Area, a perpetual non-exclusive easement shall hereby exist on that portion of the Easement Area lying within the Burdened Parcel for the benefit of the Benefited Property for ingress and egress to and from such parcels and for construction, maintenance and repair of utilities (including, without limitation, stormwater, and other utilities that may become available in the future, such as electrical power, phone, water, gas, cable, sanitary sewer, and any other utility) serving such

parcels. This easement shall be appurtenant to the Benefited Property and shall run with the land.

**1.2 Storm Drainage Easement.** A perpetual non-exclusive easement shall hereby exist on Storm Drainage Easement Area described on Exhibit C for the benefit of the Benefited Property for the purposes of stormwater drainage. This easement shall be appurtenant to the Benefited Property and shall run with the land. All lots or Parcels benefited by the Storm Drainage Easement Area shall share equally in any needed maintenance to the Storm Drainage Easement Area.

## **2. Declarant's Rights.**

**2.1 Right to Divide Parcels.** Lots or Parcels benefited by the Easement Area or the Storm Drainage Easement Area may be further divided, provided that such land division must be in compliance with Chapter 58.17 of the Revised Code of Washington and any applicable county regulations. Nothing herein shall be construed to prevent in any way the further division or development of any property benefited by the Easement Area.

**2.2 Declarant's Right To Grant Additional Easements.** Declarant reserves the right to grant such additional easements over the Storm Drainage Easement Area and over that portion of the Easement Area lying within the Burdened Parcel for the benefit of any or all of the following property: Sections 13, 14, 23, 24 and 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington and Sections 5, 6, 7, 8, 17, 18 and 19, Township 7 North, Range 6 East, Willamette Meridian, Skamania County, Washington. Such easements shall be perpetual, appurtenant and non-exclusive, and shall be subject to the same maintenance obligations as are set forth herein. Declarant may assign the right to grant such easement to a successor Declarant, but this right to grant additional easements shall terminate on December 31, 2037.

## **3. Maintenance/Costs.**

**3.1 Brush Removal.** Each Owner shall be responsible for removal of brush that may encroach on the traveling surface from time to time for such portions of the Easement Area that lie within such Owner's lot or Parcel.

**3.2 Traveling Surface.** Each Owner of a lot or Parcel benefited by an easement over the Easement Area shall be responsible for a pro-rata share (based on the number of lots or Parcels owned as a proportion to the total number of lots or Parcels benefited by the Easement Area) of the cost of maintaining the traveling surface of the Easement Area in a good and safe condition. Maintenance and repair shall be performed whenever parties who in aggregate are responsible for paying more than 50% of the cost of such maintenance and repair agree on the following: (1) that maintenance or repair is necessary; (2) the nature and extent of the necessary maintenance or repair; and (3) the person or persons who shall be retained to undertake the necessary maintenance or repair. Parties who in aggregate are responsible for paying more than 50% of the cost of such maintenance and repair shall have absolute discretion to decide such matters; however, every party must be consulted prior to a decision being made.

Each party shall be given at least 45 days notice prior to the performance of any maintenance or repair, and each party shall pay its proportionate share of the costs of maintenance and repair on or before the date of completion of the maintenance or repair. Parties may pay their proportionate share at a later date only if the payment terms allowed by the person or persons retained to undertake the necessary repairs allow payment at such later date.

**3.3 Extraordinary Damage.** Notwithstanding the provisions of Sections 3.1 and 3.2, above, any Owner, its successors or assigns, the occupants of such Owner's property, or the guests, agents or invitees of such Owner or such occupants, which causes any extraordinary damage (including, without limitation, any damage to a utility serving another Owner's Parcel) to any portion of the Easement Area shall, at its sole cost and expense, repair such damage.

**4. Taxes and Insurance.** The Owners of each Parcel shall pay when due, all property taxes, assessments and other charges against its respective Parcel. There shall be no right of contribution from any other party for such items. The Owners of each Parcel shall maintain its own liability insurance in connection with its ownership of its burdened or benefited Parcel, which insurance shall cover its activities, conditions and usages on or about the Easement Area for which such party may be liable.

**5. Breach of Obligation.** In the event the Owner of the Burdened Parcel, or any owner of a lot or Parcel benefited by an easement over the Easement Area fails to perform its obligations under this instrument, the Declarant and any other Owner hereunder shall be entitled to require such performance by suit for specific performance or, where appropriate, through injunctive relief. Such remedies shall be in addition to any other remedies afforded under Washington law.

**6. Attorneys' Fees.** In the event of a suit, action, arbitration, or other proceeding of any nature whatsoever, including, without limitation, any proceeding under the U.S. Bankruptcy Code, is instituted to interpret or enforce any provision of this Declaration, or with respect to any dispute relating to this Declaration, including, without limitation, any action which a declaration of rights is sought or an action for rescission, the prevailing party shall be entitled to recover from the losing party its reasonable attorneys', paralegals', accountants', and other experts' fees and all other fees, costs, and expenses actually incurred and reasonably necessary in connection therewith, as determined by the judge or arbitrator at trial or arbitration, as the case may be, or on any appeal or review, in addition to all other amounts provided by law. This provision shall cover costs and attorneys fees related to or with respect to proceedings in Federal Bankruptcy Courts, including those related to issues unique to bankruptcy law.

**7. Binding Effect.** This Declaration and the easements declared herein are subject to all prior easements or other encumbrances of record. The rights, covenants and obligations contained in this instrument shall bind, burden and benefit the Owners of the Burdened Parcel, and their respective successors, assigns, lessees, invitees, agents and mortgagees (or beneficiaries under a deed of trust).

GERALD SAUER

MARY SAUER

Print Name: GAMLYN FEEDER  
NOTARY PUBLIC for the State of Washington  
My Commission Expires: 4-1-2011

## LIENHOLDER CONSENT

In consideration of the rights and obligations contained in the easement to which this consent is attached, which the undersigned lienholders acknowledge to be beneficial to their interests, and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the undersigned Lienholders hereby consent to and approve of the execution of this easement and agree that the rights and obligations contained in this easement shall be superior to the liens held by each undersigned Lienholder.

**LIENHOLDER:**

Prof. Dr. V.P.

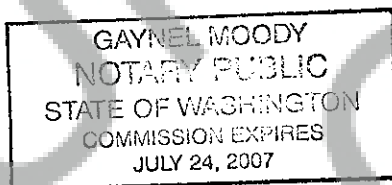
STATE OF WASHINGTON

)  
) ss.  
)

County of CLARK

This instrument was acknowledged before me this 24<sup>th</sup> day of

MAY, 2007, by FRANKS, EDWARD S of  
WEST COAST BANK, a(n) VICE PRESIDENT, on behalf of the  
BANK.

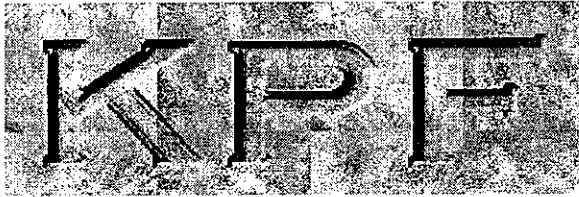


Gaynel Moody

NOTARY PUBLIC FOR WASHINGTON

My Commission Expires: 7-24-07





KPF Surveying Inc.  
1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

May 6, 2007

EXHIBIT "A"

#### INGRESS, EGRESS AND UTILITY EASEMENT

A variable width easement (and such additional widths as necessary for "excavation cuts and fills" associated with reconstruction of the roadway) for ingress, egress and utilities over, under and across a portion of the Northwest quarter of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section 26 and the Southeast quarter of the Southwest quarter of Section 23, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, being of variable width of the following described centerline:

Beginning at the Northwest corner of said Northeast quarter of said Section 26;

Thence South  $88^{\circ}53'35''$  East, along the north line of said Section 26, for a distance of 991.26 feet to a point on the centerline of United States Forest Service Road 90;

Thence along said centerline, along the arc of a 358.10 foot radius curve to the left for an arc distance of 12.33 feet, through a central angle of  $01^{\circ}58'22''$ , the long chord of which bears South  $20^{\circ}17'30''$  West, for a chord distance of 12.33 feet;

Thence South  $19^{\circ}18'20''$  West, for a distance of 252.47 feet;

Thence leaving said centerline North  $70^{\circ}41'40''$  West, for a distance of 35.00 feet to the Northerly Right-of-way line of United States Forest Service Road 90 to the TRUE POINT OF BEGINNING, said point being the beginning of that portion being 50.00 feet wide on each side of the following described centerline;

Thence continuing North  $70^{\circ}41'40''$  West, for a distance of 22.03 feet to the end of that portion being 50.00 feet wide of each side of said centerline, said point being the beginning of that portion being 33.00 feet wide on each side of the following described centerline;

Thence South  $61^{\circ}16'06''$  West, for a distance of 570.75 feet;

Thence, along the arc of a 500.00 foot radius, tangent curve to the right, for an arc distance of 100.74 feet, the radius of which bears North  $28^{\circ}43'54''$  West, through a central angle of  $11^{\circ}32'39''$ , the long chord of which bears South  $67^{\circ}02'26''$  West, for a chord distance of 100.57 feet;

Thence South  $72^{\circ}48'46''$  West, for a distance of 171.52 feet:

Thence, along the arc of a 300.00 foot radius, tangent curve to the right, for an arc distance of 89.99 feet, the radius of which bears North  $17^{\circ}11'14''$  West, through a central angle of  $17^{\circ}11'14''$ , the long chord of which bears South  $81^{\circ}24'23''$  West, for a chord distance of 89.66 feet;

Thence North  $90^{\circ}00'00''$  West, for a distance of 37.38 feet;

Thence North  $45^{\circ}38'08''$  West for a distance of 149.01 feet;

Thence North  $58^{\circ}36'12''$  West for a distance of 99.29 feet;

Thence North  $47^{\circ}30'08''$  West for a distance of 151.98 feet;

Thence North  $35^{\circ}52'30''$  West for a distance of 202.15 feet;

Thence North  $30^{\circ}40'48''$  West for a distance of 197.34 feet;

Thence North  $16^{\circ}30'41''$  West for a distance of 55.58 feet;

Thence North  $01^{\circ}35'49''$  West for a distance of 65.85 feet;

Thence North  $11^{\circ}32'23''$  East for a distance of 76.05 feet;

Thence North  $08^{\circ}46'27''$  West for a distance of 97.96 feet to a point hereinafter referred to as Point "A";

Thence North  $22^{\circ}52'26''$  West for a distance of 94.63 feet;

EX. A

Thence North  $05^{\circ}05'40''$  East for a distance of 154.20 feet;

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Thence North  $51^{\circ}57'55''$  East for a distance of 88.85 feet;



Thence North  $38^{\circ}01'53''$  East for a distance of 106.18 feet;

Thence North  $23^{\circ}50'59''$  East for a distance of 207.02 feet;

Thence North  $24^{\circ}12'40''$  East for a distance of 175.33 feet;

Thence along the arc of a 256.00 foot radius tangent curve to the left, for an arc distance of 419.70 feet, through a central angle of  $93^{\circ}56'05''$ , the radius of which bears North  $65^{\circ}47'20''$  West, the long chord of which bears North  $22^{\circ}45'57''$  West for a chord distance of 374.25 feet;

Thence along the arc of a 50.00 foot radius reverse curve to the right, for an arc distance of 26.99 feet, through a central angle of  $30^{\circ}55'44''$ , the radius of which bears North  $20^{\circ}15'27''$  East, the long chord of which bears North  $54^{\circ}16'07''$  West for a chord distance of 26.66 feet to the terminus of said centerline description, the sidelines of which shall be lengthened or shortened to intersect the east line of said Northwest quarter of Section 26 and the North line of said southeast quarter of the southwest quarter of Section 23;

Also beginning at the aforesaid Point "A", said easement being 33.00 feet on each side of the following described centerline;

Thence North  $08^{\circ}46'27''$  West for a distance of 93.07 feet to a point where said easement tapers to being 30.00 feet on each side of said centerline description;

Thence along the arc of a 100.00 foot radius tangent curve to the right, for an arc distance of 229.03 feet, through a central angle of  $131^{\circ}13'38''$ , the radius of which bears North  $81^{\circ}13'33''$  East, the long chord of which bears North  $56^{\circ}50'21''$  East for a chord distance of 182.16 feet;

Thence South  $57^{\circ}32'50''$  East for a distance of 213.21 feet to a point hereinafter referred to as Point "B";

Thence South  $57^{\circ}32'50''$  East for a distance of 50.43 feet to a point hereinafter referred to as Point "C";

Thence South  $57^{\circ}32'50''$  East for a distance of 155.29 feet;

Thence along the arc of a 80.00 foot radius, tangent curve to the left, for an arc distance of 52.18 feet, through a central angle of  $37^{\circ}22'18''$ , the radius of which bears North  $32^{\circ}27'10''$  East, the long chord of which bears South  $76^{\circ}13'59''$  East for a chord distance of 51.26 feet;

Thence North  $85^{\circ}04'52''$  East for a distance of 38.02 feet to the terminus of said centerline description, the sidelines of which shall be lengthened or shortened to interest the east line of said Southwest quarter of Section 23;

EX. A

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Also beginning at the aforesaid Point "B", said easement being 30.00 feet on each side of the following described centerline;

Thence along the arc of a 100.00 foot radius, curve to the left, for an arc distance of 106.11 feet,, through a central angle of 60°47'49", the radius of which bears North 32°27'10" East, the long chord of which bears South 87°56'44" East for a chord distance of 101.20 feet;

Thence North 61°39'22" East for a distance of 34.59 feet;

Thence along the arc of a 100.00 foot radius, tangent curve to the left, for an arc distance of 142.73 feet, through a central angle of 81°46'34", the radius of which bears North 28°20'38" West, the long chord of which bears North 20°46'04" East for a chord distance of 130.92 feet;

Thence North 20°07'13" West for a distance of 168.84 feet;

Thence along the arc of a 200.00 foot radius, tangent curve to the right, for an arc distance of 128.08 feet, through a central angle of 36°41'27", the radius of which bears North 69°52'47" East, the long chord of which bears North 01°46'29" West for a chord distance of 125.90 feet;

Thence North 16°34'14" East for a distance of 335.01 feet to the terminus of said centerline description;

Also beginning at the aforesaid Point "C", said easement being 30.00 feet on each side of the following described centerline;

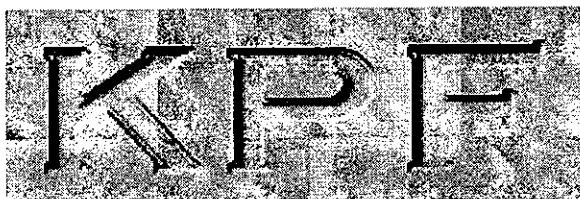
Thence along the arc of a 100.00 foot radius, curve to the left, for an arc distance of 130.78 feet,, through a central angle of 74°55'51", the radius of which bears North 32°27'10" East, the long chord of which bears North 84°59'15" East for a chord distance of 121.66 feet;

Thence North 47°31'19" East for a distance of 139.95 feet to the terminus of said centerline description, the sidelines of which shall be lengthened or shortened to intersect the east line of said Southwest quarter of Section 23.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

EX. A  
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KPF Surveying Inc.  
1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

May 5, 2007

EXHIBIT "B"

PROPOSED LOT 1 "DAC" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, and in a portion of Government Lot 1 in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North 88°04'15" West, along the South line of said Section 23, for a distance of 390.10 feet to the TRUE POINT OF BEGINNING;

Thence South 01°39'24" West for a distance of 59.81 feet;

Thence North 88°04'15" West for a distance of 121.98 feet;

Thence North 30°40'48" West for a distance of 23.44 feet;

Thence North 16°30'41" West for a distance of 47.16 feet;

Thence North 01°35'49" West for a distance of 57.73 feet;

Thence North 85°01'43" West for a distance of 33.22 feet;

Thence North 11°32'23" East for a distance of 76.05 feet;

Thence North 08°46'27" West for a distance of 97.96 feet;

Thence North 22°52'26" West for a distance of 94.63 feet;

Thence North 05°05'40" East for a distance of 82.73 feet;

Thence along the arc of a 130.00 foot radius, non-tangent curve to the right, for an arc distance of 212.80 feet, through a central angle of 93°47'22", the radius of which bears South 61°20'11" East, the long chord of which bears North 75°33'29" East for a chord distance of 189.83 feet;

Thence South 57°32'50" East for a distance of 49.23 feet;

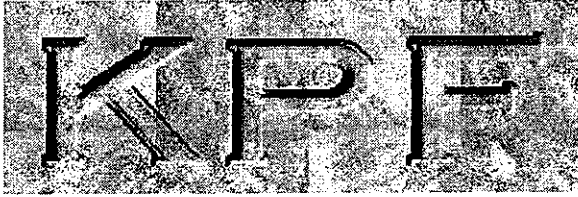
Thence South 01°39'24" West for a distance of 432.31 feet to the TRUE POINT OF BEGINNING.

Containing 2.24 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

EX. B  
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360-834-0174

EX. B  
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May 5, 2007

EXHIBIT "\_\_\_\_"

#### PROPOSED LOT 2 "DAC" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, and in a portion of Government Lot 1 in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North  $88^{\circ}04'15''$  West, along the South line of said Section 23, for a distance of 188.70 feet to the TRUE POINT OF BEGINNING;

Thence South  $01^{\circ}39'24''$  West for a distance of 59.81 feet;

Thence North  $88^{\circ}04'15''$  West for a distance of 201.40 feet;

Thence North  $01^{\circ}39'24''$  East for a distance of 492.11 feet;

Thence South  $57^{\circ}32'50''$  East for a distance of 234.46 feet;

Thence South  $01^{\circ}39'24''$  West for a distance of 313.22 feet to the TRUE POINT OF BEGINNING.

Containing 2 acres, more or less.

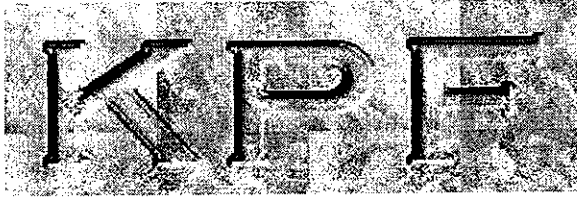
Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

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EX. B  
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1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

EX. B  
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May 5, 2007

EXHIBIT "\_\_\_"

#### PROPOSED LOT 3 "DAC" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, and in a portion of Government Lot 1 in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence South 00°21'04" West along the East line of said Northwest quarter of Section 26, for a distance of 195.51 feet;

Thence North 88°04'15" West for a distance of 193.16 feet;

Thence North 01°39'24" East for a distance of 508.67 feet;

Thence South 57°32'50" East for a distance of 135.24 feet;

Thence along the arc of a 50.00 foot radius, tangent curve to the left, for an arc distance of 32.61 feet, through a central angle of 37°22'18", the radius of which bears North 32°27'10" East, the long chord of which bears South 76°13'59" East for a chord distance of 32.04 feet;

Thence North 85°04'52" East for a distance of 41.48 feet to a point on the East line of the Southwest quarter of said Section 23;

Thence South 01°39'24" West along said East line of the Southwest quarter of Section 23 for a distance of 242.91 feet to the TRUE POINT OF BEGINNING.

Containing 2 acres, more or less

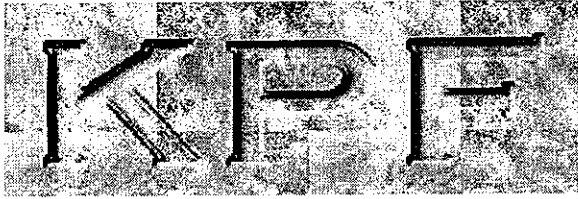
DOC # 2007166229  
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Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

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Copy

EX. B  
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KPF Surveying Inc.  
1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

EX. B  
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May 5, 2007

EXHIBIT "\_\_\_"

PROPOSED LOT 4 "DAC" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, and in a portion of Government Lot 1 in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section 26;

Thence South 00°21'04" West along the East line of said Northwest quarter of Section 26 for a distance of 195.51 feet to the TRUE POINT OF BEGINNING;

Thence South 00°21'04" West along said East line of said Northwest quarter of Section 26 for a distance of 999.29 feet to a point on the Meander line of Swift Reservoir;

Thence North 71°08'28" West along said Meander line, for a distance of 574.78 feet;

Thence leaving said Meander line, North 31°17'42" East for a distance of 628.55 feet;

Thence North 47°30'08" West for a distance of 151.98 feet;

Thence North 35°52'30" West for a distance of 202.15 feet;

Thence North 30°40'48" West for a distance of 197.34 feet;

Thence North 16°30'41" West for a distance of 55.58 feet;

Thence North 01°35'49" West for a distance of 1.67 feet to a point on the North line of said Section 26;

Thence North  $88^{\circ}04'15''$  West along said North line of Section 26, for a distance of 723.33 feet to the Southwest corner of the Southeast quarter of the Southwest quarter of said Section 23;

Thence North  $01^{\circ}31'49''$  East along the west line of said Southeast quarter of the Southwest quarter for a distance of 653.92 feet;

Thence South  $88^{\circ}11'11''$  East for a distance of 1296.88 feet to a point on the East line of said Southwest quarter of Section 23;

Thence South  $01^{\circ}39'24''$  West along said East line of the Southwest quarter of Section 23, for a distance of 413.62 feet;

Thence South  $85^{\circ}04'52''$  West for a distance of 41.48 feet;

Thence along the arc of a 50.00 foot radius, tangent curve to the right, for an arc distance of 32.61 feet, through a central angle of  $37^{\circ}22'18''$ , the radius of which bears North  $04^{\circ}55'08''$  West, the long chord of which bears North  $76^{\circ}13'59''$  West for a chord distance of 32.04 feet;

Thence North  $57^{\circ}32'50''$  West for a distance of 418.93 feet;

Thence along the arc of a 130.00 foot radius, tangent curve to the left, for an arc distance of 212.80 feet, through a central angle of  $93^{\circ}47'22''$ , the radius of which bears South  $32^{\circ}27'10''$  West, the long chord of which bears South  $75^{\circ}33'29''$  West for a chord distance of 189.83 feet;

Thence South  $05^{\circ}05'40''$  West for a distance of 82.73 feet;

Thence South  $22^{\circ}52'26''$  East for a distance of 94.63 feet;

Thence South  $08^{\circ}46'27''$  East for a distance of 97.96 feet;

Thence South  $11^{\circ}32'23''$  West for a distance of 76.05 feet;

Thence South  $85^{\circ}01'43''$  East for a distance of 33.22 feet;

Thence South  $01^{\circ}35'49''$  East for a distance of 57.73 feet;

Thence South  $16^{\circ}30'41''$  East for a distance of 47.16 feet;

Thence South  $30^{\circ}40'48''$  East for a distance of 23.44 feet;

Thence South  $88^{\circ}04'15''$  East for a distance of 323.38 feet;

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Thence South  $01^{\circ}39'24''$  West for a distance of 135.63 feet;

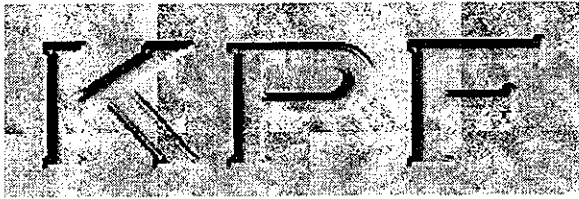
Thence South  $88^{\circ}04'15''$  East for a distance of 193.16 feet to the TRUE POINT OF BEGINNING.

Containing 23.84 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

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KPF Surveying Inc.  
1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

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May 5, 2007

EXHIBIT "\_\_\_"

#### PROPOSED LOT 1 "GTS" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North  $01^{\circ}39'24''$  East, along the East line of said Southwest quarter of Section 23, for a distance of 956.53 feet to the TRUE POINT OF BEGINNING;

Thence North  $88^{\circ}11'11''$  West for a distance of 304.83 feet;

Thence North  $24^{\circ}12'06''$  East for a distance of 4.22 feet;

Thence along the arc of a 289.00 foot radius, tangent curve to the left, for an arc distance of 431.49 feet, through a central angle of  $85^{\circ}32'43''$ , the radius of which bears North  $65^{\circ}47'54''$  West, the long chord of which bears North  $18^{\circ}34'16''$  West for a chord distance of 392.51 feet to a point on the north line of said Southeast quarter of the Southwest quarter of Section 23;

Thence South  $88^{\circ}18'07''$  East along said North line, for a distance of 438.93 feet to the Northeast corner of said Southeast quarter of the Southwest quarter of Section 23;

Thence South  $01^{\circ}39'24''$  West along said East line of the Southwest quarter for a distance of 372.72 feet to the TRUE POINT OF BEGINNING.

Containing 2.69 acres, more or less



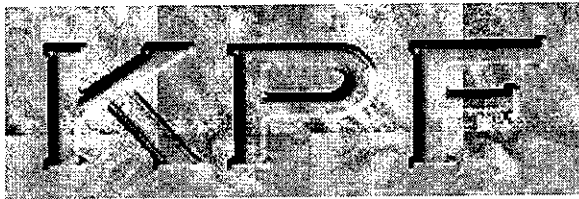
Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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### PROPOSED LOT 2 "GTS" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North 01°39'24" East, along the East line of said Southwest quarter of Section 23, for a distance of 806.53 feet to the TRUE POINT OF BEGINNING;

Thence North 88°11'11" West for a distance of 580.00 feet;

Thence North 01°39'24" East for a distance of 150.00 feet;

Thence South 88°11'11" East for a distance of 580.00 feet to a point on said East line of the Southwest quarter of Section 23;

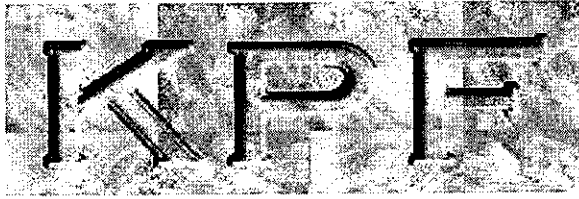
Thence South 01°39'24" West along said East line for a distance of 150.00 feet to the TRUE POINT OF BEGINNING.

Containing 2 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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### PROPOSED LOT 3 "GTS" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North 01°39'24" East, along the East line of said Southwest quarter of Section 23, for a distance of 656.53 feet to the TRUE POINT OF BEGINNING;

Thence North 88°11'11" West for a distance of 580.00 feet;

Thence North 01°39'24" East for a distance of 150.00 feet;

Thence South 88°11'11" East for a distance of 580.00 feet to a point on said East line of the Southwest quarter of Section 23;

Thence South 01°39'24" West along said East line for a distance of 150.00 feet to the TRUE POINT OF BEGINNING.

Containing 2 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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#### PROPOSED LOT 4 "GTS" SHORT PLAT

A tract of land in a portion of the Southeast quarter of the Southwest quarter of Section 23, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southeast corner of the Southwest quarter of said Section 23;

Thence North 01°39'24" East, along the East line of said Southwest quarter of Section 23, for a distance of 656.53 feet;

Thence North 88°11'11" West, for a distance of 580.00 feet to the TRUE POINT OF BEGINNING;

Thence North 88°11'11" West for a distance of 716.88 feet;

Thence North 01°31'49" East for a distance of 670.11 feet;

Thence South 88°18'07" East for a distance of 859.43 feet;

Thence along the arc of a 289.00 foot radius, non-tangent curve to the right, for an arc distance of 431.49 feet, through a central angle of 85°32'43", the radius of which bears South 28°39'23" West, the long chord of which bears South 18°34'16" East for a chord distance of 392.51 feet;

Thence South 24°12'06" West for a distance of 4.22 feet;

Thence North  $88^{\circ}11'11''$  West for a distance of 275.17 feet;

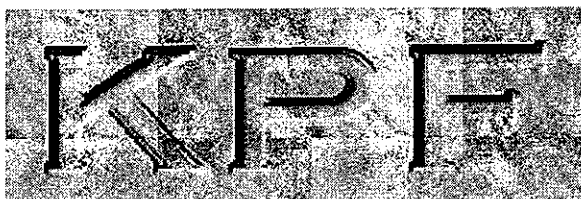
Thence South  $01^{\circ}39'24''$  West for a distance of 300.00 feet to the TRUE POINT OF BEGINNING.

Containing 13.31 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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EXHIBIT " "

#### PROPOSED LOT 1 "BST" SHORT PLAT

A tract of land in a portion of Government Lot's 1 and 2 located in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section 26;

Thence North 88°04'15" West, along the North line of said Northwest quarter of Section 26, for a distance of 572.12 feet to the TRUE POINT OF BEGINNING;

Thence South 01°35'49" East, for a distance of 1.67 feet;

Thence South 16°30'41" East, for a distance of 55.58 feet;

Thence South 30°40'48" East, for a distance of 101.29 feet;

Thence South 85°44'04" West, for a distance of 981.10 feet to a point on the meander line of Swift Reservoir;

Thence North 48°20'53" West, along said meander line for a distance of 384.28 feet to a point on the north line of said Northwest quarter of Section 26;

Thence South 88°04'15" East, along said North line for a distance of 1198.68 feet to the TRUE POINT OF BEGINNING.

Containing 5.0 acres, more or less.

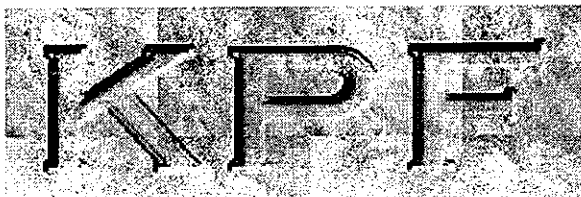


Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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May 5, 2007

EXHIBIT " "

#### PROPOSED LOT 2 "BST" SHORT PLAT

A tract of land in a portion of Government Lot's 1 and 2 located in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section 26;

Thence North  $88^{\circ}04'15''$  West, along the North line of said Northwest quarter of Section 26, for a distance of 572.12 feet;

Thence South  $01^{\circ}35'49''$  East, for a distance of 1.67 feet;

Thence South  $16^{\circ}30'41''$  East, for a distance of 55.58 feet;

Thence South  $30^{\circ}40'48''$  East, for a distance of 101.29 feet to the TRUE POINT OF BEGINNING;

Thence South  $30^{\circ}40'48''$  East, for a distance of 96.06 feet;

Thence South  $35^{\circ}52'30''$  East, for a distance of 54.09 feet;

Thence South  $72^{\circ}45'27''$  West, for a distance of 850.07 feet to a point on the meander line of Swift Reservoir;

Thence North  $37^{\circ}05'28''$  West, along said meander line for a distance of 327.40 feet;

Thence North  $48^{\circ}20'53''$  West, for a distance of 66.63 feet;

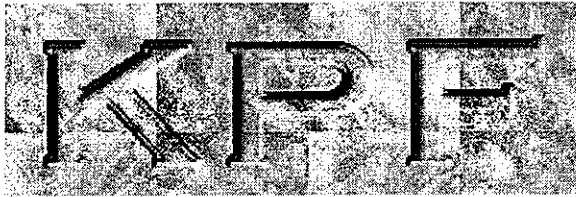
Thence leaving said meaner line North 85°44'04" East, for a distance of 981.10 feet to the TRUE POINT OF BEGINNING.

Containing 5.0 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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President  
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May 5, 2007

EXHIBIT "\_\_\_"

#### PROPOSED LOT 3 "BST" SHORT PLAT

A tract of land in a portion of Government Lot's 1 and 2 located in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section 26;

Thence North  $88^{\circ}04'15''$  West, along the North line of said Northwest quarter of Section 26, for a distance of 572.12 feet;

Thence South  $01^{\circ}35'49''$  East, for a distance of 1.67 feet;

Thence South  $16^{\circ}30'41''$  East, for a distance of 55.58 feet;

Thence South  $30^{\circ}40'48''$  East, for a distance of 197.34 feet;

Thence South  $35^{\circ}52'30''$  East, for a distance of 54.09 feet to the TRUE POINT OF BEGINNING;

Thence South  $35^{\circ}52'30''$  East, for a distance of 148.06 feet;

Thence South  $47^{\circ}30'08''$  East, for a distance of 1.98 feet;

Thence South  $56^{\circ}01'38''$  West, for a distance of 797.96 feet to a point on the meander line of Swift Reservoir;

Thence North  $37^{\circ}05'28''$  West, along said meander line for a distance of 395.19 feet;

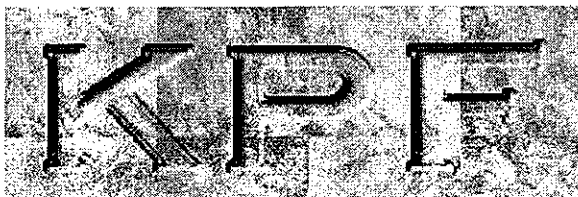
Thence leaving said meander line North  $72^{\circ}45'27''$  East, for a distance of 850.07 feet to the TRUE POINT OF BEGINNING.

Containing 5 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

Kyle P. Feeder, PLS  
President  
KPF Surveying Inc.

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May 5, 2007

EXHIBIT "\_\_\_"

#### PROPOSED LOT 4 "BST" SHORT PLAT

A tract of land in a portion of Government Lot's 1 and 2 located in the Northwest quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Northeast corner of the Northwest quarter of said Section 26,

Thence North 88°04'15" West, along the North line of said Northwest quarter of Section 26, for a distance of 572.12 feet;

Thence South 01°35'49" East, for a distance of 1.67 feet;

Thence South 16°30'41" East, for a distance of 55.58 feet;

Thence South 30°40'48" East, for a distance of 197.34 feet;

Thence South 35°52'30" East, for a distance of 202.15 feet;

Thence South 47°30'08" East, for a distance of 1.98 feet to the TRUE POINT OF BEGINNING;

Thence South 47°30'08" East, for a distance of 150.00 feet;

Thence South 31°17'42" West, for a distance of 628.55 feet to a point on the meander line of Swift Reservoir;

Thence North 71°08'28" West, along said meander line for a distance of 427.80 feet;

Thence North 37°05'28" West, for a distance of 68.01 feet;



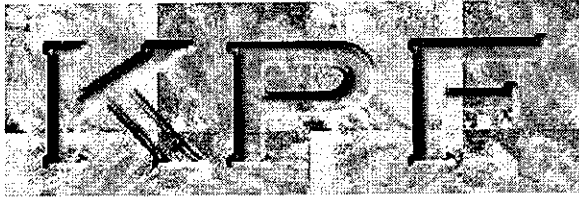
Thence leaving said meander line North  $56^{\circ}01'38''$  East, for a distance of 797.96 feet to the TRUE POINT OF BEGINNING.

Containing 5.0 acres, more or less.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington.

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1514 N.E. 267<sup>th</sup> Ave.  
Camas, WA 98607  
360-834-0174

April 12, 2007

EXHIBIT "C"

#### STORM DRAINAGE EASEMENT

An easement for storm drainage over, under and across a portion of the Northwest quarter of the Northeast quarter of Section 26, Township 7 North, Range 5 East, Willamette Meridian, Skamania County, Washington, more particularly described as follows:

Beginning at the Northwest corner of said Northeast quarter of said Section 26;

Thence South  $88^{\circ}53'35''$  East, along the north line of said Section 26, for a distance of 991.26 feet to a point on the centerline of United States Forest Service Road 90;

Thence along said centerline, along the arc of a 358.10 foot radius curve to the left for an arc distance of 12.33 feet, through a central angle of  $01^{\circ}58'22''$ , the long chord of which bears South  $20^{\circ}17'30''$  West, for a chord distance of 12.33 feet;

Thence continuing along said United States Forest Service Road 90 centerline, South  $19^{\circ}18'20''$  West, for a distance of 197.47 feet to the TRUE POINT OF BEGINNING;

Thence continuing along said United States Forest Service Road 90 centerline, South  $19^{\circ}18'20''$  West, for a distance of 100.00 feet;

Thence leaving said United States Forest Service Road 90 centerline, North  $70^{\circ}41'40''$  West, for a distance of 35.00 feet;

Thence North  $19^{\circ}18'20''$  East, for a distance of 100.00 feet;

Thence South 70°41'40" East, for a distance of 35.00 feet to a point on the centerline of said United States Forest Service Road 90 and the TRUE POINT OF BEGINNING.

Basis of bearings: The North line of the Northeast quarter of said Section 26, Township 7 North, Range 5 East, Skamania County Washington as shown on "MARBLE CREEK SHORT PLAT" recorded under Auditor's file number 2004152964, records of Skamania County, Washington

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