

FILED FOR RECORD AT THE **REAL ESTATE EXCISE TAX**  
REQUEST OF/RETURN TO:

John E. Rice  
5111 SE 120 Ave.  
Portland, Or. 97266  
503-761-6351

27191

AUG 13 2007

PAID  $12.35 + 2.42 + 5.00 = 19.77$  <sup>tech</sup>

V. Ken Chelland, Deputy  
SKAMANIA COUNTY TREASURER

**ROAD EASEMENT DEED**

Grantor(s): Philip Kirkpatrick, A Married Man Dealing in his Separate Estate

Grantee(s): John E. Rice, A Married Man Dealing in his Separate Estate

Additional Grantor(s) on page(s) 1

Additional Grantee(s) on page(s) 2

Abbreviated Legal: Portion of N.W. quarter of the N.W. quarter of section 9 Township 1  
North, Range 5 East, Willamette Meridian, Skamania County, State of Washington.

Additional Legal on page(s) 3 & 4

Exhibits A, B, C, & C-1

Assessor's Tax Parcel No's: Grantor 01 05 09 0 0 0400, Grantee 01 05 09 0 0 0401.

*L.M.*

8/13/07

THIS EASEMENT AGREEMENT is made and entered into this 24<sup>th</sup> day of  
JULY, 2007, by and between PHILLIP KIRKPATRICK, A Married Man Dealing in his  
Separate Estate, (referred to as "GRANTOR"), and JOHN E. RICE, A Married Man Dealing in  
his Separate Estate, (referred to as "GRANTEE").

**RECITALS**

A. GRANTOR is the owner of real property described in the deed recorded in  
Book 202 Page 401 records of Skamania County, in the County of Skamania, State of  
Washington. Tax Parcel Number 01 05 09 0 0 0400 Exhibit "B"

Road Easement Deed 1

B. GRANTEE is the owner of real property described in the deed recorded in Book 209 Page 530, records of Skamania County, State of Washington. Tax Parcel Number 01 05 09 0 0 0401. Exhibit "A"

C. GRANTOR has agreed to grant GRANTEE an exclusive perpetual easement for access over and across the property described herein for ingress, egress and utilities (excluding any septic system), for the benefit of GRANTEE'S Property as presently platted, or as it may be divided in the future. Provided that, GRANTOR may use the road located on said easement for GRANTOR'S own use from time to time.

D. GRANTOR is vested with the authority to execute this Access Road Easement Agreement and have all necessary power and authority to execute this Access Road Easement Agreement and to perform its obligations hereunder; and

**NOW, THEREFORE IN CONSIDERATION OF THE COVENANTS AND MUTUAL AGREEMENTS CONTAINED HEREIN AND OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT AND SUFFICIENCY OF WHICH ARE HEREBY ACKNOWLEDGED, THE PARTIES AGREE AS FOLLOWS:**

#### **PART I: MUTUAL GRANT OF EASEMENT**

1. GRANTOR hereby grants to GRANTEE an exclusive perpetual easement for access over and across GRANTOR'S property for the benefit of GRANTEE'S property as described in the recitals above and as described in Exhibit "A" attached hereto and incorporated herein as if fully set forth. GRANTEE may grade and maintain easement at Grantee's expense. GRANTOR may use the road located on said easement for GRANTOR'S own use from time to time.

2. The parties agree that the easement granted herein shall be located as described in the legal description attached hereto as Exhibit "C" and incorporated herein as if fully set forth. Said easement is as shown on the sketch attached as Exhibit "C-1" and incorporated by this reference (the "easement").

3. The parties to this agreement, their successors and assigns, covenant and agree not to block or restrict access to the easement or damage the easement.

4. The benefits, burdens, and covenants of the easement granted herein shall be deemed to run with the land and bind the GRANTOR'S Property and the GRANTEE'S Properties, the GRANTOR and GRANTEE, and their respective heirs, successors and assigns, and all persons possessing the property by, through, or under the parties hereto or their respective heirs, successors and assigns.

EXHIBIT "A"

Beginning at an iron pipe one hundred fifty eight (158) feet South of the Northwest corner of Section Nine (9) Township One (1) North of Range Five (5) East of the W.M. thence South Fifty (50) feet; Thence North Forty six degrees East One hundred fifty four (154) feet to an iron pipe; Thence Northwesterly Fifty (50) feet to an iron pipe; Thence South Forty six degrees West One hundred thirty nine (139) feet to point of beginning Containing  $\frac{1}{6}$  of an acre more or less.

### EXHIBIT "B"

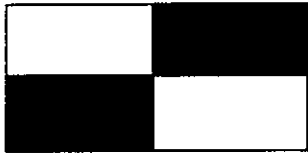
A tract of land in the Northwest Quarter of Section 9, Township 1 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows;

Beginning at the Northwest Corner of said Section 9; thence South along the Section line 40 Rods; thence East 80 Rods to the East line of the Northwest Quarter of the Northwest Quarter of the said Section 9; thence North 40 Rods to the North line of the said Section 9; thence West 80 Rods to the Point of Beginning;

Except that portion thereof conveyed to Ruth B. Rice by Deed dated August 31, 1931 described as follows:

Beginning at an Iron Pipe 158 feet South of the Northwest Corner of the said Section 9; Thence South 50 feet; thence North 46 degrees East 154 feet to an Iron Pipe; thence Northwesterly 50 feet to an Iron Pipe; thence South 46 degrees West 139 feet to the Point of Beginning; AND except the East 330 feet of the North 660 feet of the Northwest Quarter of the Northwest Quarter of Section 9, Township 1 North, Range 5 East of the Willamette Meridian, lying Southerly of State Road 120.

Also except that portion Conveyed to the State of Washington by instrument recorded in Book 27, Page 48.



# HAGEDORN, INC.

## SURVEYORS AND ENGINEERS

1924 Broadway, Suite B • Vancouver, WA 98663 • (360) 696-4428 • (866) 696-4428 • Fax: (360) 694-8934 • www.hagedornse.com

July 18, 2007

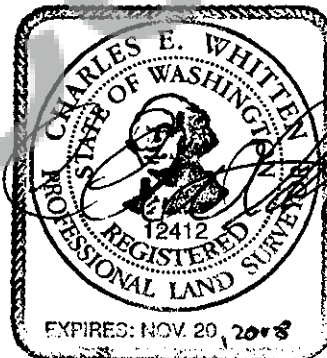
### EXHIBIT "C"

#### EASEMENT ACROSS "KIRKPATRICK":

A 30 foot non-exclusive easement for ingress, egress, and utilities, over a portion of the Northwest quarter of the Northwest quarter of Section 9, Township 1 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

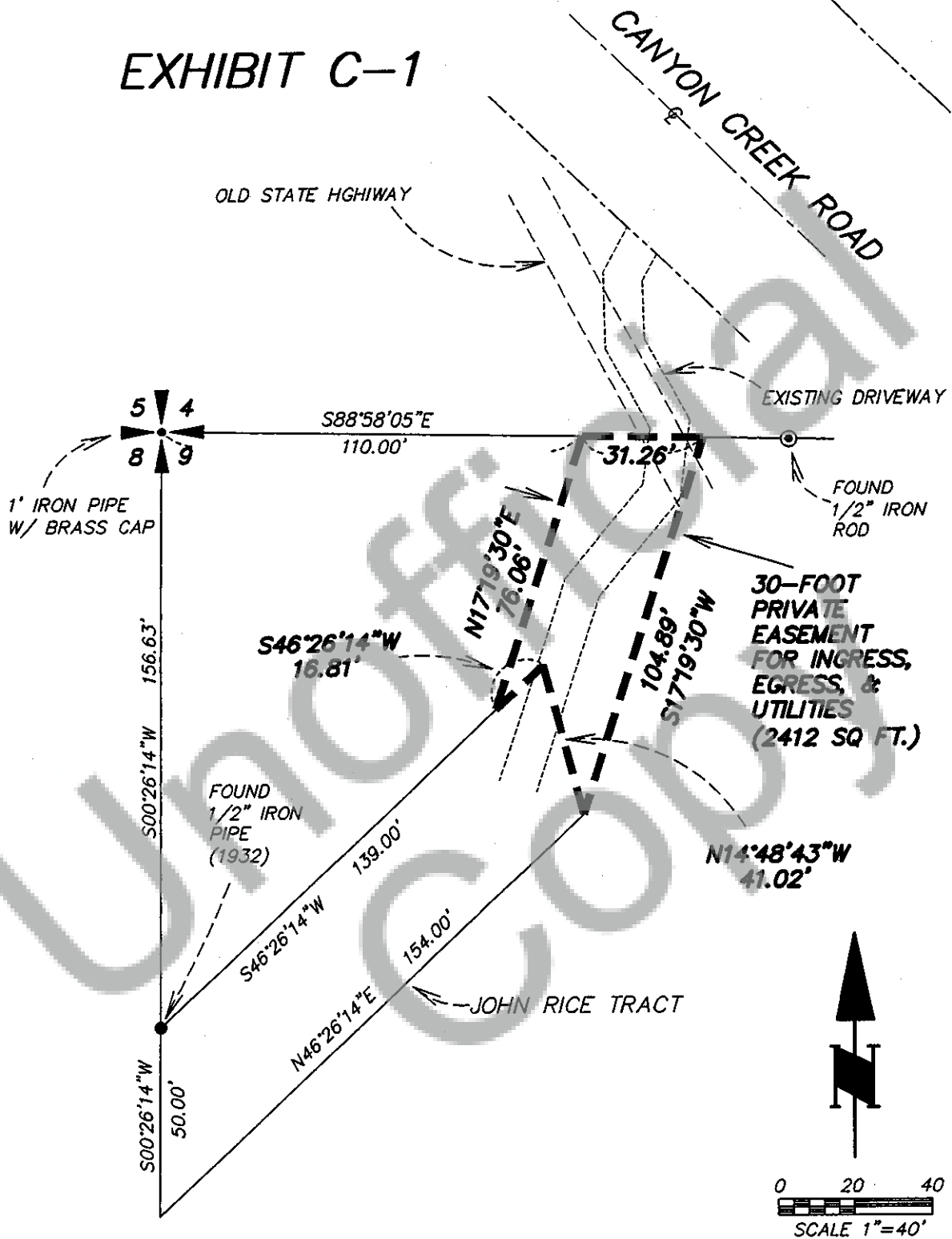
BEGINNING at a point on the North line of the Northwest quarter of the Northwest quarter of Section 9, that is South 88° 58' 05" East, 110.00 feet from the Northwest corner of Section 9; thence continuing South 88° 58' 05" East, 31.26 feet; thence South 17° 19' 30" West, 104.89 feet to the most Easterly corner of the "Rice tract", as described in Book 151 of Deeds, page 385, Skamania County Auditor's Records; thence North 14° 48' 43" West, 41.03 feet to the most Northerly corner of the "Rice tract"; thence South 46° 26' 14" West, along the Northwesterly line of the "Rice tract", 16.81 feet to a point that bears North 46° 26' 14" East, 122.19 feet from an iron pipe at the "Southerly Northwest corner" of the "Rice tract"; thence North 17° 19' 30" East, 76.06 feet to the POINT OF BEGINNING.

LD2007\Rice easement - Exhibit C.cew  
06-133



07-18-07

# EXHIBIT C-1



SCALE: 1"=40'  
DATE: 07/17/07

JOB NO.: 06-133  
CALC. BY: CEW

DRAWN BY: DGS  
DWG# 06-133

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

  
\_\_\_\_\_  
PHILIP KIRKPATRICK, GRANTOR

  
\_\_\_\_\_  
JOHN E. RICE, GRANTEE

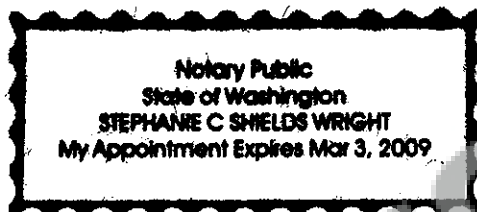
STATE OF WASHINGTON )

County of Clark )

SS.

I certify that I know or have satisfactory evidence that JOHN E. RICE signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 13 day of August, 2007.



Stephanie Shields Wright  
Notary Public, in and for the  
State of Washington.  
Commission Expires: March 3, 2009

STATE OF WASHINGTON )

County of Clark )

I certify that I know or have satisfactory evidence that PHILIP KIRKPATRICK signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated this 9th day of August, 2007.



Linda N. Gill  
Notary Public, in and for the  
State of Washington.  
Commission Expires: 5-28-2008

Road Easement Deed 4