

Doc # 2007168223  
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Date: 11/13/2007 11:20A  
Filed by: CHARLES F. SMITH  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
SKAMANIA COUNTY AUDITOR  
J MICHAEL GARVISON  
Fee: \$44.00

**WHEN RECORDED RETURN TO:**

Charles Smith

P.O. Box 391

N. Bonneville, WA 98639

**DOCUMENT TITLE(S)**

Opposition of encroaching structure by property owner

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

Document # 92091, Book 79, pages 402  
through 405

☒ Additional numbers on page 2 of document.

**GRANTOR(S):**

Charles Fredrick Smith

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

**GRANTEE(S):**

L. Roosevelt Reich

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

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

On the North line of the Northwest quarter of Section 34,  
Township 2 North, Range 6 East of the Willamette Meridian.

☒ Complete legal on page 354 of document.

**TAX PARCEL NUMBER(S):**

02-06-34-0-0-0108-00

☐ 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.

Original Deed # 142656 BOOK 215, page 909

I, Charles Smith, both co-own, and  
reside at parcel described herein.  
Permission to encroach upon said  
parcel has not been granted.

I Swear, under penalty of perjury, the  
foregoing is true to the best of my  
Knowledge



11/13/07

WATER SYSTEM EASEMENT AND AGREEMENT

This WATER SYSTEM EASEMENT AND AGREEMENT executed this date between SHANE L. KENNEDY, an unmarried man, JAMES P. BUTLER and MARGARET E. BUTLER, husband and wife, and JACK SPRING and MELBA E. SPRING, husband and wife,

WITNESSETH:

WHEREAS, SHANE L. KENNEDY is purchasing by executory real estate contract from JACK SPRING and MELBA E. SPRING, husband and wife, a parcel of real property situated in Skamania County, State of Washington, more particularly described as follows:

COMMENCING at a point on the North line of the Northwest quarter of Section 34, Township 2 North, Range 6 East of the Willamette Meridian, 1090.60 feet North 38°55'59" West from the Northeast corner of said Northwest quarter of Section 34; thence South 01°18'38" West parallel to the East line of said Northwest quarter of Section 34, 118.42 feet to a point 1091.11 feet North 88°55'59" West and 118.42 feet South 01°04'01" West from the Northeast corner of said Northwest quarter as measured along the North line of said Northwest quarter and at right angles to said North line and the point of beginning for Lot 1 of Jack Spring's Short Plat recorded in Book 2, page 87; thence South 65°51'54" East 55.79 feet; thence South 21°46'51" East 156.61 feet; thence South 38°27'37" East 72.94 feet; thence South 51°12'46" West 980.00 feet, more or less, to the center line of Duncan Creek; thence Northwesterly along the center line of said creek to a point that bears South 57°56'34" West from the point of beginning; thence North 57°56'34" East 830.00 feet, more or less, to the point of beginning, containing 6.5 acres, more or less. TOGETHER WITH AND SUBJECT TO a 60.00 foot easement for ingress, egress and public utilities, over, under and across the property lying 30.00 feet on each side of the Northeast boundary of the above described property.

and

WHEREAS, JAMES P. BUTLER and MARGARET E. BUTLER are purchasing by executory real estate contract from JACK SPRING and MELBA E. SPRING, husband and wife, a parcel of real property situated in Skamania County, State of Washington, more particularly described as follows:

COMMENCING at a point on the North line of the Northwest quarter of Section 34, Township 2 North, Range 6 East of the Willamette Meridian, 1090.60 feet North 88°55'59" West from the Northeast corner of said Northwest quarter of Section 34; thence South 01°18'38" West parallel to the East line of said Northwest quarter of Section 34, 118.42 feet to a point 1091.11 feet North 88°55'59" West, and 118.42 feet South 01°04'01" West from the Northeast corner of said Northwest quarter as measured along the North line of said Northwest quarter and at right angles to said North line; thence South 65°51'54" East 55.79 feet; thence South 21°46'51" East 156.61 feet; thence South 38°27'37" East 72.94 feet to the POINT OF BEGINNING of Lot 2 of Jack Spring's Short Plat recorded in Book 2, page 87; thence South 62°06'04" East 182.05 feet; thence South 35°52'35" West 97.72 feet; thence South 25°21'42" West 126.68 feet; thence

Transacted in compliance with County subdivision ordinances.  
Skamania County Assessor - WY.

BUTLER & LAMMANN  
ATTORNEYS AT LAW  
301 N.E. 8TH AVE.  
CAMAS, WASHINGTON 98607  
AREA CODE 360 - TELEPHONE 624-0111

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Map

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WILL  
ATP  
CANAL  
AREA CODE 360

South 15°44'49" West 198.53 feet to a point 928.31 feet North 88°55'59" West and 810.78 feet South 01°04'01" West from the Northeast corner of said Northwest quarter of Section 34, as measured along the North line of said Northwest quarter of Section 34 and at right angles to said North line; thence North 74°15'11" West 30.00 feet; thence South 58°06'45" West 633 feet, more or less, to the center of Duncan Creek; thence Northwesterly along the center of said creek to a point that bears South 51°12'46" West from the POINT OF BEGINNING; thence North 51°12'46" East 880 feet, more or less, to the POINT OF BEGINNING. (Containing 6.5 acres, more or less)

TOGETHER WITH AND SUBJECT TO a 60.00 foot easement for ingress, egress and public utilities, over, under and across the property lying 30.00 feet on each side of the following described centerline:

BEGINNING at a point on the East line of said Northwest quarter of Section 34, South 01°18'38" West 424.45 feet from the Northeast corner of said Northwest quarter of Section 34; thence North 38°49'40" West 758.29 feet; thence North 62°06'04" West 182.05 feet; thence North 38°27'37" West 72.94 feet; thence North 21°46'51" West 156.61 feet; thence North 65°51'54" West 55.79 feet to a point 1091.11 feet North 88°55'59" West and 118.42 feet South 01°04'01" West from the Northeast corner of said Northwest quarter of Section 34 as measured along the North line of said Northwest quarter of Section 34 and at right angles to said North line, said point being the end of said 60 foot easement.

ALSO TOGETHER WITH AND SUBJECT TO a 60-foot easement for ingress, egress and public utilities over, under and across the property lying 30.00 feet on each side of the following described centerline:

BEGINNING at a point on the East line of said Northwest quarter of Section 34, South 01°18'38" West 424.45 feet from the Northeast corner of said Northwest quarter of Section 34; thence North 38°49'40" West 758.29 feet to the point of beginning for this easement; thence South 35°52'35" West 97.72 feet; thence South 25°21'42" West 126.68 feet; thence South 15°44'49" West 198.53 feet to a point 928.31 feet North 88°55'59" West and 810.78 feet South 01°04'01" West from the Northeast corner of said Northwest quarter of Section 34, as measured along the North line of said Northwest quarter of Section 34 and at right angles to said North line, said point being the end of said 60-foot easement.

and

WHEREAS, all parties hereto desire to correct a situation resulting from confusion as to the property lines between the above described parcels by which Butlers have, through mistake, drilled a well upon property being purchased by Kennedy, and the parties desiring to further provide herein for the joint use of the water from said well for the benefit of both parcels upon the terms and conditions herein contained.

NOW THEREFORE, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

STATE OF WASHINGTON, }  
County of } ss.

ACKNOWLEDGMENT - Individual

On this day personally appeared before me Charles Fredrick Smith to me known

to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he  
signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 13 day of November, 2007.



Melissa A. Anderson  
Notary Public in and for the State of Washington,  
residing at \_\_\_\_\_

My appointment expires 8-19-08

STATE OF WASHINGTON, }  
County of } ss.

ACKNOWLEDGMENT - Corporate

On this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me, the undersigned, a Notary Public in and for the State of Washington, duly commissioned and sworn, personally appeared \_\_\_\_\_

\_\_\_\_\_ and \_\_\_\_\_ to me known to be the

\_\_\_\_\_ President and \_\_\_\_\_ Secretary, respectively, of \_\_\_\_\_

\_\_\_\_\_ the corporation that executed the foregoing instrument, and acknowledged the said instrument to be the free and voluntary

act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that \_\_\_\_\_

authorized to execute the said instrument and that the seal affixed (if any) is the corporate seal of said corporation.

Witness my hand and official seal hereto affixed the day and year first above written.

\_\_\_\_\_  
Notary Public in and for the State of Washington,  
residing at \_\_\_\_\_

My appointment expires \_\_\_\_\_

WA-46A (11/96)

This jurat is page \_\_\_\_\_ of \_\_\_\_\_ and is attached to \_\_\_\_\_ dated \_\_\_\_\_.

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