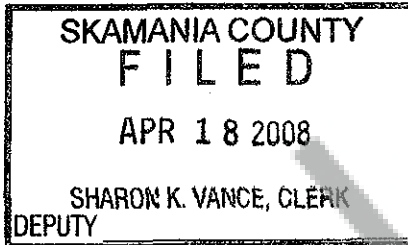


<b>WHEN RECORDED RETURN TO:</b>
P. FOSTER
2011 ST. JOHNS BLVD
VANCOUVER WA 98661

<b>DOCUMENT TITLE(S)</b>
JUDGEMENT
<b>REFERENCE NUMBER(S)</b> of Documents assigned or released: NA
<input type="checkbox"/> Additional numbers on page ____ of document.
<b>GRANTOR(S):</b> VICTOR ERICKSON LARRY ERICKSON DBA LOG LOGGING
<input type="checkbox"/> Additional names on page ____ of document.
<b>GRANTEE(S):</b> CHARLES W. CHASE NANCY CHASE
<input type="checkbox"/> Additional names on page ____ of document.
<b>LEGAL DESCRIPTION</b> (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter): ADD 1 2 3 4 BLOCK 3 PAGE 384 ST R.
<input checked="" type="checkbox"/> Complete legal on page ____ of document. EXHIBIT B ST R.
<b>TAX PARCEL NUMBER(S):</b> EASEMENT AFFECTING 02.05.30-0-0- JUDGEMENT AFFECTING: 1802-00 02052900061200 & 02-5-29-612
<input type="checkbox"/> 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.



SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

VICTOR ERICKSON &  
LARRY ERICKSON

NO. 06 2 00083 0

Plaintiffs

vs.

JUDGMENT

CHARLES W. CHASE &  
NANCY CHASE

Defendants

& Third Party Plaintiffs

LLOYD COMBS & DORIS COMBS

Third Party Defendants

JUDGMENT SUMMARY PURSUANT TO RCW 4.64.030

Judgment creditors:

CHARLES W. CHASE & NANCY  
CHASE

Attorney for Judgment creditor:

PHILIP FOSTER

Judgment Debtors:

VICTOR ERICKSON & LARRY  
ERICKSON

Attorney for Debtor(s):

ROBERT MITCHELSON

Date of Judgment:

The 18 day of April, 2008.

Principal Amount:

\$15,185.25

Interest to Judgment Date

none

Post-Judgement Interest Rate:

12% per annum

Filing Fee:

n/a

Service Fee (Sum. & Cpt.):

n/a

Attorneys Fee:

n/a

TOTAL:

\$15,185.25

1 The Court, after trial occurring on October 8 and 9, December 14, 2007, and  
2 February 15, 2008, and having heard the witnesses and considered the evidence, and having  
3 entered and made Findings of Fact and Conclusions of Law, now enters the following  
4 Judgment.

5  
6 1 Judgment should be entered in favor of Defendants CHARLES W. CHASE &  
7 NANCY CHASE in their counterclaim against the plaintiffs VICTOR ERICKSON &  
8 LARRY ERICKSON, in the amount of \$15,185.25, based on timber trespass damages  
9 awarded under the Findings and Conclusions, trebled. The Court declines to award costs or  
10 attorneys fees to either party. Interest shall accrue on the judgment at the judgment interest  
11 rate, which is 12% per annum.

12 2 The plaintiffs should be and are granted a prescriptive easement as follows: A  
13 prescriptive easement across the Chase's five acres for non-exclusive ingress and egress that  
14 is 17.0 feet wide along the center line of the existing Lower Road, or 8.50 feet on either side  
15 of such center line (the "prescriptive easement"). The Ericksons should and shall provide a  
16 legal description for same, to be attached hereto as Exhibit E, in favor of the nine acres and  
17 running across the Chase property as legally described on Exhibit A. The nine acres is  
18 described on Exhibit B. The prescriptive easement is limited to commercial rock and gravel  
19 removal purposes using dump trucks and/or other similar rock hauling equipment along the  
20 easement as legally described, and may not be used for other purposes, such as residential  
21 ingress and egress for the nine acres, and/or for utility or other access rights. A condition of  
22 such easement is that the plaintiffs reasonably maintain the easement road bed resulting from  
23 wear and tear and/or damage due to such commercial truck usage.

24 3 The plaintiffs do not have prescriptive rights to the Upper Road / Trail as  
25 requested by the plaintiffs.

26 4 The Findings of Fact and Conclusions of Law, and this associated Judgement,  
27 should be and are a final determination of the rights of the plaintiff Ericksons and defendants  
28

Chase, appealable as per court rule and statute. The matter of the Third Party Claims of Chase v. Combs, however, is not fully and finally resolved and is to be fully and finally resolved in subsequent hearing. As more than one claim for relief is presented in this action, whether as claims, counterclaims, cross claims, or third party claims, and as multiple parties are involved, the court now directs the entry of a final judgment as to the claims of the Ericksons against the Chases and the Chases against the Ericksons, based upon its express determination that there is no just reason for delay, and thus now makes an express direction for the entry of such judgment.

5 Consents to entry of this document may be attached in faxed counterparts.

Dated this 18th day of April, 2008.

  
JUDGE REYNOLDS

Presented by:

  
PHILIP A. FOSTER, WSBA #15475,  
of attorneys for Defendants Chase

Consent as to entry, notice of  
presentment waived, and approved as  
to form and content this  
\_\_\_ day of April, 2008.

ROBERT MITCHELSON, WSBA  
of attorneys for Plaintiffs Erickson

Consent as to entry, notice of  
presentment waived, and approved as  
to form and content this  
\_\_\_ day of April, 2008.

GIDEON CARON, WSBA  
of attorneys for Third Party

1 Defendant Combs

2 Attachments:

3 Exhibit E = Legal description of Lower Road prescriptive easement.

4 Exhibit A = Legal description of Chase five acres subject to the Exhibit E easement.

5 Exhibit B = Legal description of Erickson nine acres with rights to the Exhibit E easement.

6 Exhibit R = Survey map showing center line of prescriptive easement (from Mr. Ray)

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Unofficial Copy

151406

BOOK 25 PAGE 302

Dec 9 12 09 PM '03

J. J. J. J.

## WHEN RECORDED RETURN TO:

Name: CHARLES W. CHASE  
 Address: 41 ROBSON ROAD  
 WASHOUGAL, WA 98671

**stewart**  
 title

Escrow Number: 123983CR  
 Filed for Record at Request of: Stewart Title

## STATUTORY WARRANTY DEED

The Grantors, LLOYD COMBS AND DORIS COMBS, husband and wife for and in consideration of Ten Dollars and other good and valuable consideration in hand paid, conveys, and warrants to CHARLES W. CHASE AND NANCY CHASE, husband and wife the following described real estate, situated in the County of Skamania, State of Washington:

A tract of land in the Southeast Quarter of the Southeast Quarter of Section 30, Township 2 North, Range 5 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Lot 1 of the Southridge Short Plat, recorded in Book 3 of Short Plats, Page 319, Skamania County Records

Assessor's Property Tax Parcel/Account Number: 02-05-30-0-0-1802-00

SUBJECT TO: All matters of record.

Dated: DECEMBER 8, 2003

LLOYD COMBS

DORIS COMBS

REAL ESTATE EXCISE TAX

23500

DEC - 9 2003

STATE OF Washington

COUNTY OF CLARK

I certify that I know or have satisfactory evidence that LLOYD COMBS AND DORIS COMBS are the persons who appeared before me, and said persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in this instrument.

Dated: DECEMBER 8, 2003

CATHY V. RISKEY  
 NOTARY PUBLIC  
 STATE OF WASHINGTON  
 COMMISSION EXPIRES  
 JUNE 1, 2007

Name: CATHY V. RISKEY  
 Notary Public in and for the State of Washington  
 My appointment expires: June 1, 2006

EXHIBIT

A

78



Carolyn Simms  
P.O. Box 169  
Washougal, WA 98671

MAR 18 4:40 PM '02

*Carolyn*  
AUDITOR  
MICHAEL CARLTON

# STATUTORY WARRANTY DEED

THE GRANTOR, HARVEY ERICKSON, a single person

For and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration

In hand paid, conveys and warrants to L&V LOGGING, a Washington Partnership

The following described real estate, situated in the County of Skamania, State of Washington,

Parcel No.

*Lots 1, 2, 3 & 4 Erickson & Sons Short Plat., Book 3 Page 381 H.E.*  
*of Short Plats*  
*Lot 1, WILSON SHORT PLAT NO. 1 filed under Auditor's File No. 94893, filed*  
*October 18, 1982 in Book 3 of Short Plats, Page 37, Skamania County Records,*  
*State of Washington.*

SUBJECT TO an Easement for Transmissions Line, including the terms and provisions thereof, recorded July 14, 1949 in Book 32, Page 464, Skamania County Deed Records.

SUBJECT TO a Right of Way Easement for Utilities, including the terms and provisions thereof, in favor of Public Utility District No. 1 of Skamania County, recorded September 5, 1985 in Book 84, Page 1987, Skamania County Deed Records.

SUBJECT TO an Easement for Water Pipe, including the terms and provisions thereof, recorded November 20, 1986 in Book 103, Page 160, Skamania County Deed Records.

Gary H. Martin, Skamania County Assessor  
Date *3/12/02* Parcel # *2-363, 340, 311*

REAL ESTATE EXCISE TAX  
*22.089*

Dated this *8th* day of *February*, 2002.

MAR 11 2002

PAID *910.00*

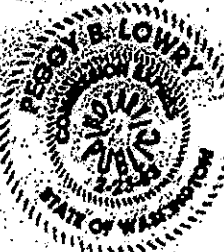
*Harvey Erickson*  
HARVEY ERICKSON, Grantor

*G. deputy*  
SKAMANIA COUNTY TREASURER

STATE OF WASHINGTON)  
COUNTY OF CLARK )ss.

On this day personally appeared before me HARVEY ERICKSON to me known to be the individual 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 *8th* day of *February*, 2002.



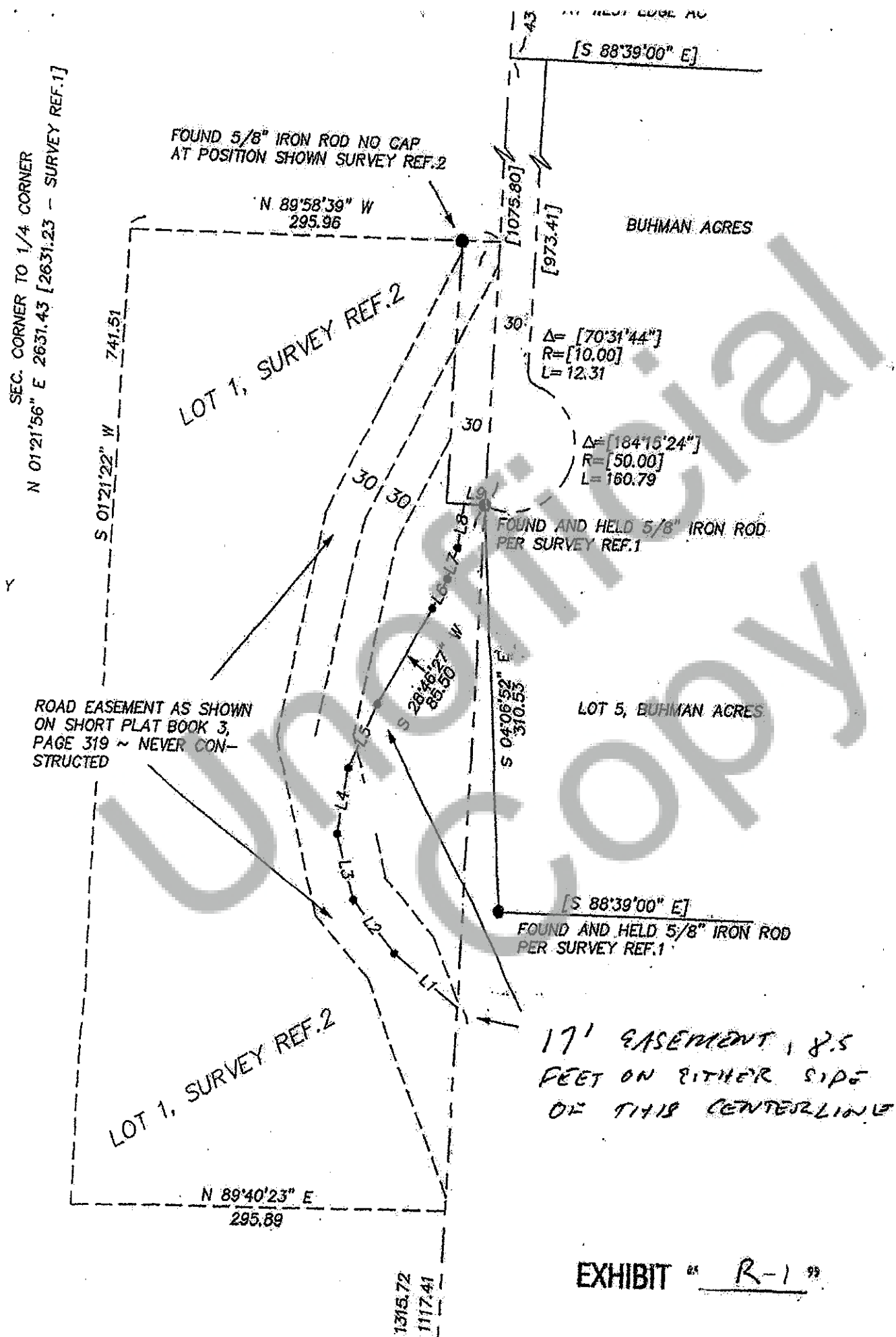
*Peggy B. Lowry*  
Notary Public in and for the State of Washington  
Residing at: *Carson*  
My term expires on: *2/23/03*

Signature *[initials]*  
Notary Public *[initials]*  
Witness *[initials]*

EXHIBIT

B

95





PAGE 319 ~ NEVER CON-  
STRUCTED

LOT 1, SURVEY REF.2

N 89°40'23" E  
295.89

[S 88°39'00" E]

FOUND AND HELD 5/8" IRON R  
PER SURVEY REF.1HISTORICAL AND CURRENT TR  
WAY CL OF BEAR PRAIRIE RO  
BANKS AND FILL SLOPES ARE  
AT OBSERVED WIDTH UP TO 6  
ARE NOT SHOWN HERE FOR  
OF CLARITY. SEE EASEMENT I  
PAGE 821 & BOOK 147, PAGE  
OF SKAMANIA COUNTY, WA A.

1315.72

1117.41

732.96

FOUND 3/4" IRON PIPE  
WITH LAWSON CAP EAST 0.33  
HELD FOR NORTHING

## LINE TABLE

NO.	BEARING	DISTANCE
L1	S 51°06'22" E	64.72
L2	S 39°57'00" E	52.19
L3	S 15°44'07" E	52.15
L4	S 07°30'09" W	50.86
L5	S 23°32'23" W	53.42
L6	S 26°08'29" W	25.26
L7	S 16°42'35" W	24.93
L8	S 06°01'37" W	33.18
L9	S 88°38'04" E	16.39

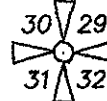
ELECTRIC

THOMAS  
MAY 20

EX

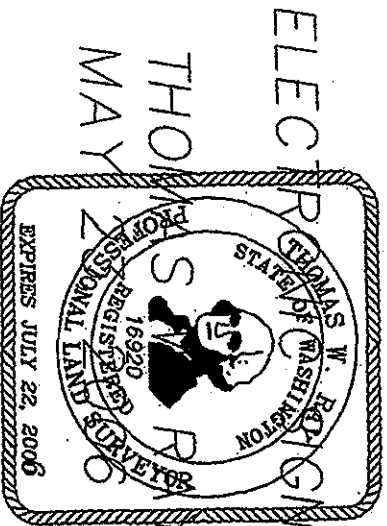
EXHIBIT

R-2

FOUND 3/4" IRON PIPE WITH OLD  
AS SET IN SURVEY REF.1 - NEW  
S45°E 0.70 TO 3" DEPT. OF GAM  
ON CONCRETE POST - NOT HELD  
N50°W 4.25 TO ALUMINUM NAIL 2  
N58°E 5.00 TO ALUMINUM NAIL 8  
S14°E 10.80 TO ALUMINUM NAIL 1

OF BEAR PRAIRIE ROAD ~ CUI  
NO FILL SLOPES ARE INCLUDED.  
RYED WIDTH UP TO 63 FEET BUT  
SHOWN HERE FOR THE PURPOSES  
TY. SEE EASEMENT IN BOOK 149,  
1 & BOOK 147, PAGE 453, RECORDS  
ANIA COUNTY, WA AS AUTHORITY

N PIPE  
P EAST 0.33  
ING

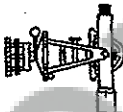


ELEC R THOMAS W. RAY  
THOMAS W. RAY  
MAY 22 2006  
SIGNATURE.

IRON PIPE WITH OLSON CAP SHOWN  
SURVEY REF. 1 - NEW RP'S BELOW  
TO 3" DEPT. OF GAME BRASS CAP  
SITE POST - NOT HELD.  
TO ALUMINUM NAIL & SHINER IN 22" MAPLE  
TO ALUMINUM NAIL & SHINER IN 20" MAPLE  
TO ALUMINUM NAIL & SHINER IN 20" MAPLE

- - CALCULATED POINT
  - - MONUMENT FOUND AS NOTED
  - - SET #4 REBAR WITH PLASTIC CAP MARKED 'PLS 16920'
- [ ] - RECORD DATA

THOMAS RAY  
& COMPANY  
SURVEYORS



PO BOX 435  
CAMAS, WASHINGTON 98607  
TEL/FAX 360.834.4827

EXHIBIT

## SURVEYOR'S CERTIFICATE

THIS MAP CORRECTLY REPRESENTS A SURVEY MADE BY  
ME OR UNDER MY DIRECTION IN CONFORMANCE WITH  
THE SURVEY RECORDING ACT FOR VICTOR ERICKSON  
IN AUGUST 2005

THOMAS RAY DATE: \_\_\_\_\_  
REGISTERED PROFESSIONAL LAND SURVEYOR  
LICENSE NUMBER 16920

## AUDITOR'S CERTIFICATE

FILED FOR RECORD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 200\_\_\_\_  
AT \_\_\_\_\_ M. IN BOOK \_\_\_\_\_ OF SURVEYS AT PAGE \_\_\_\_\_,  
AT THE REQUEST OF THOMAS RAY

SKAMANIA COUNTY AUDITOR BY \_\_\_\_\_ DEPUTY

## AUDITOR'S INDEXING DATA

SECTION	TOWNSHIP	RANGE
SW1/4, SW1/4	29	2
		5

ROD WITH OLSON CAP AT CENTERLINE  
1 SURVEY REF.1 - NEW RP'S BELOW  
1/2" IRON ROD WITH WALLACE CAP AT R/W  
1/2" IRON ROD WITH RAY CONTROL CAP

# RECORD OF SURVEY

FOR AN EASEMENT LYING IN THE SE1/4  
OF THE SE1/4 OF SECTION 30 AND IN  
SW1/4 OF THE SW 1/4 OF SECTION 29  
T2N, R5E OF THE WILLAMETTE MERIDIAN  
IN SKAMANIA COUNTY, WASHINGTON.

ACRES

7

IRON ROD

4N ACRES

BASIS OF BEARING

N 121°56' E ALONG THE CENTER LINE OF BEAR PRAIRIE ROAD PER  
SURVEY REF.1

DEED REFERENCE

1- REAL ESTATE CONTRACT, READ TO ERICKSON, BOOK 249, PAGE 640

SURVEY REFERENCES

1- BUHMAN HEIGHTS, BOOK B OF PLATS AT PAGE 20, OLSON, 1977

EXHIBIT R-4 95

EXHIBIT E

Inasmuch as the plaintiffs Erickson have not provided a written legal description of the easement, they are required to do so within 30 days of the date of these Findings / Conclusions / Judgement, pursuant to the easement as depicted on Exhibit R as per the survey prepared by Mr. Thomas Ray.

State of Washington }  
County of Skamania } SS  
I Sharon K. Vance, County Clerk of the Superior  
Court of Skamania County, Washington, DO HEREBY  
CERTIFY that this instrument, consisting of 11  
page(s), is a true and correct copy of the original  
now on file and of record in my office and, as County  
Clerk, I am the legal custodian thereof.  
Signed and sealed at Stevenson, Washington  
this date, April 16, 2008  
Sharon K. Vance County Clerk  
BY [Signature] Deputy

Unofficial  
Copy