

RETURN ADDRESS:

Peter L. Fels
Attorney at Law
211 E. Eleventh St., Suite 105
Vancouver, WA 98660

REAL ESTATE EXCISE TAX

27589
MAY 13 2008

PAID exempt
by deputy
SKAMANIA COUNTY TREASURER

EASEMENT AGREEMENT

Reference: N/A/
Grantor: BETTY OLESEN
Grantee: OWNERS OF CARLETON HEIGHTS SHORT PLAT, LEWIS SHORT
PLAT, AND CARLETON HEIGHTS II (full legal page 5)
Abbreviated Legal Description: P# W91951 NEWMO 1965 V#215546 51' x 10'
Assessor's Property Tax Parcel/Account #: 02053300100000

1. Effective Date:

April 15, 2008.

2. Parties:

BETTY OLESEN,
a single person,
(herein "GRANTOR"),

and

Owners of Real Property Located in
Carleton Heights Short Plat, Lewis Short Plat, and Carleton Heights II ,
(herein "GRANTEES").

3. Recitals:

- A. GRANTOR is the owner of real property located in Skamania County, Washington, legally described in Exhibit "A" attached hereto and incorporated herein by this reference and designated by Skamania County Assessor's Parcel No. 02053300100000. This parcel is referenced herein as the "Olesen Parcel."
- B. GRANTEES are the owners of real property in Carleton Heights Short Plat, Lewis Short Plat, and Carleton Heights II located in Skamania County, Washington, with plat maps attached respectively in Exhibit "B - 1", "B-2", and "B-3" hereto and incorporated herein by this reference. These owners are collectively referred to as "GRANTEES" herein and this real property collectively referred to as the "Carleton Heights Parcels."
- C. A sketch showing the location of the "Olesen Tract" and the Easement specified herein is attached hereto as Exhibit "C" and incorporated herein by this reference.

NOW, THEREFORE, in consideration of and as settlement of the boundary dispute and the litigation initiated in *Olesen vs. Lewis, et al.*, Skamania County Superior Court Cause No. 05-2-00137-4, GRANTOR hereby agrees as follows:

- 4. Conveyance of Easement. GRANTOR hereby agrees and conveys to GRANTEES a perpetual, nonexclusive easement across the entrance to Carleton Road delineated in and legally described in Exhibit "D" (including, without limitation, the actual roadway and drainage ditches, culverts, and shoulders appurtenant thereto) attached hereto and incorporated herein by this reference, for the purpose of ingress and egress to the Carleton Heights Parcels for the benefit of GRANTEES as follows: This Easement Agreement shall only be for the benefit of the Carleton Heights Parcels and the burden to the Olesen Parcel. GRANTEES may not extend the roadway, ditches, or shoulders conveyed by this Easement Agreement without the written consent of GRANTOR.
- 5. Run with the Land. This Easement Agreement shall run with the land and shall be binding upon and inure to the benefit of all parties and the real property described herein, their successors and assigns, heirs and all other persons claiming under them, and shall be a part of all transfers and conveyances of the above-referenced properties as if set forth in full in such transfers and conveyances.
- 6. Purpose of Easement. This easement is for residential driveway, ingress, egress, and utility purposes. The passage for the ingress or egress of this easement may not be obstructed, impaired, nor used in any manner by

GRANTOR or GRANTEES to impair the rights of the other party or the owners of property located in Carleton Heights Short Plat, Lewis Short Plat, and Carleton Heights II.

7. Maintenance and Improvements. GRANTEES shall be solely responsible for all improvements, repair, and maintenance of the Easement described herein, individually or through their respective homeowners associations.
8. Amendment or Revocation. This Easement Agreement may be amended or revoked only by the mutual agreement of GRANTOR and GRANTEES. Said amendment or revocation shall be effective upon the recordation with the Skamania County Auditor of an instrument signed by GRANTOR and GRANTEES.
9. Entire Agreement. This Agreement constitutes the entire agreement between the parties. The parties shall not be bound by any promises, representations, or agreements except as are herein especially set forth or as otherwise set forth in writing.
10. Validity. In the event that any provisions of this Agreement shall be held to be invalid or unenforceable, the same shall not affect in any respect whatsoever the validity or enforceability of the remained of this Agreement.

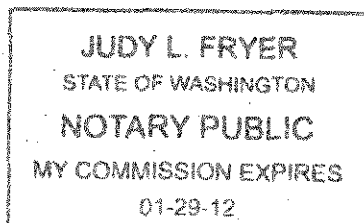
DATED: April 15, 2008.

Betty Olesen
BETTY OLESEN

STATE OF WASHINGTON)
) ss.
County of Clark)

I certify that I know or have satisfactory evidence that BETTY OLESEN is the person who appeared before me, and the said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: April 15, 2008.



Judy L. Fryer
NOTARY PUBLIC in and for the State
of Washington
My Appointment Expires: 1/29/12

Exhibit A

A tract of land in the Northeast quarter, of said Section 33, Township 2 North, Range 5 East, of the Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at a point marking the intersection between the Northerly right-of-way line of the Washougal River Road and the West line of the Northeast quarter of the Northeast quarter of said Section 33;

THENCE North $01^{\circ}22'29''$ East, along the West line of the Northeast quarter, of the Northeast quarter of said Section 33, for a distance of 208.00 feet;

THENCE North $88^{\circ}25'54''$ East, parallel with and 208.00 feet from when measured at right angles to the Northerly right-of-way of said Washougal River Road, for a distance of 208.00 feet;

THENCE South $01^{\circ}22'29''$ West, parallel with and 208.00 feet from when measured at right angles to the West line of the Northeast quarter, of the Northeast quarter of Section 33, for a distance of 208.00 feet to the Northerly right-of-way line of said Washougal River Road;

THENCE South $88^{\circ}25'54''$ West, along the Northerly right-of-way line of said Washougal River Road, for a distance of 208.00 feet to the True Point of Beginning;

TOGETHER WITH a tract of land in the Northwest quarter, of the Northeast quarter of said Section 33;

BEGINNING at a point marking the intersection between the Northerly right-of-way line of the Washougal River Road and the East line of the Northwest quarter, of the Northeast quarter of said Section 33;

THENCE North $01^{\circ}22'29''$ East, along the East line of the Northwest quarter, of the Northeast quarter of said Section 33, for a distance of 140.00 feet;

THENCE South $88^{\circ}25'54''$ West, parallel with and 140.00 feet from when measured at right angles to the Northerly right-of-way line of said Washougal River Road, for a distance of 25.00 feet;

THENCE South $01^{\circ}22'29''$ West, parallel with and 25.00 feet from when measured at right angles to the East line of the Northwest quarter, of the Northeast quarter of said Section 33, for a distance of 140.00 feet to the Northerly right-of-way of said Washougal River Road;

THENCE North $88^{\circ}25'54''$ East, along the Northerly right-of-way line of said Washougal River Road, for a distance of 25.00 feet of the Point of Beginning;

An easement for ingress and egress and utilities over, under and across a strip of land 30.00 feet wide, being 15.00 feet left and right of a centerline being located in the Northwest quarter, of the Northeast quarter of Section 33, Township 2 North, Range 5 East, of the Willamette Meridian, Skamania County, Washington, described as follows;

BEGINNING at the Northeast corner of the Northwest quarter, of the Northeast quarter of said Section 33;

THENCE South $01^{\circ}22'29''$ West, along the East line of the Northwest quarter, of the Northeast quarter of said Section 33, for a distance of 878.47 feet to a point 140.00 feet North of the Northerly right-of-way of Washougal River Road;

THENCE South $88^{\circ}25'54''$ West, parallel with and 140.00 feet from when measured at right angles to the Northerly right-of-way line of said Washougal River Road, for a distance of 25.00 feet;

THENCE South $01^{\circ}22'29''$ West, parallel with and 25.00 feet from when measured at right angles to the East line of the Northwest quarter, of the Northeast quarter of said Section 33, for a distance of 61.35 feet to the True Point of Beginning;

THENCE South $40^{\circ}52'52''$ East, a distance of 21.04 feet;

THENCE South $48^{\circ}02'35''$ East, a distance of 30.73 feet;

THENCE South $38^{\circ}28'03''$ East, a distance of 12.98 feet;

THENCE South $17^{\circ}49'30''$ East, a distance of 21.44 feet to the Northerly right-of-way line of Washougal River Road and the terminus of the easement.

CARLETON HEIGHTS SHORT PLAT
IN THE NE 1/4 OF THE NE 1/4 OF SECTION 33, T 2 N, R 5 E, W.M.
53 CAP.

5 1/16 CORNER 114
FOUND 3/4" PIPE W/ GRASS CAP
SEE NOTE 1

N 88° 50' 29" W - 735.05

50'

we, owners of the above tract of land, hereby declare and certify this Short Plat to be true and correct to the best of our abilities and that this Short Subdivision has been made with our free consent and in accordance with our desires. Further, we dedicate all Roads as shown, not noted as private and waive all claims for damages against any governmental agency arising from the construction and maintenance of said Roads.

Owner John H. Smith

Owner

Notary Public Robert J. Drake Date 11/11/2011

Value

The lots in this Short Plot contain adequate area and proper soil, topographic and drainage conditions to be served by an on site sewage disposal system unless otherwise noted on the Short Plot map. Adequacy of water supply is not guaranteed unless so noted on the Short Plot map.

Walter L. Evans, Jr.
S.W. Washington Health District
Date *8-30-9*

This Short Plat complies with all County Road regulations and is of adequate description for purposes of subdividing.

County Engineer Robert J. O'Brien Date 8-23-93

Plat have been paid, discharged or satisfied. U # 2-5-33-1

San Bernardino County Treasurer
Deputy
8-30-95
Date

the layout of this Short Subdivision complies with Ordinance 1980-07 requirements, and the Short Plat is approved subject to recording in the Skamania County Auditor's Office.

County Planting Department Date 8-17-75

Surveyor's Certificate

This map correctly represents a survey made by me or under my direction in conformance with the requirements of the Survey Recording Act at the request of

Joe Zumstein, Jr.

George Ford (Survivor) 15/22330 (15 No.)

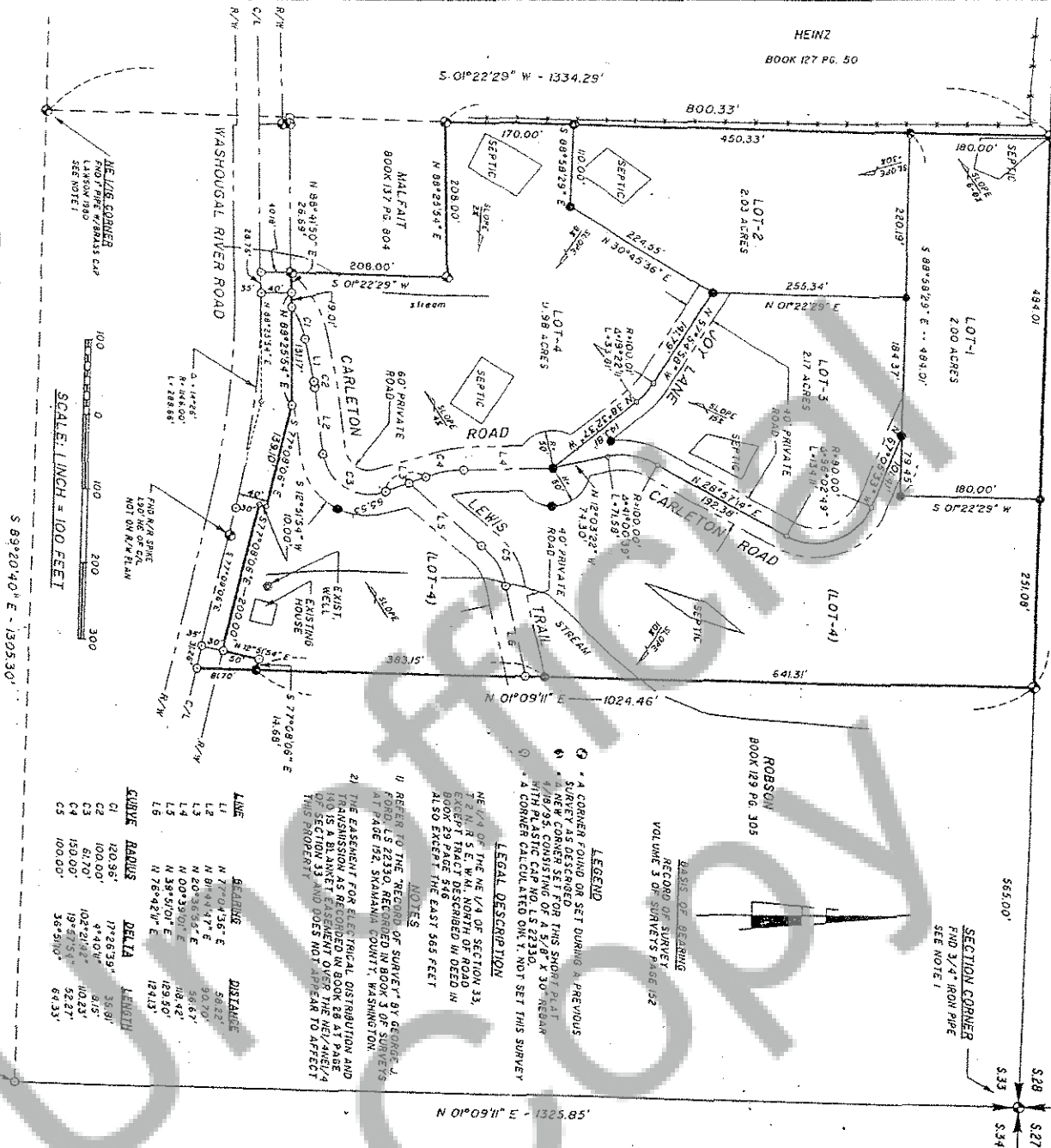
STATE OF WASHINGTON)
COUNTY OF SKAMANIA)

by Jack Harkins of Planning Dept

Book 3 of Short Plays of Page 273

W. H. Brown by E. J. Davis - Justice,
County Auditor

CCFR's Vol 152 Pg 145



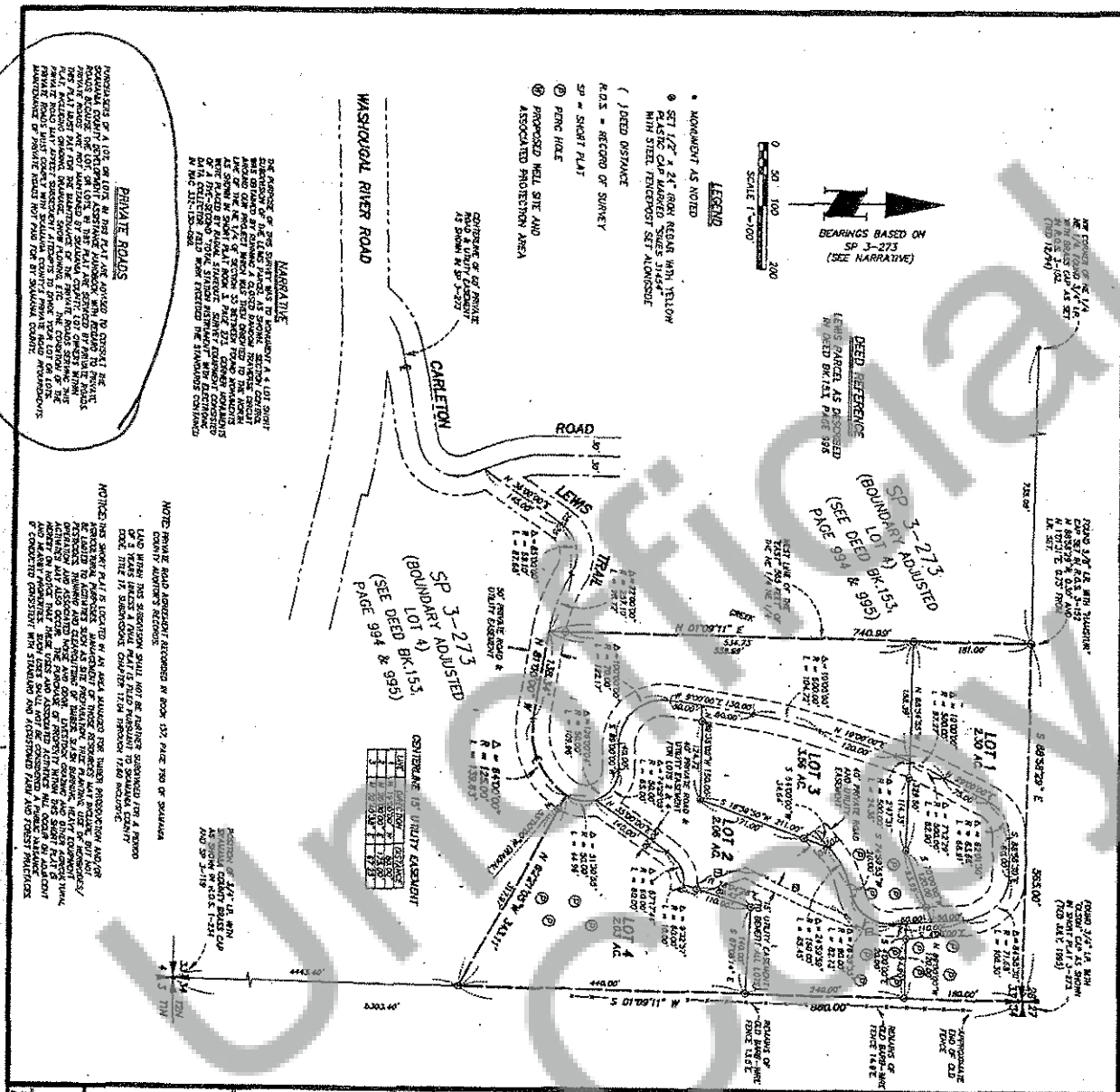
Q. A. R. N. G.

[illegible]

of Skermeria County
CALCULATED POSITION
SEE NOTE 1
N 1/2 CORNER

W. H. Brown by E. J. Davis - Justice,
County Auditor

126215



CARLETON HEIGHTS II
SHORT PLAT IN THE NE 1/4 NE 1/4
OF SECTION 33, T2N, R5E, W1M.
SKAMANIA COUNTY, WA.

[illegible]

THE SHORT PLAT CONTAINS ANNUALITY AREA AND FIREWORKS
RIG, TORREDAVING AND DRILLING CONTINUES TO BE SERVED BY ANY
CHARGE IN THE FIELD, SYSTEM UNLESS OTHERWISE NOTED ON THE
SHORT PLAT MAP. ACCURACY OF WATER SURVEY IS NOT GUARANTEED
UNLESS SO NOTED ON THE SHORT PLAT MAP.

Martin

9-10-86

DATE

U.S. GEOLOGICAL SURVEY WASHINGTON FIELD DISTRICT

[illegible]

ALL TAXES AND ASSASSMENTS ON PROPERTY INVOLVED WITH THIS
SHORT PLAT HAVE BEEN PAID DISCHARGED ON JANUARY 2, 1966-100
100-1-100
COUNTY RECORDER DATE

THE LAYOFFER HAS SHORT QUALIFICATION COMPLETE WITH ENDORSING
THREE OF REPRESENTATIVES AND THE SHORT FILL IS APPROVED SUBJECT
TO RECEPTION IN THE BUREAU COUNTY ALPINE'S OFFICE

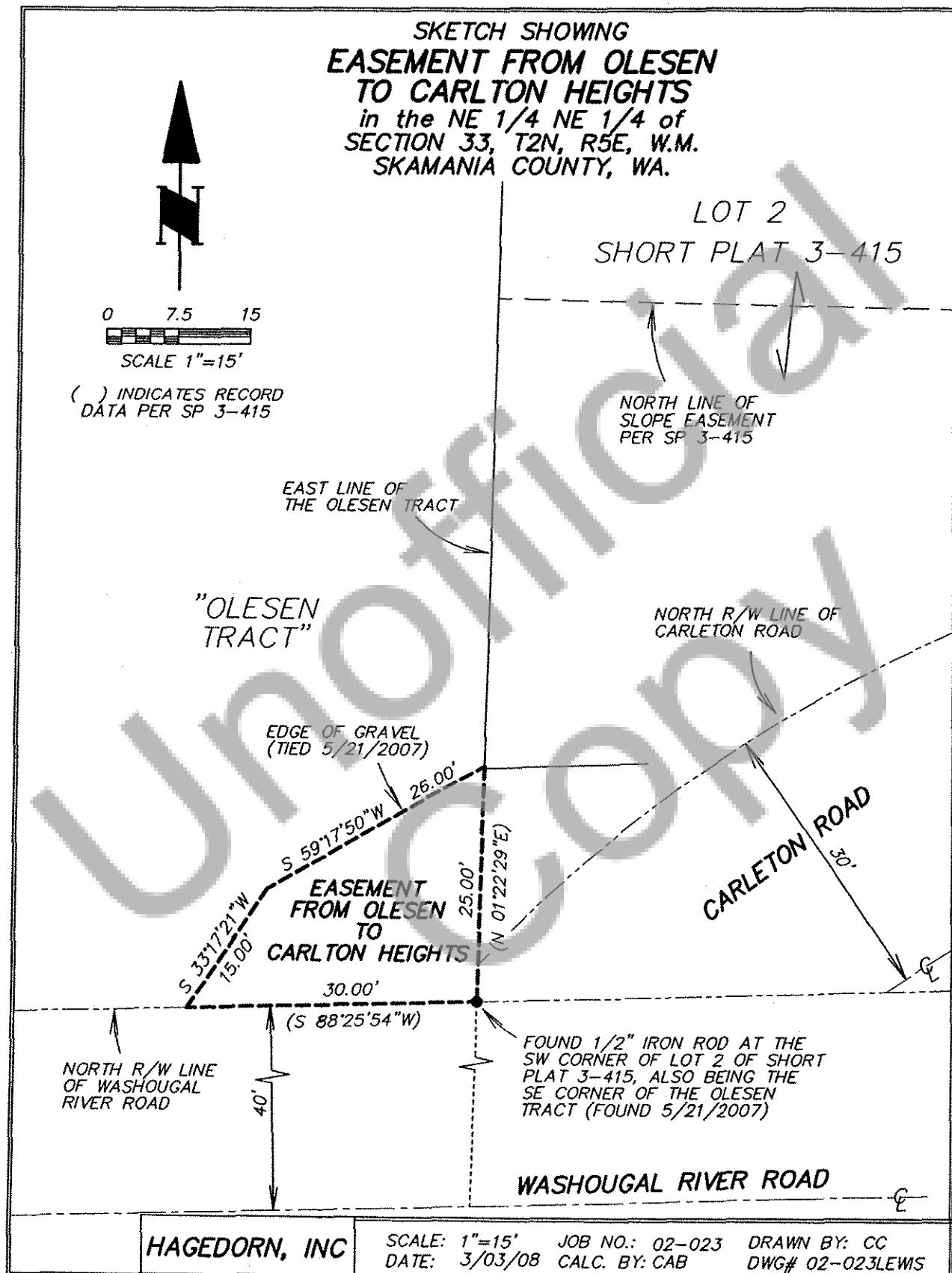
David J. [Signature] 2-8-76
COUNTY PLANNING DEPARTMENT
DATE

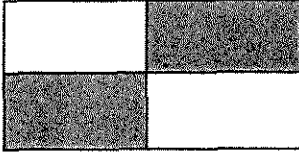
SURVIVOR'S CERTIFICATE
THIS MAP IDENTIFICALLY REPRESENTS A SURVIVOR MADE BY ME OR UNDER
MY DIRECTION IN CONFORMANCE WITH THE REQUIREMENTS OF THE
FEDERAL RECORDING ACT AT THE REQUEST OF
DALE LEWIS
11 DECEMBER 1995

STATE OF WASHINGTON
COUNTY OF SKAGWAN
OF _____ AT _____
I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT OR WRITING FILED BY
Planning Dept. at 1:35 pm on September 12, 1946
WAS RECORDED IN BOOK 3 OF SHORT PLATS AT PAGE 288

RECEIVED OF SUMMIT COUNTY, MONTANA
2008-11-14 by D. Hargis - Dep of
COORDINATION

HAGEDORN, INC.													
1924 Bridgeway Vancouver, B.C. V6S6S3 Ph: (250) 699-4428 (503) 263-9778	<table border="1"> <tr> <td>DATE</td> <td>1-100</td> </tr> <tr> <td>YR</td> <td>12/21/95</td> </tr> <tr> <td>JOB NO.</td> <td>95-155</td> </tr> <tr> <td>CNC PR.</td> <td>OKS</td> </tr> <tr> <td>DRWING BY</td> <td>CC</td> </tr> <tr> <td>CHECKED BY</td> <td>RPT</td> </tr> </table>	DATE	1-100	YR	12/21/95	JOB NO.	95-155	CNC PR.	OKS	DRWING BY	CC	CHECKED BY	RPT
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CHECKED BY	RPT												





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

March 13, 2008

**LEGAL DESCRIPTION
FOR
DALE LEWIS**

EASEMENT FROM OLESEN TO CARLTON HEIGHTS:

A portion of the Northeast quarter of the Northeast quarter of Section 33, Township 2 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at a 1/2 inch iron rod marking the Southwest corner of Lot 2 of that Short Plat recorded in Book 3, page 415, Skamania County Auditor's Records, being on the North right-of-way line of Washougal River Road; thence North $01^{\circ} 22' 29''$ East, along the West line of said Lot 2, for a distance of 25.00 feet; thence South $59^{\circ} 17' 50''$ West, for a distance of 26.00 feet; thence South $33^{\circ} 17' 21''$ West, for a distance of 15.00 feet to the North right-of-way line of Washougal River Road; thence North $88^{\circ} 25' 54''$ East, along said North right-of-way line, for a distance of 30.00 feet to the POINT OF BEGINNING.

LD-2008\Lewis-Esmt from Olesen to Carlton Hghts.acb
02-023

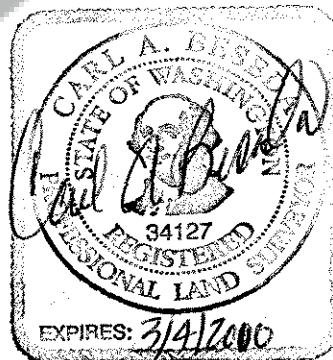


EXHIBIT 0 PG 1 OF 1