

**RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:**

Robert Scott Jerger, Esq.
Field Jerger LLP
610 SW Alder Street, Suite 910
Portland, OR 97205

GRANTOR: Chinidere, LLC, a Washington limited liability company

GRANTEE: Avis Dunas, an unmarried individual

ABBREVIATED LEGAL: Lot 2 of FELIZ SHORT PLAT

ASSESSOR'S TAX PARCEL NO.: 03753630050000 *AAP*

OTHER REFERENCE NOS.: None

REAL ESTATE EXCISE TAX

N/A
DEC 18 2008

PAID

[Signature]
SKAMANIA COUNTY TREASURER

VIEW EASEMENT

THIS VIEW EASEMENT (the "Easement") is made and executed by and between, on one hand, Chinidere, LLC, ("Chinidere"), a Washington limited liability company and, on the other hand, Avis Dunas ("Dunas"), an unmarried individual.

RECITALS

- A. Chinidere owns certain real property located in Skamania County, Washington and legally described in the attached Exhibit A ("Chinidere Property"). Chinidere has obtained approval from the City of Stevenson to subdivide Chinidere Property into residential lots (the "Chinidere Subdivision").
- B. Dunas owns certain real property located in Skamania County, Washington and legally described in the attached Exhibit B ("Dunas Property").
- C. On August 21, 2006, the parties entered into an agreement wherein Dunas agreed not to object to the City's approval of Chinidere's subdivision in return for Chinidere agreeing to grant to Dunas an easement to protect her "current views" of the Columbia River and the Oregon mountain range from her residence situated on the Dunas Property. That agreement was formalized into a Settlement Agreement and Mutual Release ("Settlement Agreement").

- D. The parties intend for this Easement to satisfy Chinidere's obligation to protect Dunas' view as required by the Settlement Agreement.

AGREEMENT

THEREFORE, in consideration of the promises contained in this Easement and the Settlement Agreement referenced above, Chinidere agrees as follows:

1. **View Easement.** Chinidere hereby grants and conveys to Dunas, the benefit of which shall inure to the Dunas Property, a perpetual view easement, the purpose of which shall be to protect Dunas' current views of the Columbia River and the mountains on the Oregon side of the Columbia River (hereinafter the "View Shed") as described and depicted in the attached Exhibit C. This Easement shall require Chinidere, and its successors and assigns, to maintain the View Shed described herein by establishing setback and/or height restrictions for development on specifically identified parcels within the Chinidere Subdivision (the "Burdened Lots") which development could otherwise encroach on the View Shed. The specific Burdened Lots are identified and the setback and height restrictions governing development on those Burdened Lots are described in the attached Exhibit D.
2. **Covenant to Run with the Land.** The burdens and benefits of this Easement are intended to attach and run with the premises of Chinidere and Dunas, respectively.
3. **Successors and Assigns.** This Easement shall be binding upon and shall be enforceable by Chinidere, LLC and Avis Dunas and their respective heirs, successors, and assigns.
4. **Severability.** If any provision of this Easement is declared to be invalid or unenforceable to any extent, the remainder of this Easement and the application of such provision to other persons or circumstances shall not be affected thereby and shall be enforced to the greatest extent permitted by law.

Executed to be effective as of the 9th day of SEPTEMBER, 2008.

GRANTOR:

GRANTEE:

CHINIDERE, LLC

By: 

John Feliz

Its: 

MANAGING MEMBER



Avis Dunas

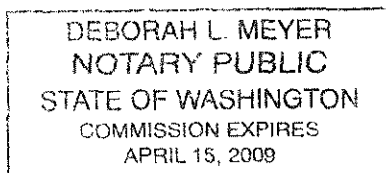
[Notary Acknowledgements to Follow]

STATE OF WASHINGTON)

) ss.

County of Clark)

I certify that I know or have satisfactory evidence that JOHN FELIZ is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Managing Member (title) of CHINIDERE, LLC to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated: Sept. 8, 2008

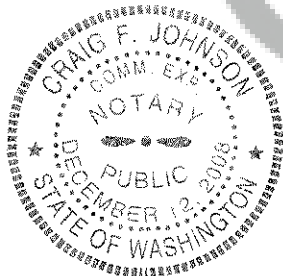
Deborah Meyer
 Print Name: DEBORAH MEYER
 NOTARY PUBLIC for the State of Washington
 My Commission Expires: 4-15-2009

STATE OF WASHINGTON)

) ss.

County of CLARK)

I certify that I know or have satisfactory evidence that AVIS DUNAS is the person who appeared before me, and 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: 10/18/08

Craig F. Johnson
 Print Name: Craig F. Johnson
 NOTARY PUBLIC for the State of Washington
 My Commission Expires: 12/12/08

EXHIBIT A

Legal Description of Chinidere Property

Lot 2 of FELIZ SHORT PLAT, recorded under Auditor's File No. 2008170088, records of Skamania County, Washington.

Unofficial
Copy

EXHIBIT B

Legal Description of Dunas Property

Lots 6 and 7, Except the North 20 feet of Lot 7; Block 4 of the SECOND ADDITION TO THE HILL CREST ACRE TRACTS, as per plat recorded in Book "A" of Plats, Page 100, records of Skamania County.

EXHIBIT C

View Shed

Unofficial
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EXHIBIT D

Restrictions on Burdened Lots

Setback Restrictions

No structure that requires a building permit shall be allowed within the setback areas described below for the following Burdened Lots within Phase IV of the Chinidere Mountain Estates Subdivision, as numbered on the subdivision map that was approved by the City of Stevenson on September 21, 2006.

1. Lot 79: The Westerly thirty feet (30') as measured from the Easternmost line of the Western lot boundary and parallel with the proposed Fir Street extension;
2. Lot 80: The Westerly thirty-five feet (35') as measured from the Easternmost line of the Western lot boundary and parallel with the proposed Fir Street extension;
3. Lot 81: The Westerly thirty-five feet (35') as measured from the Easternmost line of the Western lot boundary and parallel with the proposed Fir Street extension;
4. Lot 83: The Southern portion of Lot 83 as measured from the Southerly corner of said lot, thence North-Northwesterly eighty-nine and a half feet (89.5') along the West line thereof; thence Easterly to the East line of said Lot 83;
5. Lot 84: The Southern portion of Lot 84 as measured from the Southeast corner of said lot, thence North-Northwesterly eighty-nine and a half feet (89.5') along the Easterly line thereof; thence Westerly to the West line of said Lot 84.

Height Restriction

Lot 83: Chinidere shall not permit any building or improvement to be erected on Lot 83 of the Chinidere Mountain Estates Subdivision where the highest ridge line of the roof of said building or improvement is greater than twenty-eight (28) feet above the existing topography. On sloping surfaces, height from the existing topography to the ridge line is measured at opposite ends of the building and averaged to determine the height figure.