

After recording, return to:

BRIAN K. GERST  
Landerholm, Memovich,  
Lansverk & Whitesides, P.S.  
P.O. Box 1086  
Vancouver, WA 98666-1086

**REAL ESTATE EXCISE TAX**

N/A

APR 20 2010

PAID

*W. J. O'Connell, Deputy*  
SKAMANIA COUNTY TREASURER

Tax Lots 01 05 09 0 0 0400 & 01 05 09 0 0 0401 *Ac*  
Section 9, T1N, R5E

Space Above for Recording Information Only

**SUBORDINATION/CONSENT TO EASEMENT AGREEMENT**

The undersigned subordinator and owner agree as follows:

1. COUNTRYWIDE HOME LOANS, INC., referred to herein as "subordinator," is the owner and holder of two Deeds of Trust dated February 15, 2002, recorded March 15, 2002, under Auditor's File No.'s **144027 Book 221, Page 734** and **144028 Book 221, Page 746**, records of Skamania County, Washington.
2. PHILIP KIRKPATRICK, a married man as his sole and separate property, referred to herein as "owner," is the owner of all the real property described in the Deeds of Trust identified above in paragraph 1.
3. JOHN E. RICE, referred to herein as "easement grantee," is the adjacent neighbor and the owner and holder of a Road Easement Deed which encumbers a small portion of the real property which is the subject of the above referenced Deeds of Trust. The Road Easement Deed is dated and was recorded August 13, 2007, under Auditor's File No. 2007167239, records of Skamania County, Washington. Attached hereto and incorporated herein at Exhibit "A" is the Road Easement Deed.
4. In consideration of benefits to "subordinator" from "owner", including, but not limited to an administrative review fee of \$350.00, receipt and sufficiency of which is hereby acknowledged, and to provide clear title to "easement grantee", and all agreements in connection therewith, the "subordinator" does hereby unconditionally subordinate the Deeds

SUBORDINATION/CONSENT TO EASEMENT AGREEMENT - 1  
GERB01-000001 - 306650

LAW OFFICES OF  
LANDERHOLM, MEMOVICH,  
LANSVERK & WHITESIDES, P.S.  
505 Broadway Street, Suite 1000  
P.O. Box 1086  
Vancouver, WA 98666-1086  
(360) 696-3312  
(360) 696-2122 (Facsimile)

of Trust identified in Paragraph 1 above and expressly consents to the Road Easement Deed, identified in Paragraph 3 above.

5. This agreement shall be the whole and only agreement between the parties hereto.

6. The heirs, administrators, assigns and successors in interest of the "subordinator" shall be bound by this agreement.

EXECUTED this 1 day of April, 2010.

COUNTRYWIDE HOME LOANS, INC.

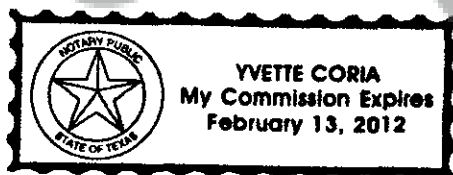
Date 4/1/2010

Ophelia Sanchez  
Print Name: Ophelia Sanchez  
Title: Assistant Secretary

STATE OF TEXAS )  
 ) ss.  
County of Collin )

I certify that I know or have satisfactory evidence that Ophelia Sanchez signed this instrument, on oath stated that he/she was authorized to execute this instrument and acknowledged it as the Assistant Secretary of Countrywide Home Loans, Inc., to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: April 1, 2010.



[Signature]  
NOTARY PUBLIC for the State of Texas,  
Residing in the County of Collin  
My Commission Expires: 2/13/12

Doc # 2007167239  
Page 1 of 6  
Date: 08/13/2007 11:14A  
Filed by: JOHN RICE  
Filed & Recorded in Official Records  
of SKAMANIA COUNTY  
SKAMANIA COUNTY AUDITOR  
J MICHAEL GARVISON  
Fee: \$47.00

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  $12.35 + 2.42 + 5.10 = 19.77$   
*Vivian 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

EXHIBIT A  
PAGE 1 OF 8

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.

Road Easement Deed 2

EXHIBIT A  
PAGE 2 OF 8

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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 1/6 of an acre more or less.

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Page 1 of 8

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;

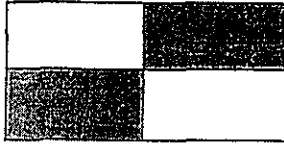
Beginning at the Northwest Corner of said Section 9; thence South along the Section line 40 Rods; thence East 80 Rods to the East line of the Northwest Quarter of the Northwest Quarter of the said Section 9; thence North 40 Rods to the North line of the said Section 9; thence West 80 Rods to the Point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

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Page 6 of 9



# 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

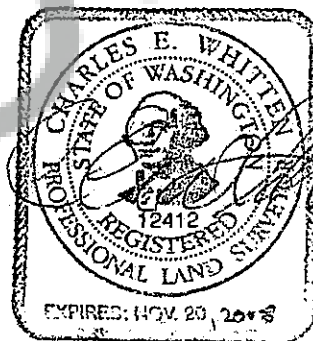
### EXHIBIT "C"

#### 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  $88^{\circ} 58' 05''$  East, 110.00 feet from the Northwest corner of Section 9; thence continuing South  $88^{\circ} 58' 05''$  East, 31.26 feet; thence South  $17^{\circ} 19' 30''$  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  $14^{\circ} 48' 43''$  West, 41.03 feet to the most Northerly corner of the "Rice tract"; thence South  $46^{\circ} 26' 14''$  West, along the Northwesterly line of the "Rice tract", 16.81 feet to a point that bears North  $46^{\circ} 26' 14''$  East, 122.19 feet from an iron pipe at the "Southerly Northwest corner" of the "Rice tract"; thence North  $17^{\circ} 19' 30''$  East, 76.06 feet to the POINT OF BEGINNING.

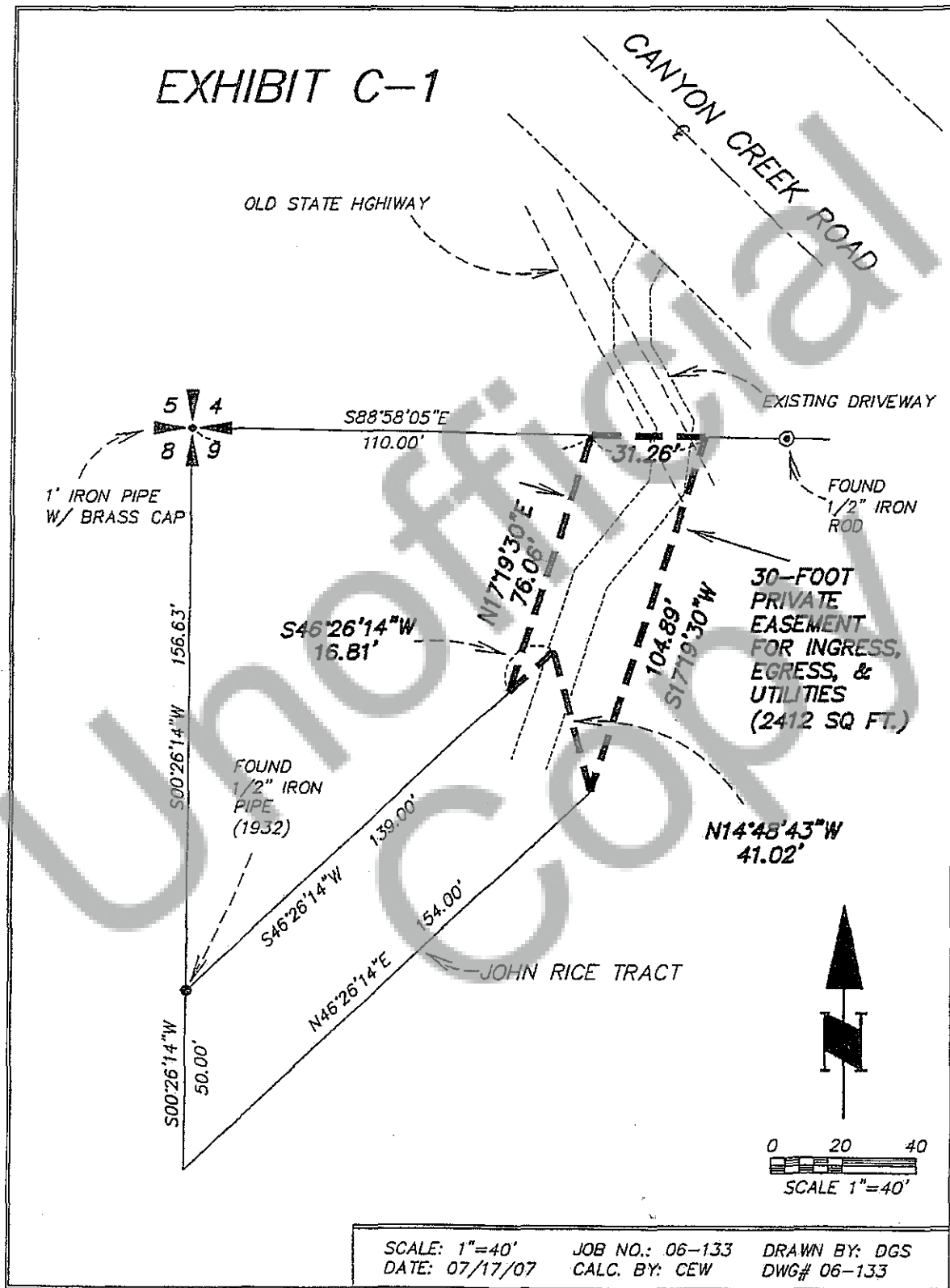
LD2007\Rice easement - Exhibit C.cew  
06-133



07-18-07

EXHIBIT A  
PAGE 5 OF 8

NO. 2007187239  
Page 5 of 8



DOC # 20087167233  
PAGE 9 OF 2



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

*Philip Kirkpatrick*  
PHILIP KIRKPATRICK, GRANTOR

*John E. Rice*  
JOHN E. RICE, GRANTEE

Road Easement Deed 3

EXHIBIT A  
PAGE 7 OF 8

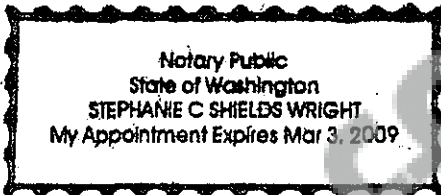
Doc # 2007167239  
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STATE OF WASHINGTON )

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.



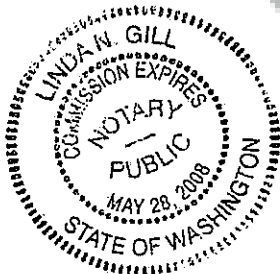
Stephanie C. Shields Wright  
Notary Public, in and for the  
State of Washington.  
Commission Expires: March 3, 2009

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

EXHIBIT A  
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