

AFTER RECORDING RETURN TO:
Department of Natural Resources
Asset and Property Management Division
ATTN: Trust Land Transfer Program
PO Box 47014
Olympia, WA 98504-7014

**DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS RELATED
TO THE DEDICATION OF COLUMBIA FALLS TRUST LAND TRANSFER 02-085003
AS A NATURAL AREA PRESERVE AND MANAGEMENT COMMITMENT**

Skamania County

Grantor: State of Washington, by and through the Department of Natural Resources

Grantee: State of Washington, by and through the Department of Natural Resources,
Natural Areas Program

Abbreviated

Legal Desc: Pt 29-2-6E, W.M., and Pt 36-2-5E, W.M.

Tax Parcel #: 02060000670200 and 02050000999000

THIS DECLARATION is made this 28th day of December, 2011, by the State of
Washington, Department of Natural Resources (DNR).

RECITALS

WHEREAS, the State of Washington owns that certain real property legally described as
set forth on Exhibit A attached hereto and incorporated herein by this reference (the Property);

WHEREAS, Peter Goldmark, Commissioner of Public Lands, following the approval of
the Board of Natural Resources, designated the Property as a natural area preserve pursuant to
the requirements of Ch. 79.70 Revised Code of Washington and Ch. 332-60 Washington
Administrative Code (WAC); and

WHEREAS, this instrument is intended to be consistent with the purposes and
requirements of Washington Laws of 2010, Ch. 36, Section 3037; and

WHEREAS, WAC 332-60-150 requires the landholder of a designated natural area
preserve to describe the legal commitment to manage the land for the protection of the natural
heritage resource; and

WHEREAS, DNR desires to place a Declaration of Covenants, Conditions, and
Restrictions declaring that the Property shall be utilized perpetually as a natural area preserve
and desires this Declaration to be recorded as a covenant running with the land to bind the
Property according to the terms of this instrument.

NOW, THEREFORE, DNR hereby declares that the Property shall be used perpetually as
a natural area preserve only subject to further restrictions of use as set forth herein.

Section 1. Restriction on Use of Property. The Columbia Falls Natural Area Preserve was
established for the property to protect for public benefit an area that is important for scenic and
ecological values, including habitat for several plant species only found in the Columbia Gorge
and to protect habitat for Larch Mountain Salamander, listed by Washington State as a
threatened species. The preserve also features a natural, undisturbed forest. No uses are to be
made of the Property except those consistent with its designation for the term specified herein.
No additional or future restrictions may be placed on the Property without the approval of the

the Columbia Falls Natural Area Preserve, the preservation of the Property in its natural condition, or the protection of its ecological features, or any management plan that is adopted, is prohibited.

Section 2. Applicability of Habitat Conservation Plan. The Property is located within an area that is subject to the State of Washington, Department of Natural Resources Habitat Conservation Plan and amendments thereto adopted in connection with Incidental Take Permit No. PRT-812521, as supplemented by Permit No. 1168, and the Implementation Agreement for the Washington State Department of Natural Resources Habitat Conservation Plan dated January 30, 1997, and any amendments to said permits and agreement. The Property is also to be used consistent with management as "PERMIT LANDS" as defined in the Habitat Conservation Plan Implementation Agreement as long as the Habitat Conservation Plan Implementation Agreement is in effect.

Section 3. This Declaration does not convey to the public the right to enter the Property for any purpose whatsoever, except as is set forth in any management plan adopted for the Columbia Falls Natural Area Preserve.

Section 4. The covenants and restriction of this Declaration shall run with the land and bind the Property in perpetuity.

Section 5. This Declaration, and any future changes duly authorized in writing by the Commissioner of Public Lands, shall be recorded in the Auditor's Office of Skamania County.

Section 6. Each covenant, condition, and restriction contained in this Declaration may be enforced by DNR or any owner of the Property if the Property is subsequently transferred from the State of Washington to another person or entity.

Section 7. This Declaration shall be governed by and construed in accordance with the laws of the State of Washington.

Section 8. This Declaration shall take effect when recorded.

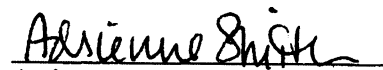
This Declaration is executed and delivered pursuant to RCW 79.70.040 pursuant to Commissioner's Order No. 201155, dated January 3, 2012, entered by the Commissioner of Public Lands with the approval of the Board of Natural Resources, State of Washington.

IN WITNESS WHEREOF, this 28th day of December, 2011.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES


PETER GOLDMARK
Commissioner of Public Lands

Approved as to form this 28th day
of November, 2011.


Assistant Attorney General

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
PETER GOLDMARK, Commissioner of Public Lands

EXHIBIT A

LEGAL DESCRIPTION

COLUMBIA FALLS TRUST LAND TRANSFER

The following describes the state land for transfer to Columbia Falls Natural Area Preserve:

Section 29, Township 2 North, Range 6 East, W.M.

The SW1/4 of the NW1/4 and the W1/2 of the SW1/4 of Section 29, Township 2 North, Range 6 East, Willamette Meridian, Skamania County, Washington, according to U.S. Government subdivision procedures

AND

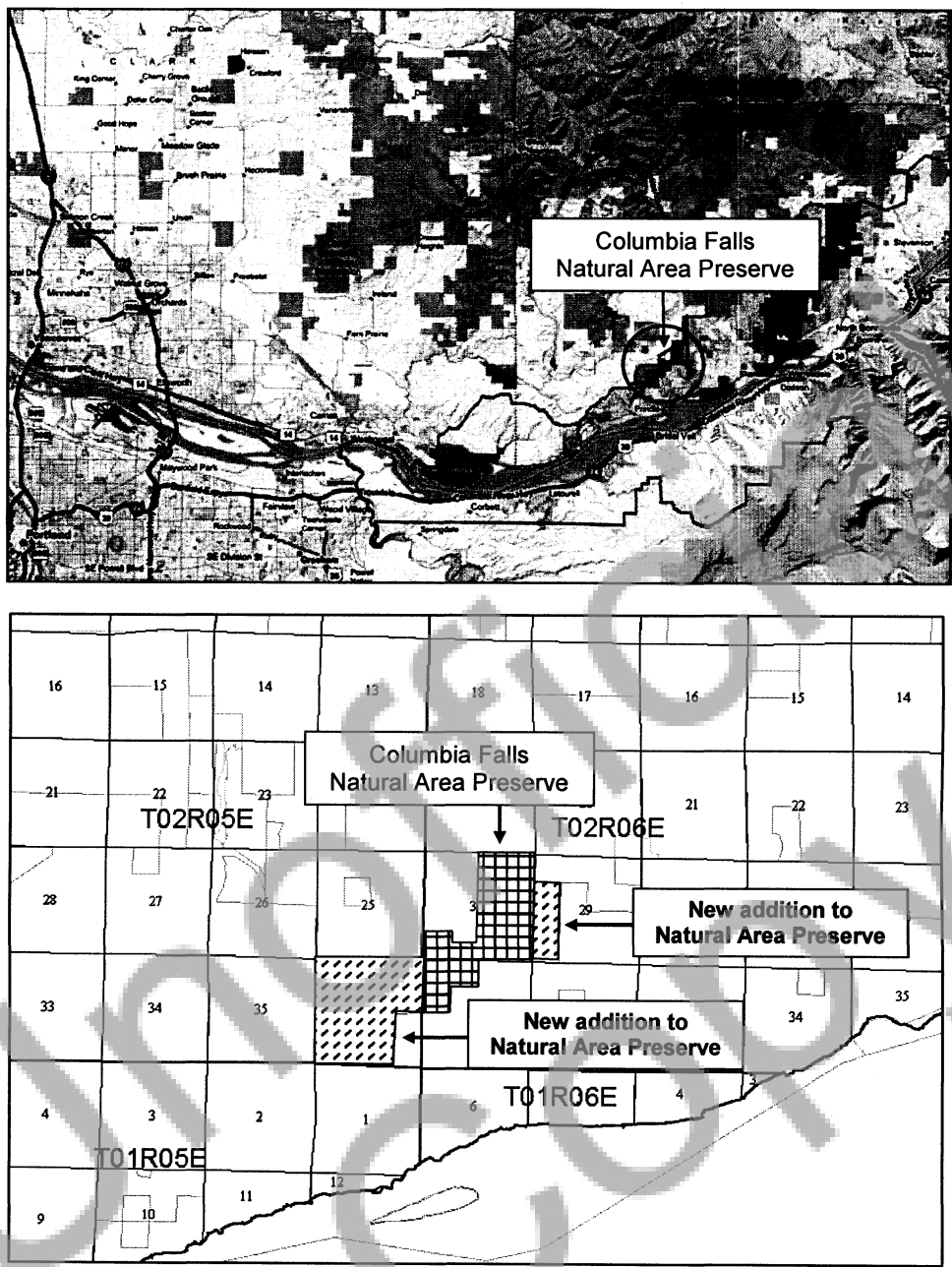
Section 36, Township 2 North, Range 5 East, W.M.

The NE1/4, the W1/2 and the W1/2 of the SE1/4 of Section 36, Township 2 North, Range 5 East, Willamette Meridian, Skamania County, Washington, according to U.S. Government subdivision procedures.

STATE OF WASHINGTON
DEPARTMENT OF NATURAL RESOURCES
PETER GOLDMARK, Commissioner of Public Lands

EXHIBIT B

COLUMBIA FALLS NATURAL AREA PRESERVE



As shown above, two parcels of land have been transferred into Columbia Falls Natural Area Preserve. The parcels are in portions of Section 29, Township 2 North, Range 6 East, W.M. and portions of Section 36, Township 2 North, Range 5 East, W.M., in Skamania County, Washington.