

After Recording Deliver to:

David Berry  
P.O. Box 1779  
Longview, WA 98632

Until A Change Is Requested, All Tax Statements  
Shall Be Sent to The Following Address:  
No Change.

True Actual Consideration Paid Is \$1.00

### GRANT OF UTILITY EASEMENT

This agreement made this 27<sup>th</sup> day of February, 2012, between Kenneth Brundidge and Carolyn Brundidge, (hereinafter referred to as "Grantor"), and David Berry, (hereinafter "Grantee").

1. Grantor hereby grants and conveys to Grantees property a perpetual, non-exclusive easement for utilities, over, under, and across a portion of Grantor's property located in Skamania County, Washington. Said easement shall be centered over the now existing utility lines and shall be used by grantee and by the grantees successors and assigns for the installation and maintenance of utilities. Grantor's property, upon which the easement shall be located, is more particularly described as follows:

Lot 1, of the Berry-Brundidge Short plat, located in the NE1/4 of the NE1/4 of Section 29, Township 2 North, Range 5 East of the Willamette Meridian, recorded in Auditors File No. 2005157544.

2. The Grantee's property which is benefiting from said easement is more particularly described as follows:

Lot A, of the Vogel Creek Short Plat, located in the NE1/4 of the NE1/4 of Section 29, Township 2 North, Range 5 East of the Willamette Meridian, recorded in Auditors File No. 2012180017

3. The 10 foot wide utility easement, Grantor is conveying to Grantee, is centered on the now existing utility lines and is more particularly described and depicted in **Easement Exhibit A**, attached hereto and by this reference incorporated herein (hereinafter as the "Easement").

4. The rights and obligations granted under this easement shall run with the lands burdened by the easement, and bind Grantor and Grantor's successors-in-interest. This easement is granted subject to all prior easements or encumbrances of record.

5. Grantor, by the signature below, covenants and agrees that Grantor has the legal power, right, and authority to grant this easement to Grantee and that Grantor is the sole owner of the above-described real property upon which the Easement shall be located.

6. The true and actual consideration paid for this easement is \$1.00, and other good and valuable consideration, the receipt of which is acknowledged by Grantor's signature below, to wit:

7. Grantee shall indemnify and hold Grantor, as well as Grantor's heirs and assigns, harmless from and against any loss, damage, or injury caused by, or on behalf of, or through the fault of, Grantee and/or its employees, directors, agents, and assigns. Grantor shall indemnify and hold Grantee and its employees, directors, agents, and assigns harmless from and against any loss, damage, or injury caused by, or on behalf of, or through the fault of, Grantor and/or Grantor's heirs, agents, and assigns. Neither party shall be required to hold the other party harmless against the unwelcome consequences of such other party's own negligence or misconduct.

**GRANTOR:**

By: Kenneth Brundidge  
Kenneth Brundidge

2/27/12  
Date

By: Carolyn K Brundidge  
Carolyn Brundidge

2-27-2012  
Date

STATE OF WASHINGTON )  
County of Skamania ) ss.

Personally appeared the above-named Kenneth Brundidge and Carolyn Brundidge, and acknowledged the foregoing instrument to be their voluntary act and deed, for the uses and purposes therein mentioned.

Before Me:

JERI L. CONNOLLY  
STATE OF WASHINGTON  
NOTARY —•— PUBLIC  
My Commission Expires April 28, 2012

Jeri L Connolly  
NOTARY PUBLIC FOR Wash. Skamania

Residing at: Washington

My Commission Expires: April 28, 2012

GRANTEE:

By: David Berry  
David Berry

2/27/12  
Date

STATE OF WASHINGTON )  
County of Skamania ) ss.

Personally appeared the above-named David Berry, and acknowledged the foregoing instrument to be his voluntary act and deed, for the uses and purposes therein mentioned.

Before Me:

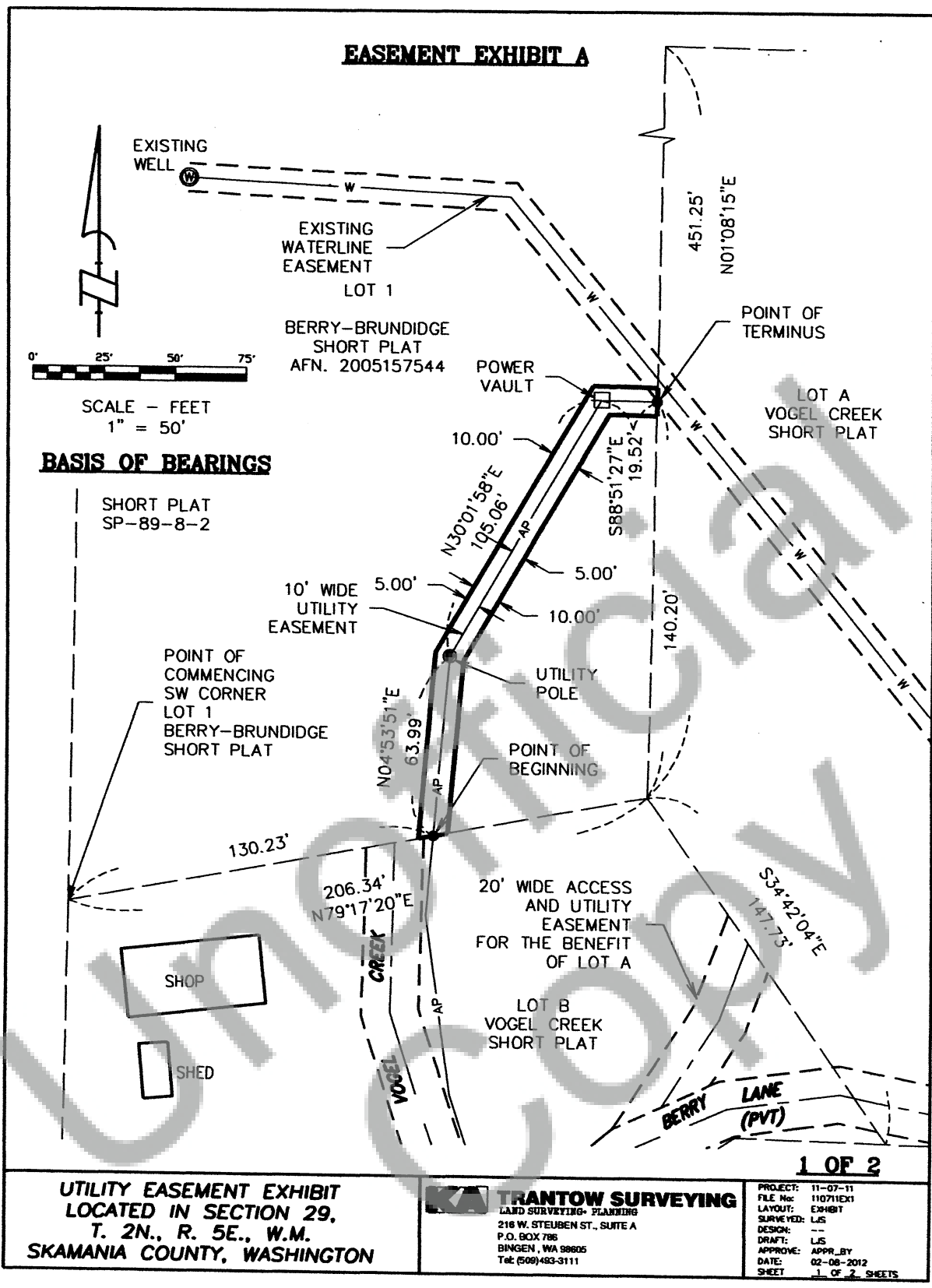
JERI L. CONNOLLY  
STATE OF WASHINGTON  
NOTARY —•— PUBLIC  
My Commission Expires April 28, 2012

Jeri L. Connolly  
NOTARY PUBLIC FOR Skamania Wash.

Residing at: Washington

My Commission Expires: April 28, 2012

Unofficial Copy



1 OF 2

**UTILITY EASEMENT EXHIBIT  
LOCATED IN SECTION 29,  
T. 2N., R. 5E., W.M.  
SKAMANIA COUNTY, WASHINGTON**

**TRANTOW SURVEYING**  
LAND SURVEYING - PLANNING  
216 W. STEUBEN ST., SUITE A  
P.O. BOX 788  
BINGEN, WA 98605  
Tel: (509)493-3111

PROJECT: 11-07-11  
FILE No: 11071EX1  
LAYOUT: EXHIBIT  
SURVEYED: LJS  
DESIGN: --  
DRAFT: LJS  
APPROVE: APRR\_BY  
DATE: 02-08-2012  
SHEET 1 OF 2 SHEETS

**EASEMENT EXHIBIT A**

**LEGAL DESCRIPTION**

A STRIP OF LAND 10.00 FEET WIDE BEING A PORTION OF LOT 1, OF THE BERRY-BRUDIDGE SHORT PLAT RECORDED IN AUDITOR FILE NO. 2005-157544 OF SKAMANIA COUNTY KICKITAT COUNTY, LOCATED IN THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 29, TOWNSHIP 2 NORTH, RANGE 5 EAST, OF THE WILLAMETTE MERIDIAN. SAID STRIP OF LAND LYING 5.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTER LINE.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF SAID BERRY-BRUDIDGE SHORT PLAT; THENCE NORTH 79°17'20" EAST, ALONG THE SOUTH LINE OF SAID LOT 1, 130.23 FEET TO THE POINT OF BEGINNING OF THE CENTERLINE OF AN EXISTING UTILITY LINE AND THE CENTERLINE OF THE EASEMENT BEING DESCRIBED; THENCE NORTH 04°53'51" EAST, 63.99 FEET; THENCE NORTH 30°01'58" EAST, 105.06 FEET; THENCE SOUTH 88°51'27" EAST, 19.52 FEET TO THE POINT OF TERMINUS OF THE CENTERLINE. SAID POINT OF TERMINUS BEING NORTH 01°08'15" EAST, 140.20 FEET FROM THE NORTHERLY MOST CORNER OF LOT B OF THE VOGEL CREEK SHORT PLAT. THE SIDELINES OF SAID 10.00 FOOT WIDE EASEMENT TO BE LENGTHENED OR SHORTENED TO INTERSECT THE NORTHERLY LINE OF SAID LOT B AND THE WESTERLY LINE OF LOT A OF SAID VOGEL CREEK SHORT PLAT.

Unofficial Copy

**2 OF 2**

<p><b>UTILITY EASEMENT EXHIBIT LOCATED IN SECTION 29, T. 2N., R. 5E., W.M. SKAMANIA COUNTY, WASHINGTON</b></p>	<p><b>TRANTOW SURVEYING</b> LAND SURVEYING - PLANNING 216 W. STEUBEN ST., SUITE A P.O. BOX 788 BINGEN, WA 98805 Tel: (509)433-3111</p>	<p>PROJECT: 11-07-11 FILE No: 11071EX1 LAYOUT: EXHIBIT SURVEYED: LJS DESIGN: -- DRAFT: LJS APPROVE: APPR_BY DATE: 02-08-2012 SHEET 2 OF 2 SHEETS</p>
--	--	--