AFN #2012180811 Recorded 06/07/2012 at 03:56 PM DocType: DEED Filed by: SKAMANIA COUNTY TITLE COMPANY Page: 1 of 3 Auditor Timothy O. Todd Skamania County, WA

Richard W. Miller Cosgrave Vergeer Kester 500 Pioneer Tower 888 SW Fifth Avenue Portland, OR 97204

REAL ESTATE EXCISE TAX

29513 JUN -7 2012

PAHD EXEMPT

PERSONAL REPRESENTATIVE'S DEED

Grantor: Mary Lee Birkenfeld, Personal Representative, Estate of William J. Birkenfeld Grantee: Joseph A. Birkenfeld and Diane M. Birkenfeld, husband and wife, and Mary Lee Birkenfeld, a single person, collectively as tenants in common

Abbreviated Legal: A portion of Section 15, Township 4 North, Range 7 East The full legal description is included on Exhibit A of the document.

Assessor's Property Tax Parcel Number:

A portion of 04-07-15-0-0-0200-00 C.S. A portion of 04-07-15-0-0-0200-06

- 1. Grantor. The Grantor is MARY LEE BIRKENFELD, Personal Representative of the ESTATE OF WILLIAM J. BIRKENFELD. I, MARY LEE BIRKENFELD, am the duly appointed, qualified, and acting Personal Representative of the Estate of WILLIAM J. BIRKENFELD, Deceased, Skamania County, Washington, Superior Court Case No. 09-4-00017-3.
- 2. Grantee. The Grantee is Joseph A. Birkenfeld and Diane M. Birkenfeld, husband and wife, and Mary Lee Birkenfeld, a single person, collectively as tenants in common.
- 3. Decedent's Estate. Decedent WILLIAM J. BIRKENFELD died testate on August 6, 2009. On October 1, 2009, Decedent's *Will* was admitted to probate and Grantor was appointed Personal Representative of Decedent's estate and granted Nonintervention Powers for the administration of Decedent's estate.
- 4. Real Property. Among the assets of Decedent's estate is an interest in the following described real property located in Skamania County, Washington:

See Exhibit "A". Planning Department - Exemption over 20 acres approved by: KW 6/3/2012

5. Consideration. None. Transfer pursuant to WAC 458-61A-204 (1): creation of a tenancy in common.

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6. Conveyance. Grantor conveys, grants, and quitclaims equally to Joseph A. Birkenfeld and Diane M. Birkenfeld, husband and wife, as to an undivided 50% interest and Mary Lee Birkenfeld, a single person, as to an undivided 50% interest, collectively as tenants in common, all of the interest of Decedent's estate in the real property described in this Deed (together with all after-acquired title of the Grantor to the real property and subject to all encumbrances whether or not of record), which interest represents Decedent's interest in the real property at his death.

Pursuant to an Agreement to Split Assets signed by the Grantees on or about May 23, 2012, Grantees have agreed to indemnify and hold the other harmless from any and all liability associated with their use of the property, including any and all claims by their guests, family, invitees, customers, vendors, contractors, agents, lessees, and employees, except where the party seeking indemnity has been grossly negligent or failed to perform its obligations related to the property.

DATED: <u>June 6</u>, 2012.

Estate of William J. Birkenfeld, Deceased

By: Mary Lee Birkenfeld, Personal Representative

STATE OF WASHINGTON)) ss. COUNTY OF SKAMANIA)

On this day personally appeared before me Mary Lee Birkenfeld, known or proved to me to be the individual described in and who executed the within and foregoing *Personal Representative's Deed*, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal on:

White Andersen

Printed Name

NOTARY PUBLIC for Washington

Residing at:

My appointment expires on: 06/17/2014

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EXHIBIT A

Legal Description of Tract 1

A TRACT OF LAND BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN BOOK 157 OF DEEDS PAGE 19 OF SKAMANIA COUNTY RECORDS LOCATED IN THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 4 NORTH, RANGE 7 EAST OF THE WILLAMETTE MERIDIAN. SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 15, TOWNSHIP 4 NORTH, RANGE 7 EAST, OF THE WILLAMETTE MERIDIAN; THENCE NORTH 88°53'17" WEST, ALONG THE NORTH LINE OF SAID SECTION 15, 1134.58 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT-OF-WAY OF WIND RIVER ROAD; THENCE SOUTH 30°44'34" EAST, ALONG THE WEST RIGHT-OF-WAY OF SAID WIND RIVER ROAD, 841.83 FEET; THENCE SOUTH 70°22'40" WEST, 357.48 FEET TO THE POINT OF BEGINNING OF THE TRACT BEING DESCRIBED; THENCE SOUTH 02°20'29" WEST, 264.36 FEET; THENCE SOUTH 14°42'14 WEST, 110.84 FEET; THENCE SOUTH 00°45'15" WEST, PARALLEL WITH THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, 405.25 FEET; THENCE NORTH 88°30'21" WEST, 432.35 FEET; THENCE NORTH 81°19'36" WEST, 154.63 FEET; THENCE NORTH 72°01'36" WEST, 157.03 FEET; THENCE NORTH 85°23'05" WEST, 123.96 FEET; THENCE SOUTH 83°58'02" WEST, 148.47 FEET, MORE OR LESS, TO THE CENTER LINE OF THE WIND RIVER; THENCE FOLLOWING THE CENTERLINE OF SAID WIND RIVER THE FOLLOWING EIGHT (8) COURSES; (1) THENCE NORTH 13°54'29" WEST, 156.86 FEET; (2) THENCE NORTH 07°50'45" WEST, 116.83 FEET; (3) THENCE NORTH 14°39'45" WEST, 94.91 FEET; (4) THENCE NORTH 06°00'50" WEST, 87.29 FEET; (5) THENCE NORTH 05°06'27" EAST, 56.79 FEET; (6) THENCE NORTH 27°25'52" EAST, 44.74 FEET; (7) THENCE NORTH 51°48'29" EAST, 56.69 FEET; (8) THENCE NORTH 88°32'52" EAST, 45.99 FEET TO A POINT IN THE CENTERLINE OF SAID WIND RIVER, LAST SAID POINT BEING NORTH OF THE NORTHEASTERLY MOST ROCK OUTCROP ON THE SOUTHEAST BANK OF SAID WIND RIVER; THENCE LEAVING THE CENTERLINE OF THE WIND RIVER NORTH 36°51'01" EAST, 1037.57 FEET; THENCE SOUTH 74°49'05" EAST, 39.93 FEET; THENCE SOUTH 39°43'14" EAST, 142.98 FEET; THENCE SOUTH 24°27'49" EAST, 647.97 FEET TO THE POINT OF BEGINNING.

CONTAINING 25.98 ACRES MORE OR LESS

Skamania County Assessor
Date 6/7/2 Parcell 4-7-15-200

Planning Department - Exemption over 20 acres approved by: 40 4/2/2012