

**WHEN RECORDED RETURN TO:**

Sawtooth Technologies, LLC.

P. O. Box 857

Stevenson, WA 98648

**DOCUMENT TITLE(S)**

Utility Easement

**REFERENCE NUMBER(S)** of Documents assigned or released:

☐ Additional numbers on page \_\_\_\_ of document.

**GRANTOR(S):**

Theodore L. Claussen & Vassar T. Byrd,  
as Trustees under that certain Trust dated July 26, 2000

☐ Additional names on page \_\_\_\_ of document.

**GRANTEE(S):**

Sawtooth Technologies, LLC.

☐ Additional names on page \_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

46782 State Hwy. 14  
19 acres in Sec. 31, T 3 N, R 8 E

☐ Complete legal on page \_\_\_\_ of document.

**TAX PARCEL NUMBER(S):**

03083100060000

☐ Additional parcel numbers on page \_\_\_\_ of document.

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information.

When Recorded Return to:  
 Sawtooth Technologies, LLC.  
 P. O. Box 857  
 50 SE Cascade Avenue  
 Stevenson, WA 98648

## UTILITY EASEMENT

**Theodore L. Claussen & Vassar T. Byrd, as Trustees under that certain Trust dated July 26, 2000**, having an address at 2004 SE 57<sup>th</sup> Ave., Portland, OR 97215-0341 (hereinafter referred to as "Grantors"), hereby grant to **Sawtooth Technologies, LLC.**, a Washington Limited Liability Company, its successors and assigns (hereinafter referred to as "Grantee"), a permanent, non-exclusive easement to construct, use, maintain, operate, alter, upgrade, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time, Grantee's fiber optic facilities (including but not limited to broadband Internet access and appurtenant telecommunication structures and facilities, located at least 20 feet above or ground, including but not limited to the following (collectively the "Facilities")):

*A single fiber optic cable with supporting strand, conduit, pull boxes and splice cases, installed on existing utility power poles owned and maintained by Skamania County PUD.*

in, over, under, across and along a ten-foot wide strip of land centered on the line defined by said power poles and located upon that certain real property described as follows (hereinafter referred to as the "Easement Area"):

*Skamania County Tax Parcel No. 03083100060000 (Situs: 46782 State Hwy. 14)*

Grantors further convey to Grantee the right of ingress and egress to, across and from the Easement Area during all periods of surveying, construction, maintenance, installation, reinforcement, repair and removal over and across that portion of Grantors' lands between the Easement Area and State Highway 14.

This Easement is granted in consideration of the sum of Two Thousand Dollars and No/100 (\$2,000.00), the receipt and sufficiency of which is hereby acknowledged.

Grantors covenant and warrant that Grantors are the fee simple owners of the Easement Area, that they have the authority to grant this Easement, and that, other than any rights of Skamania County PUD and all matters of record, this Easement does not conflict with any other rights existing with respect to the Easement Area.

Grantors hereby covenant that no excavation, structure or obstruction will be erected on, above or below the Easement Area by Grantor, and no change will be made by Grantor, by grading or otherwise, without the express written consent of the Grantee.

The rights, conditions and provisions of this Agreement shall run with the land and shall inure to the benefit of and be binding upon Grantor and Grantee and their respective successors and assigns.

**Federal Interest.** Grantee will be using funds under a Federal Grant under the Broadband Technology Opportunities Program ("BTOP") to finance construction of broadband facilities and equipment to be located within the Easement Area. Pursuant to BTOP, Grantee holds its interest in the Easement and the broadband facilities and equipment located on the Easement Area as trustee for the Federal Agency administering that program, specifically, the National Telecommunications and Information Administration ("NTIA"). BTOP further requires participants in that program to file a Covenant of Purpose, Use and Ownership (the "Federal Covenant") with the County Auditor where the property is located. The Federal Covenant requires that the Grantee's interest in the Easement or in the broadband facilities or equipment located on or in the property that is subject to the Easement not be sold during the useful life of those items without the prior consent of NTIA.







