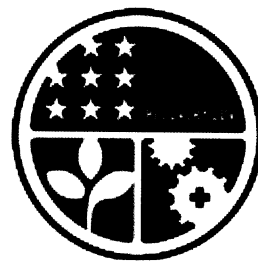
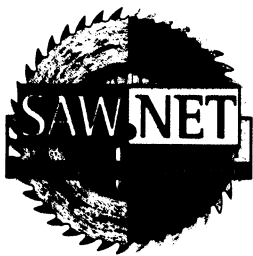


<b>WHEN RECORDED RETURN TO:</b>  Sawtooth Technologies, LLC.  P. O. Box 857  Stevenson, WA 98648
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<b>DOCUMENT TITLE(S)</b>  Utility Easement
<b>REFERENCE NUMBER(S)</b> of Documents assigned or released:  [ ] Additional numbers on page ____ of document.
<b>GRANTOR(S):</b>  John W. and Connie J. King  [ ] Additional names on page ____ of document.
<b>GRANTEE(S):</b>  Sawtooth Technologies, LLC.  [ ] Additional names on page ____ of document.
<b>LEGAL DESCRIPTION</b> (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):  212 Sprague Landing Road 5.29 acres in Sec. 29, T 3 N, R 8 E  [ ] Complete legal on page ____ of document.
<b>TAX PARCEL NUMBER(S):</b>  03082900190100  [ ] 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

**John W. and Connie J. King** having an address at 42255 SE George Road, Estacada, OR 97023 (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, whether located above or below ground, including but not limited to the following (collectively the "Facilities")):

*Fiber optic cable with supporting strand, conduit, pull boxes and splice cases*

in, over, under, across and along that certain real property described as follows (hereinafter referred to as the "Easement Area"):

*Skamania County Tax Parcel 03082900190100  
Situs: 212 Sprague Landing Road  
5.29 acres in Sec. 29, T 3 N, R 8 E, EWM., Skamania County, WA*

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 Grantors' lands, with the right to clear and keep cleared all trees and other obstructions as may be necessary for Grantee's use and enjoyment of the Easement Area.

This Easement is granted in consideration of the mutual benefits to the parties accruing therefrom.

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 this Easement does not conflict with any other rights existing with respect to the Easement Area. Grantors agree to defend these warranties against all claims.

Grantors hereby covenant that no excavation, structure or obstruction will be erected or permitted on, above or below the Easement Area and no change will be made 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.

In light of the foregoing, the Grantor agrees as follows:

- (a) Grantee may file a Federal Covenant with respect to its rights hereunder, as required by the BTOP program.
- (b) Any provisions of this Easement that conflict with the rules and regulations under BTOP are made subject to the provisions of those rules and regulations.
- (c) Grantee may assign its interest in the Easement to NTIA if required to do so under the rules and regulations of BTOP.

In witness hereof, Grantor has executed the foregoing Utility Easement this 13<sup>th</sup> day of March, 2012.

GRANTOR

By: [Signature]

John W. King  
Printed Name

GRANTOR

By: [Signature]

Connie J. King  
Printed Name



**Sawtooth Technologies, LLC.**

This is a request by Sawtooth Technologies, LLC for consent to use a utility easement.

The purpose of the easement is to attach and maintain a single fiber optic telecommunications cable to existing utility (power) poles owned and maintained by the Skamania County PUD.

Your approval would help us complete a project that will provide super high speed broadband in our area, should benefit the value of your land, and benefit the community as a whole.

The fiber optic telecommunications cable being attached is part of a federally funded project managed by Northwest Open Access Network (noanet.net) and will expand broadband access to the rural unserved and under-served areas in Washington State.

Included is the formal agreement for your review and signature. Please call with any questions, comments, or concerns. Additionally, we can discuss compensating you for any expenses you incur in the process of notarizing and processing this request.

Thank you,

Gary Daubenspeck  
Sawtooth Technologies, LLC  
50 SE Cascade Ave, PO Box 857  
Stevenson, WA 98648  
Tel (509) 427-4865  
Fax (509) 427-4828  
Cell (360) 450-1522  
gdaub@saw.net