

Return after Recording to:

Michael P. Higgins
Attorney at Law
P.O. Box 54
Vancouver, WA 98666

EASEMENT AGREEMENT FOR WATER AND UTILITIES

THIS AGREEMENT made and entered this 2 day of ^{September}~~August~~, 2014, by and between
ANTONY DAVID CLARKE and ROSEMARY FOGGIA CLARKE, husband and wife
(hereinafter referred to as "CLARKES") and MARC H. MEDLIN and CYNTHIA MEDLIN,
husband and wife (hereinafter referred to as "MEDLINS").

RECITALS:

The parties acknowledge there historically existed an East-West roadway which was a common use private roadway extending from Smith-Cripe Road across the Medlin Tax Lot 305 to the boundaries of Clarke Tax Parcels 322 and 323 used by the parties for access to the parcels, together with the installation and maintenance of utilities running along such access roadway (hereinafter referred to as "Old Snowberry Lane"). The parties further acknowledge that while Old Snowberry Lane was relocated, the utilities for the CLARKES as the fee title owners of Clarke Tax Lots 322, 323 and 324, which properties are described on Exhibits A, B and C (Clarke Tax Parcels 322, 323 and 324), have continued to run over, under, across and upon the Old Snowberry Lane portion of the Medlin Tax Lot 305, which property is described on Exhibit D (Medlin Parcel 305). The Parties wish to confirm and recognize the existence of a utility

easement of record for the Clarkes to be able to maintain these utilities as they have historically existed except that the parties wish to have these utilities buried under the ground.

WHEREFORE, for valuable consideration, receipt of which is hereby acknowledged, MARC H. MEDLIN and CYNTHIA MEDLIN, husband and wife, for their heirs, personal representatives, successors, and assigns, grant, convey and transfer to Grantees, ANTONY DAVID CLARKE and ROSEMARY FOGGIA CLARKE, husband and wife, their heirs, personal representatives, successors, and assigns, a perpetual and non-exclusive 10 foot utility easement across the Medlin Tax Parcel 305, to access, maintain, repair, replace, and upgrade the existing utilities lines under a portion of Medlin Tax Lot 305 historically known as "Old Snowberry Lane. The Medlins reserve the right, at their own expense, to relocate these lines if they deem the lines to interfere with the use of their property. The parties also agree that if new residential communication services become available (i.e., fiber optic cable) the CLARKES will be permitted to install same at their expense in accordance with this utility easement across and under Medlin Tax Parcel 305.

This easement is for the benefit of and "touches and concerns" the Clarke Tax Parcels 322, 323 and 324, which constitute the Dominant Estates as legally described herein, and shall apply to and run with the land for the benefit of the present and future owners of the Dominant Estates and is appurtenant to the Dominant Estates, or any portion thereof. The CLARKES and/or their successors-in-interest shall provide a minimum of twenty-four (24) hours notice before exercising their rights to access the easement to inspect, maintain, or replace the existing water lines and utilities.

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EASEMENT FOR WATER AND UTILITIES - PAGE 2

IN WITNESS WHEREOF, the parties have executed this Easement for Water and Utilities to be effective on the day and year first above written.

Marc H. Medlin
MARC H. MEDLIN

Cynthia M. Dominik-Medlin
CYNTHIA M. DOMINIK-MEDLIN

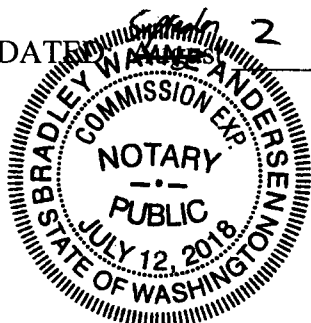
Anthony David Clarke
ANTHONY DAVID CLARKE

Rosemary Foggia Clarke
ROSEMARY FOGGIA CLARKE

STATE OF WASHINGTON)
: SS.
County of Skamania)

I certify that I know or have satisfactory evidence that MARC H. MEDLIN and CYNTHIA M. DOMINIK-MEDLIN, husband and wife, are the persons who appeared before me, and such persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATE: August 2, 2014.

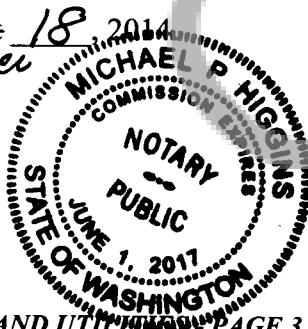


[Signature]
NOTARY PUBLIC
Residing at North Peninsula, WA
My Appointment Expires: 7/12/18

STATE OF WASHINGTON)
: SS.
County of Clark)

I certify that I know or have satisfactory evidence that ANTHONY DAVID CLARKE and ROSEMARY FOGGIA CLARKE, husband and wife, are the persons who appeared before me, and such persons acknowledged that they signed this instrument and acknowledged it to be their free and voluntary act for the uses and purposes mentioned in the instrument.

DATED: August 18, 2014
November



Michael P. Higgins
NOTARY PUBLIC
Residing at Vancouver
My Appointment Expires: 6/1/2017

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November 19, 2014

**LEGAL DESCRIPTION
FOR
ANTONY CLARKE**

Clarke Tract (Tax Lot 322)

Being a portion of the Southeast one-quarter of the Northwest one-quarter of Section 6, Township 1 North, Range 6 East, Willamette Meridian, Skamania County, Washington described as follows:

BEGINNING at a 5/8" Iron Rod marking the Northeast corner of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown in Survey Recorded under Skamania County Auditor's File no. 2013000797;

THENCE North 88° 46' 55" West, along the South line of the North half of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown Survey no. 2013000797, for a distance of 673.01 feet to the Southeast corner of the Clarke Tract as described in Book 67, of Deeds, Page 340, Skamania County Records and the **TRUE POINT OF BEGINNING**.

THENCE North 25° 24' 54" East, along the East line of said Clarke Tract and the Northerly extension thereof for a distance of 794.92 to the centerline of the Bonneville Power Association easement as shown in Survey Auditor's File no. 2013000797;

THENCE South 71° 51' 45" West, along said centerline, for a distance of 227.36 feet to the North line of the Southeast one-quarter of the Northwest one-quarter of Section 6;

THENCE North 88° 35' 02" West, along the North line of the Southeast one-quarter of Section 6, for a distance of 439.63 feet to the centerline of Smith-Cripe Road as shown Survey Auditors File no. 2013000797;

THENCE following the centerline of Smith-Cripe Road the following described courses;

THENCE South 20° 21' 41" West, for a distance of 25.54 feet;

THENCE along the arc of a 100.00 foot radius curve to the right through a central angle of 21° 53' 16 for an arc distance of 38.20 feet;

EXHIBIT A
PAGE 1 OF 2

THENCE South 01° 31' 35" East, for a distance of 80.21 feet;

THENCE along the arc of a 200.00 foot radius curve to the left through a central angle of 41° 47' 54 for an arc distance of 145.90 feet;

THENCE South 40° 16' 19" West, for a distance of 79.63 feet;

THENCE South 39° 46' 36" West, for a distance of 55.71 feet;

THENCE along the arc of a 100.00 foot radius curve to the right through a central angle of 29° 31' 13 for an arc distance of 51.52 feet;

THENCE South 10° 15' 23" West, for a distance of 85.12 feet;

THENCE South 18° 00' 43" West, for a distance of 88.00 feet;

THENCE along the arc of a 50.00 foot radius curve to the right through a central angle of 15° 31' 17 for an arc distance of 13.54 feet;

THENCE South 02° 29' 27" West, for a distance of 40.17 feet to the South Line of the North half of the Southeast one-quarter of the Northwest one-quarter of Section 6;

THENCE leaving said centerline, South 88° 46' 55" East, along said South line for a distance of 530.00 feet to the **TRUE POINT OF BEGINNING**.

Contains Approximately 8.67 Acres



EXHIBIT A
PAGE 2 OF 2

LD-2013\#3793 Antony Clarke TL 322

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October 10, 2013

**LEGAL DESCRIPTION
FOR
ANTONY CLARKE**

Clarke Tract (Tax Lot 323)

Being a portion of the Southeast one-quarter of the Northwest one-quarter and the Southwest one-quarter of the Northeast one-quarter of Section 6, Township 1 North, Range 6 East, Willamette Meridian, Skamania County, Washington described as follows:

BEGINNING at a 5/8" Iron Rod marking the Northeast corner of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown in Survey Recorded under Skamania County Auditor's File no. 2013000797;

THENCE North 88° 46' 55" West, along the North line of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 (Survey no. 2013000797) for a distance of 43.01 feet to a 5/8" Iron Rod marking the Southeast corner of the Medlin Tract as described under Book 67, of Deeds, Page 345, Skamania County Records;

THENCE North 01° 21' 57" East, along the East line of said Medlin Tract and the Northerly Extension thereof, for a distance of 832.69 feet to the center of the Bonneville Power Association Easement as shown in said survey;

THENCE North 71° 51' 45" East, along the centerline of the Bonneville Power Easement for a distance of 239.82 feet to that line established by Superior Court Case, Judgment no. 4879-C dated January 17, 1974, show in said survey;

THENCE South 25° 47' 39" East, along said Superior Court Case line, for a distance of 672.19 feet to the Northerly corner of the Clarke Tract as described under Auditor's File no. 2004154653, Skamania County Records'

THENCE South 37° 18' 08" West, along the Northwesterly line of said Clarke Tract, for a distance of 337.14 feet;

EXHIBIT B
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THENCE South 01° 03' 10" West, along the West line of said Clarke Tract, for a distance of 40.00 feet to the South line of the Northwest one-quarter of the Southwest one-quarter of the Northeast one-quarter of Section 6 as shown Survey Auditors File no. 2013000797;

THENCE North 88° 56' 50" West, along the South line of the Northwest one-quarter of the Southwest one-quarter of the Northeast one-quarter of Section 6, for a distance of 292.25 feet;

Contains Approximately 8.0 Acres

Unofficial
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October 10, 2013

**LEGAL DESCRIPTION
FOR
ANTONY CLARKE**

Clarke Tract (Tax Lot 324)

Being a portion of the Southwest one-quarter of the Northeast one-quarter of Section 6, Township 1 North, Range 6 East, Willamette Meridian, Skamania County, Washington described as follows;

BEGINNING at a 5/8" Iron Rod marking the Northeast corner of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown in Survey Recorded under Skamania County Auditor's File no. 2013000797;

THENCE South 88° 46' 50" East, along the South line of the Northwest one-quarter of the Southwest one-quarter of the Northeast one-quarter of Section 6 as shown Survey Auditor's File no. 2013000797 to the Southwest corner of the Clarke Tract as described in the Skamania County Auditor's File no. 204154653 and the **TRUE POINT OF BEGINNING**.

THENCE North 01° 03' 10" East, along the West line of Clarke Tract, for a distance of 40.00 feet;

THENCE North 37° 18' 00" East, along the Northerly line of said Clarke Tract, for a distance of 337.14 feet to the Northeast corner thereof, being on that line established by Superior Court Case Judgment no. 4879-C dated Jan 17, 1974;

THENCE South 25° 47' 39" East, along said Superior Court Case line, for a distance of 349.56 feet to the South line of the Northwest one-quarter of the Southwest one-quarter of the Northeast one-quarter of Section 6;

1^C 2

THENCE North 88° 56' 50" West, along the said South line, for a distance of 357.22 feet and the **TRUE POINT OF BEGINNING**.

Contains Approximately 1.37 Acres

Unofficial
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DATE C
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October 23, 2013

**LEGAL DESCRIPTION
FOR
ANTONY CLARKE**

Medlin Tract (Tax Lot 305)

Being a portion of the Southeast one-quarter of the Northwest one-quarter of Section 6, Township 1 North, Range 6 East, Willamette Meridian, Skamania County, Washington described as follows:

BEGINNING at a 5/8" Iron Rod marking the Northeast corner of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown in Survey Recorded under Skamania County Auditor's File no. 2013000797;

THENCE North 88° 46' 55" West, along the North line of the Southeast one-quarter of the Southeast one-quarter of the Northwest one-quarter of Section 6 (Survey no. 2013000797) for a distance of 43.01 feet to a 5/8" Iron Rod marking the Southeast corner of the Medlin Tract as described under Book 67, of Deeds, Page 345, Skamania County Records and the **TRUE POINT OF BEGINNING**.

THENCE North 01° 21' 57" East, along the East line of said Medlin Tract and the Northerly Extension thereof, for a distance of 832.69 feet to the center of the Bonneville Power Association Easement as shown in said survey;

THENCE South 71° 51' 45" West, along the centerline of the Bonneville Power Easement for a distance of 324.69 to the Northerly extension of the West line of said Medlin Tract;

THENCE South 25° 24' 54" West, along said Northerly extension and the West line of said Medlin Tract for a distance of 794.92 feet to the Southwest corner thereof being on the South line of the North one-half of the Southeast one-quarter of the Northwest one-quarter of Section 6 as shown Survey Auditors File no. 2013000797;

D
1 2

THENCE South 88° 46' 55" East, along the South line for a distance of 630.00 feet to the
TRUE POINT OF BEGINNING.

Contains Approximately 8.17 Acres



EXHIBIT D
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