

**WHEN RECORDED RETURN TO:**

Donna L Peterson  
162 Passage Way  
Stevenson WA 98898

**DOCUMENT TITLE(S)**

Judgement Quieting Title

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

No. 08-2-00210-3 + AF 2012181545  
AF 2004151983  
[ ] Additional numbers on page \_\_\_ of document. AF 2007167227

**GRANTOR(S):**

IRVIN G. SNYDER & JAN SNYDER

[ ] Additional names on page \_\_\_ of document.

**GRANTEE(S):**

Donna L. Peterson

[ ] Additional names on page \_\_\_ of document.

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

see Ex. A + Ex. B

[ ] Complete legal on page \_\_\_ of document.

**TAX PARCEL NUMBER(S):**

03753640 0900 00  
03753640 0700 00

[ ] 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.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

SKAMANIA COUNTY  
ORIGINAL FILED

JUL 24 2012

SHARON K. VANCE, CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF SKAMANIA

DONNA L. PETERSON, a widow,  
as her separate estate,  
Plaintiff,  
and  
IRVING G. SNYDER, JR., and  
JAN SNYDER, husband and wife,  
Defendants.

No. 08-2-00210-3

JUDGMENT QUIETING TITLE IN  
FAVOR OF PLAINTIFF

(Clerk's Action Required)

This matter was tried to the Court without a jury on June 27, and June 28, 2011, the honorable Brian Altman presiding. Plaintiff, Donna L. Peterson appeared personally at the trial and through her attorney of record, Johnson Dunn. Defendants, Irving Snyder, Jr. and Jan Snyder appeared personally at the trial and through their attorney of record, Edwin C. Perry.

The Court received the evidence and testimony offered by the parties and witnesses, considered the pleadings filed in the action and heard the oral argument of the parties' counsel. The Honorable Judge Altman rendered an oral opinion on July 28, 2011, denying Defendants' affirmative defenses and finding in favor of the Plaintiff on her claim for quiet title of a 16 foot easement benefitting the following described real property (*hereinafter Peterson Property*):

1 Beginning at the intersection of the East line of tract 2 of Columbia Home Tracts (as shown at  
 2 page 76, official plat book), with the North line of State Road No. 8; thence West on said North  
 3 line 100 feet; thence North and parallel to the East line of said Lot 2, a distance of 477 feet;  
 4 thence East 100 feet to said East line; thence South on said line 477 feet to the place of  
 5 beginning, and being in Lots 11 and 12 of Section 36, Township 3 North, Range 7 1/2 East,  
 6 Willamette Meridian.

7 ALSO Beginning at the Southwest corner of Lot 3, Columbia Home Tracts; thence North 377 feet  
 8 following the West boundary of said Lot 3, thence East 250 feet to the East boundary of said Lot  
 9 3, thence following the East line thereof South 319 feet more or less to the Southeast corner  
 10 thereof, thence in a Southwesterly direction about 255 feet following the South boundary of said  
 11 Lot 3 to the place of beginning, All in Section 36, Township 3 North, Range 7 1/2 East, Willamette  
 12 Meridian, Skamania County, Washington.

13 and, burdening the following described real property (*hereinafter, Snyder Property*):

14 Beginning at a point marked by United State Engineer's Monument at the Northwest Corner of  
 15 Government Lot 12, Section 36, Township 3 North Range 7 1/2 East of the Willamette Meridian,  
 16 in the County of Skamania, State of Washington, which said point is sometimes designated as  
 17 the center of said Section 36; thence South 245 feet to the initial point; thence from said initial  
 18 point East 126 feet; thence South 4° 30' East 286 feet; thence North 63° 08' East to the  
 19 Northwest corner of Tract No. 2 of COLUMBIA HOME TRACTS according to the official plat  
 20 thereof, on file and of record in the office of the County Auditor of Skamania County, Washington;  
 21 thence South along the West line of said Tract 2 to the North line of State Highway 14; thence  
 22 Westerly along the Northerly line of said State Highway 14 to the intersection with the East line of  
 23 Government Lot 10 of said Section 36; thence North to a point marking the corner common to  
 24 Government Lots 10, 11 and 12 of said Section 36; thence West along the North line of said Lot  
 25 10 to intersection with the East line of the Henry Shepard D.L.C.; thence North to the Northeast  
 26 corner of the Henry Shepard D.L.C.; thence East to the West line of Government Lot 12  
 aforesaid; thence North to the place of beginning. EXCEPTING therefrom that parcel deeded to  
 Clovis J. St. Jean, et. ux., by deed recorded July 16, 1963 in Book 51, Page 429. ALSO that  
 portion of Lot 2 of COLUMBIA HOME TRACTS described as follows: Commencing at a point on  
 the North line of State Highway 14, which point is 100 feet West, when measured at right angles,  
 from the East line of said Lot 2; thence North 477 feet; thence East 100 feet to line of said Lot 2;  
 thence North along said East line to the Northeast corner of said Lot 2; thence Westerly along  
 North line of Lot 2 to the Northwest corner thereof; thence South along the West line of Lot 2 to  
 the North line State Highway 14; thence Easterly along said North line 108 feet, more or less, to  
 the point of beginning. EXCEPT that portion conveyed to State of Washington by instrument  
 recorded in Book U, Page 444, and Book W, Page 606.

The Court has made findings of fact and conclusions of law which are entered herewith.  
 Consistent with its oral decision of July 28, 2011, and its written findings and conclusion of law,  
 the Court enters judgment as follows:

**As to Plaintiff's first claim for relief:**

1. The Peterson Property has an express non-exclusive easement (the Easement)

1 over the Snyder Property for ingress and egress.

2 2. Title to the Easement is quieted in Plaintiff.

3 3. The Easement is located in the old roadway bed as depicted in *Exhibit A*.

4 4. The Easement is 16 feet wide: 10 feet for a roadway and 3 feet on either side for  
5 buffer.

6 5. Defendants shall execute any and all documents reasonably necessary to  
7 effectuate this Judgment.

8 6. Defendants shall, in a timely manner, furnish Plaintiff with a key to any gate placed  
9 across or otherwise limiting access to or use of the easement.

10 7. Defendants shall not further hinder Plaintiffs use of the easement.

11 8. Plaintiff shall, at her own expense, have the easement surveyed by a licensed  
12 professional surveyor. Using accepted survey procedures, the surveyor shall place permanent  
13 monuments to clearly indicate the location of the easement. The record of survey shall be  
14 recorded the Skamania County Auditor in compliance with RCW 58.09.030-080.

15 9. Plaintiff's other claims for relief are moot and are dismissed without prejudice.

16 DATED this 24 day of July, 2012.

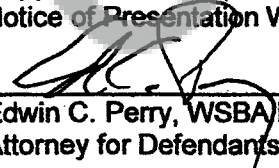
17  
18 /S/ BRIAN ALTMAN

19 Superior Court Judge Brian Altman

20 Presented by:

21   
22 Johnson Dunn, WSBA No. 35522  
23 Attorney for Plaintiff

24 Copy Received; Approved as to Form;  
25 Notice of Presentation Waived:

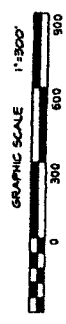
26   
Edwin C. Perry, WSBA No. 15082  
Attorney for Defendants

2004/5/19/83

# RECORD OF SURVEY IN GOVT. LOT 11 & 12 OF SECTION 36, T.3N., R.7-1/2E., W.M.

PAGE 1 OF 2

- LEGEND**
- ▲ FOUND ELONGIDE REBAR
  - MARKER FOUND AS NOTED
  - SET 3/4" REBAR WITH YELLOW PLASTIC CAP (TYC)
  - CALCULATED CORNER, NOT SET.
  - ( ) PLAT OR DEED CALL
  - FENCE



## AUDITOR'S CERTIFICATE

Filed for record in the 12th day of September, 2004 at St. Louis, Missouri, at the request of Bell Design Company, PE 000161978

*Michael Anderson*, Auditor  
Missouri County Auditor

## SURVEYOR'S CERTIFICATE

This map correctly represents a survey made by me or under my direct supervision and in accordance with the requirements of the Surveying Act of the State of Missouri.

*Robert M. Bell*  
ROBERT M. BELL, PLS 1078  
1-27-04  
Date

NO.	DATE	BY
1	10/15/04	RB
2	10/15/04	RB
3	10/15/04	RB
4	10/15/04	RB
5	10/15/04	RB
6	10/15/04	RB
7	10/15/04	RB
8	10/15/04	RB
9	10/15/04	RB
10	10/15/04	RB
11	10/15/04	RB
12	10/15/04	RB
13	10/15/04	RB
14	10/15/04	RB
15	10/15/04	RB
16	10/15/04	RB
17	10/15/04	RB
18	10/15/04	RB
19	10/15/04	RB
20	10/15/04	RB

RECORD OF SURVEY  
FOR KEITH PETERSON  
STEVENSON, WASHINGTON



10-50 SR 14  
10-20-DC RC

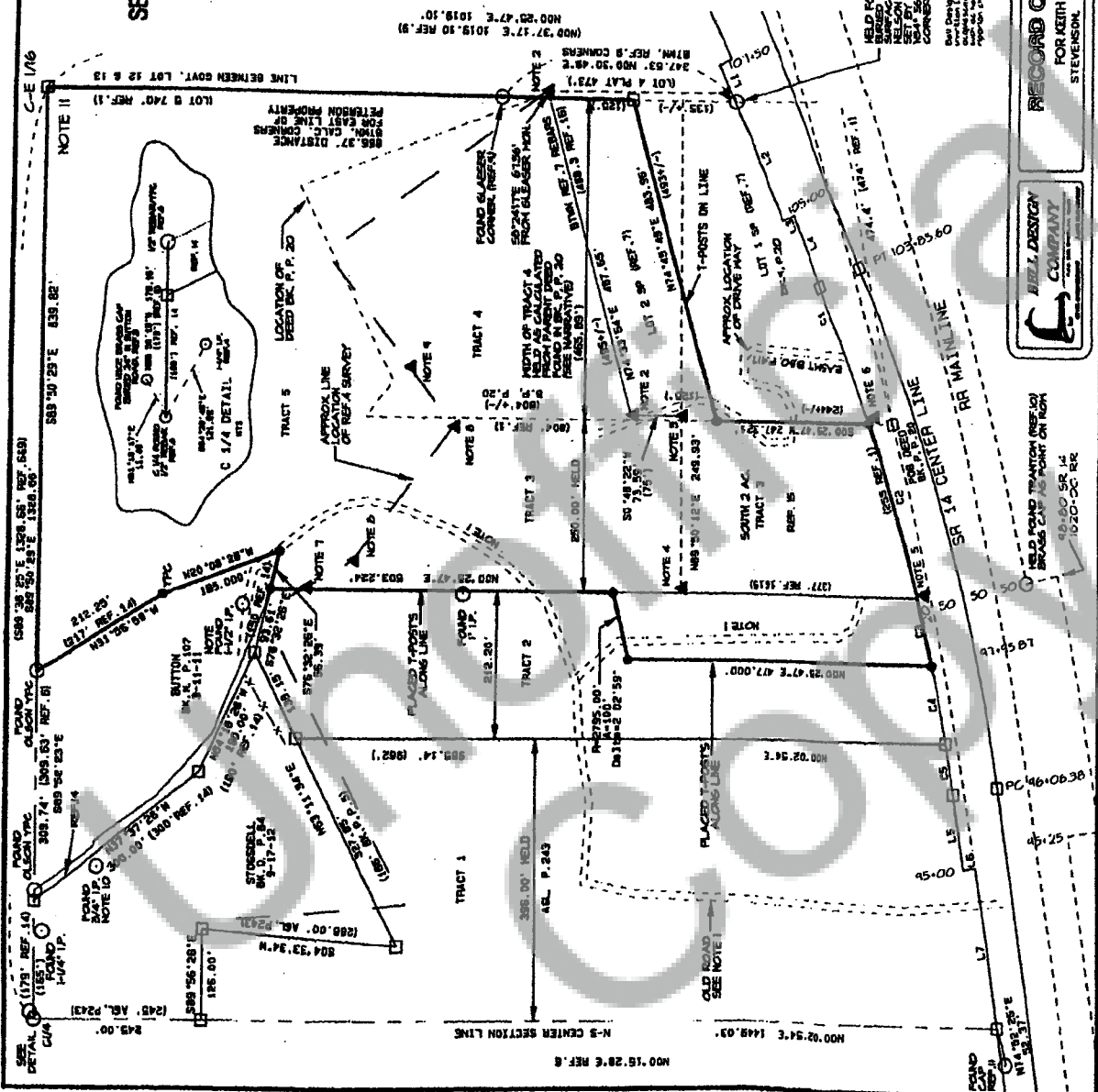


EXHIBIT  
A  
page 1 of 4

2004/5/18/83

RECORD OF SURVEY IN GOVT. LOT 11 & 12 OF SECTION 36, T.3N., R.7-1/2E., W.M.

PAGE 2 of 2

Table with columns: LINE NUMBER, BEARING, DISTANCE, CURVE DATA, and POINT COORDINATES. Includes lines 1 through 17.

NOTES

- 1. The survey was conducted on old road... 2. Held found... 3. Found 1/2'... 4. Found 1/2'... 5. Found 1/2'... 6. Found 1/2'... 7. Found 1/2'... 8. Found 1/2'... 9. Found 1/2'... 10. Found 1/2'...

NARRATIVE
The five lots (Tracts) of Columbia Home Tracts (Ref. 1) were created by the same line upon recording Line 20, 1914. In the north line of the Subdivision is recorded as the North boundary of James Kester. This north line of the Subdivision is recorded as the North boundary of the Columbia Home Tracts in the north line of the Subdivision. The north line of the Subdivision is recorded as the North boundary of the Columbia Home Tracts in the north line of the Subdivision. The north line of the Subdivision is recorded as the North boundary of the Columbia Home Tracts in the north line of the Subdivision.

In July of 1923... and E.C. Hamilton... The survey was conducted on old road... The survey was conducted on old road... The survey was conducted on old road...



REFERENCE

- 1. COLUMBIA HOME TRACTS BY M.E. ATWELL, B.C.A. P. 15 6-10-14
2. SULLY PLAN & PROFILE MAY 18, 1923
3. BIRMINGHAM POWER INVESTMENT PROJECT, LANDS SECTION 36, T.3N., R.7-1/2E., W.M.
4. UNRECORDED SURVEY BY CLARE BURDICK FOR F.E. ALSTEDT IN 1924 FOUND IN S.C.A. CO. ENGINEERS FILE UNDER SEC. 36-3-13
5. OLSON ENGINEERING CO. CONTROL PROJECT, APR 1927 7-11-75
6. OLSON ENGINEERING SURVEY FOR LARL BALCHGERTY, B.C.L.P. 107 10-28-78
7. CARRIE ALSTEDT SHORT PLAY, APR 1888 B.C.L.P. 105 5-31-74
8. TERRA SURVING SURVEY FOR BRIDGEFIELD TRUST, APR 1885 B.C.L.P. 83 11-4-82
9. LEONARD BLACKBURN SHORT PLAY BY BOB GILLESPIE, APR 1910 B.C.L.P. 54 9-2-84
10. HEAVY SHORT PLAY BY RICHARD MURPHY, APR 1888 B.C.L.P. 144-148 7-4-80
11. TAYLOR ENGINEERING SURVEY FOR BRIDGE AND ST. 2044, APR 1888, B.C.L.P. 105 12-20-82
12. LIBERTY DAMBERRY SHORT PLAY BY DENNIS PROPPLES, APR 1884 B.C.L.P. 34 4-17-86
13. BAYEAST SURVEY FOR COBBING BOUNDARY LINE ADJUSTMENT, APR 1890, B.C.L.P. 100, 8-6-84
14. MARRIANTY DEED, GEE TO BALCHGERTY, BOOK 45, PAGE 350, RECORDED 2-24-61
15. HAMILTON TO HOOKER, CONTRACT BOOK 0 PAGE 304, RECORDED 11-7-71
16. ALSTEDT TO LISK, REAL ESTATE CONTRACT, BOOK 82, PAGE 866 SIGNED APRIL 30, 1911

RECORD OF SURVEY FOR KETH PETERSON STEVENSON, WASHINGTON. Includes project name, date, and sheet information.

EXHIBIT A page 2 of 4

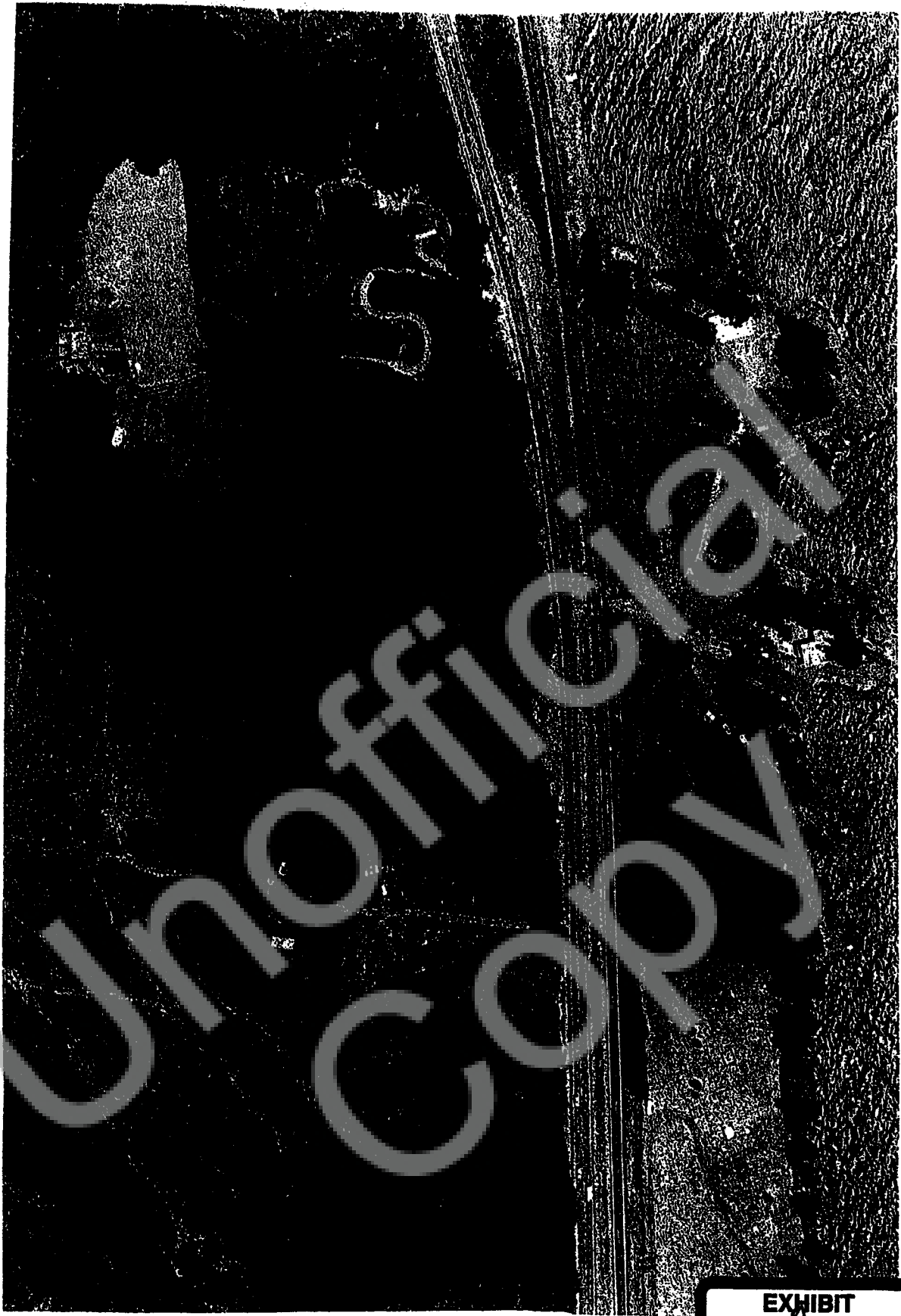


EXHIBIT  
A  
Page 3 of 4

Notes from site visit of Donna Peterson access road location project:  
 Date: June 20<sup>th</sup>, 2011  
 By: Austin Bell, PLS

Started road retrace at intersect of the north edge of SR 14 and access road over Snyder Parcel.

Retrace done by pacing (Stations approximate)

Road widths were based on what appeared to be edge of running surface. Orange and white stripped ribbons were hung at the approximate road edge, with locations every 50'. The general road bed, while covered in briars and brush, was easily discernable. The actual edge of road was estimated based on observed toe of cuts, top of banks and density of brush. No brush clearing was allowed by the owner.

Road Station – Road Width

- 0+00 – 18'
- 0+50 – 16'
- 1+00 – 21'
- 1+50 – 16'
- 2+00 – 15'
- 2+50 – 12'
- 3+00 – 13'
- 3+50 – 16'
- 4+00 – 10'
- 4+50 – 17'
- 5+00 – 11'
- 5+50 – 14'
- 6+00 – 20-22'
- road angle
- 6+15 – drainage crossing
- 6+33 – truck in brush
- 6+50 – 19'
- 7+00 – 12'
- 7+50 – 16'
- 8+00 – 16'
- 8+50 – 12'
- 9+00 – 12'
- 9+50 – 15+/-
- road angle

At the approximate Station of 9+50 it is possible that a road angled to the southeast to the now Peterson parcel as shown on the survey recorded in Auditors File Number 2004151983 by Bell Design Company. Although I could discover no trace of the road (due to thick briars and brush) there was an obvious gap in the large conifer trees. Found stumps to the east demonstrated that the road would not have been any further east and a steep bank to the west limited the roads location any further west.

EXHIBIT  
 A  
 page 4 of 4



EXHIBIT A

Assessor's Property Tax Parcel No. 03-75-36-4-0-1801-00: JW

A tract of land in the S.E. corner of Section 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, in Skamania County, Washington, described as follows: Lot 1 of the Heavey Short Plat, recorded in Book 3 of the Short Plats, Page 164, as reduced by Boundary Line Adjustment Deeds recorded as Documents # 2008168747 and # 2008168746.

Assessor's Property Tax Parcel No. 03-75-36-4-0-1800-00: JW

A tract of land in the S.E. corner of Section 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, in Skamania County, Washington, described as follows: Lot 3 of the Heavey Short Plat, recorded in Book 3 of the Short Plats, Page 164, as increased by Boundary Line Adjustment Deed recorded as Document #2008168746.

Assessor's Property Tax Parcel No. 03-75-36-4-0-1700-00: JW

Commencing at a point where the West line of Lot 13 in Section 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, Skamania County, Washington, intersects with the South line of the S.P.&S. Railway Company's Right-of-Way, running thence 665 feet Easterly along said South line of said Right-of-Way; thence at right angle down to the low water mark of the Columbia River; thence following said low water mark of said river down stream to a point directly opposite and at right angle with the Point of Beginning; thence to Point of Beginning.

Assessor's Property Tax Parcel No. 03-75-36-4-0-0700-00: JW 12/29/14

Beginning at a point marked by United States Engineer's Monument at the Northwest corner of Government Lot 12, Section 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, in the County of Skamania, State of Washington, which said point is sometimes designated as the center of said Section 36; thence South 245 feet to the initial point; thence from said initial point East 126 feet; thence South 4°30' East 286 feet; thence North 63°08' East to the Northwest corner of Tract No. 2 of COLUMBIA HOME TRACTS according to the official plat thereof, on file and of record in the office of the County Auditor of Skamania County, Washington; thence South along the West line of said Tract 2 to the North line of State Highway 14; thence Westerly along the Northerly line of said State Highway 14 to the intersection with the East line of Government Lot 10 of said Section 36; thence North to a point marking the corner common to Government Lots 10, 11 and 12 of said Section 36; thence West along the North line of said Lot 10 to intersection with the East line of the Henry Shepard D.L.C.; thence North to the Northeast Corner of the Henry Shepard D.L.C.; thence East to the West line of Government Lot 12 aforesaid; thence North to the place of beginning. EXCEPTING therefrom that parcel deed to Clovis J. St. Jean, et. ux., by deed recorded July 16, 1963 in Book 51, Page 429.

Ex. A

ALSO that portion of Lot 2 of COLUMBIA HOME TRACTS described as follows:

Commencing at a point on the North line of State Highway 14, which point is 100 feet West, when measured at right angles, from the East line of said Lot 2; thence North 477 feet; thence East 100 feet to line of said Lot 2; thence North along said East line to the Northeast corner of said Lot 2; thence Westerly along North line of Lot 2 to the Northwest corner thereof; thence South along the West line of Lot 2 to the North line of said State Highway 14; thence Easterly along said North line 108 feet, more or less, to the point of beginning.

Skamania County Assessor  
Date ~~9-18-12~~ Parcel 3-75-36-4-0-1801  
3-75-36-4-0-1800  
3-75-36-4-0-1700  
3-75-36-4-0-700

036464/00001/3877511v1

ym

Unofficial Copy

Ex. B

Portions of Lots 3 and 4 of COLUMBIA HOME TRACTS according to the official plat thereof on file and of record at page 76 of Book A of Plats, Records of Skamania County, Washington, described as follows:

Beginning at the southwest corner of Lot 3 of COLUMBIA HOME TRACTS aforesaid; thence following the west line of said Lot 3 north 377 feet to the initial point of the tract hereby described; thence east 250 feet to the east line of said Lot 3; thence following the line common to Lots 3 and 4 aforesaid north 75 feet; thence north 74° 47' 15" east 488.38 feet to a point on the east line of the said Lot 4; thence following the northerly lines of Lots 4 and 3 aforesaid northwesterly, southwesterly, and northwesterly to the northwest corner of said Lot 3; thence south to the initial point;

TOGETHER WITH an easement and right of way for a private access road approximately 20 feet in width along the west line of said Lot 4 connecting with the existing driveway leading to State Road 14;

SUBJECT TO easements of record.

Beginning at the intersection of the East line of tract 2 of Columbia Home Tracts (as shown at page 76, official plat book), with the North line of State Road No. 8; thence West on said North line 100 feet; thence North and parallel to the East line of said Lot 2, a distance of 477 feet; thence East 100 feet to said East line; thence South on said line 477 feet to the place of beginning, and being in Lots 11 and 12 of Section 38, Township 3 North, Range 7 1/2 East, Willamette Meridian.

ALSO Beginning at the Southwest corner of Lot 3, Columbia Home Tracts; thence North 377 feet following the West boundary of said Lot 3, thence East 250 feet to the East boundary of said Lot 3, thence following the East line thereof South 319 feet more or less to the Southeast corner thereof, thence in a Southwesterly direction about 255 feet following the South boundary of said Lot 3 to the place of beginning, all in Section 38, Township 3 North, Range 7 1/2 East, Willamette Meridian, Skamania County, Washington.

Skamania County Assessor  
Date 8-10-07 Parcel 0375364 0050000  
12/29/14  
080009  
090006

TRACT 5 OF COLUMBIA HOME TRACTS, ACCORDING TO THE OFFICIAL PLAT THEREOF, ON FILE AND OF RECORD AT PAGE 76 OF BOOK "A" OF PLATS, RECORDS OF SKAMANIA COUNTY, WASHINGTON.

SUBJECT TO EASEMENTS AND RIGHTS OF WAY FOR WATER PIPELINES AS DISCLOSED IN BOOK 30 OF DEEDS, AT PAGE 189 AND IN BOOK M OF DEEDS AT PAGE 77;

EASEMENT IN FAVOR OF THE U.S.A. RECORDED IN BOOK 68 OF DEEDS AT PAGE 815, UNDER AUDITOR'S FILE NO. 79140.

DOC # 2007167227  
Page 4 of 4