AFN #2014002326 Recorded 12/29/2014 at 04:53 PM DocType: EASE Filed by: DONNA L. PETERSON Page: 1 of 11 Auditor Timothy O. Todd Skamania County, WA

WHEN RECORDED RETURN TO:

DOCUMENT TITLE(S)
Judgement Quieting Title
REFERENCE NUMBER(S) of Documents assigned or released: AF 2012 181545
No. 08-2-00210-3 4 AF 2004151983
[] Additional numbers on page of document.
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 $Ex.A$ \neq Ey , B [] Complete legal on page of document.
TAX PARCEL NUMBER(S):
 83 75 36 40 6900 80 03 75 36 40 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.

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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,

No. 08-2-00210-3

Plaintiff,

JUDGMENT QUIETING TITLE IN FAVOR OF PLAINTIFF

and

(Clerk's Action Required)

IRVING G. SNYDER, JR., and JAN SNYDER, husband and wife,

Defendants.

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):

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HASKELL DAVIES & DUNN, PC P.O. Box 417 Hood River, OR 97031 541.386.2221 - 541.386.1381 fax

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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 36, 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 36, Township 3 North, Range 7 1/2 East, Willamette Meridian, Skamania County, Washington.

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

Beginning at a point marked by United State 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 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)

Page 2 – JUDGMENT QUIETING TITLE IN FAVOR OF PLAINTIFF

HASKELL DAVIES & DUNN, PC P.O. Box 417 Hood River, OR 97031 541.386.2221 – 541.386.1381 fax over the Snyder Property for ingress and egress.

- 2. Title to the Easement is quieted in Plaintiff.
- 3. The Easement is located in the old roadway bed as depicted in Exhibit A.
- 4. The Easement is 16 feet wide: 10 feet for a roadway and 3 feet on either side for buffer.
- 5. Defendants shall execute any and all documents reasonably necessary to effectuate this Judgment.
- 6. Defendants shall, in a timely manner, furnish Plaintiff with a key to any gate placed across or otherwise limiting access to or use of the easement.
 - 7. Defendants shall not further hinder Plaintiffs use of the easement.
- 8. Plaintiff shall, at her own expense, have the easement surveyed by a licensed professional surveyor. Using accepted survey procedures, the surveyor shall place permanent monuments to clearly indicate the location of the easement. The record of survey shall be recorded the Skamania County Auditor in compliance with RCW 58.09.030-080.

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

DATED this 24 day of JUL

__, 2012.

Superior Court Judge Brian Altman

ISI BRIAN ALTMAN

Presented by:

Johnson Dunn, VSBA No. 35522

Attorney for Plaintiff

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

Edwin C. Perry, WSBA)No. 15082

Attorney for Defendants

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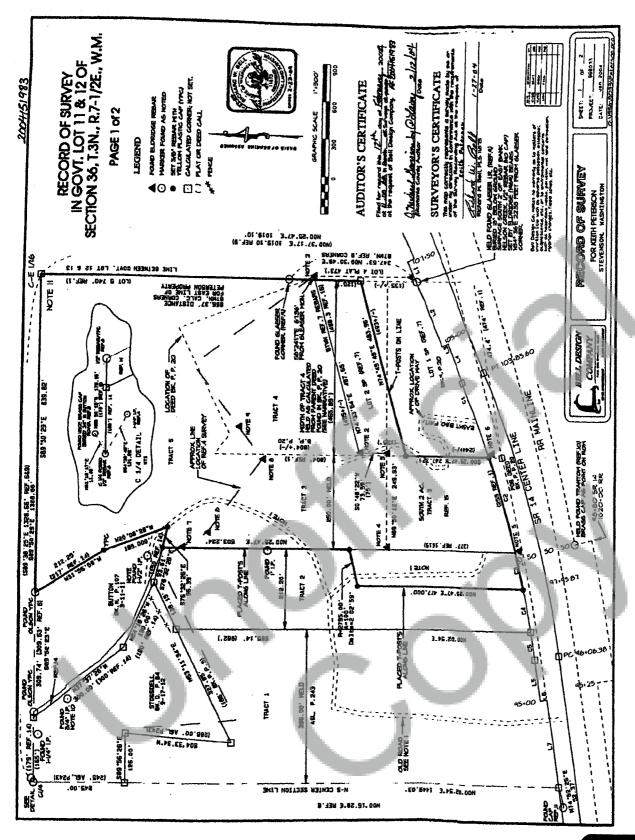


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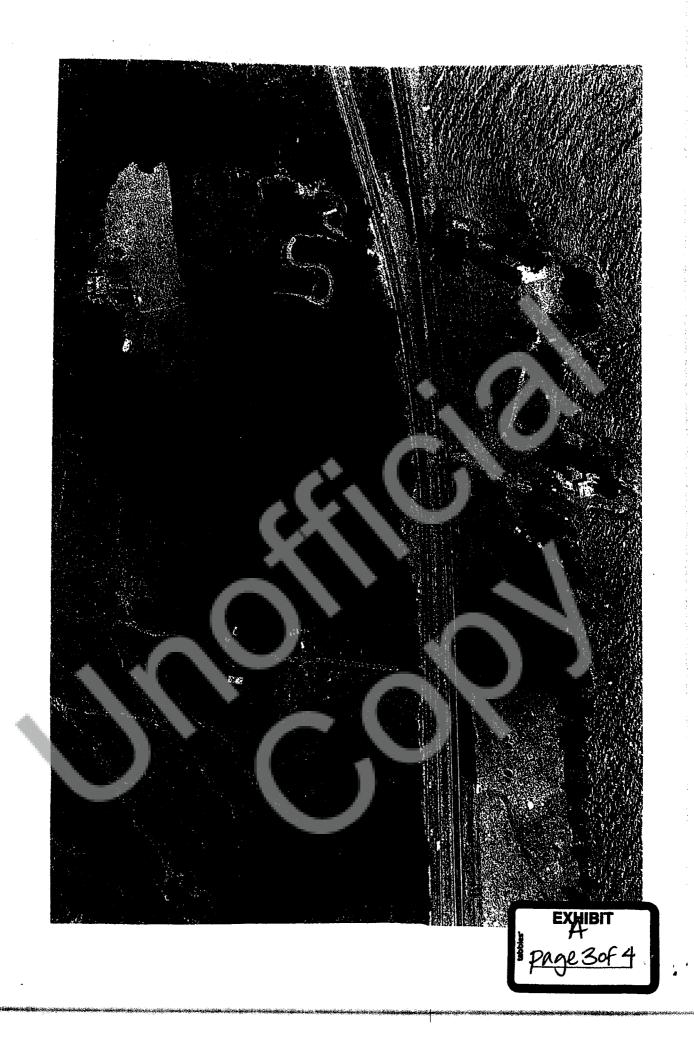
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C2 P-2785.0014 A-208.3814 7-131.2914 Delta-572'42'
C3 P-2785.0014 A-100.0014 T-60.0016 Delta-672'52'
C4 P-2785.0014 A-131.7014 T-66.3814 Delta-672'35'
C5 P-2785.0014 A-731.7914 T-85.5914 Delta-673'31'04' 5, Foard 12" did, retize (Red. 4). Editidge set neturn for sevel-west corner of the south 2 corner of Tract 9, Not accepted. Seft - 2 04 -2 FPOJECT. SEECLS 2861817000 SECTION 36, T.3N., R.7-1/2E., W.M. io. Fand 344° da. For pipe 521°21471E 46.851 from Okon 179C (Ref. 6) set on center section the. IN GOVT, LOT 11 & 12 OF O. Found V2" doc. Ratter (Raf. 4) set for angle port on south the of Tract 5. Not accepted. RECORD OF SURVEY 7. Found 1/2" dis. Rebor (Rief. 4) set for the northwest corner of Tract 3. Hot accepted. RECORD OF SURVEY FOR KEITH PETERSON STEVENSON, NASHINGTON PAGE 2 of 2 .00.02 4.90.02.185 .00.02 3.45.62.605 .00.02 18.00.02.68 .00.02 18.00.02.68 .00.02 18.00.02.68 .00.02 18.00.02.68 .00.02 18.00.02.68 .00.02 18.00.02.68 .00.02 18.00.02.68 222225 CONDANY NEIL DESIGN The law of friends of Countries below Trains filed.) Here considered at the same the specimentary Line 20, 184.

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ILTATLOR BEGRESSING SURVEY FOR STRICK, AND ST. EAR. ANN 10239, BYLR, P. 103 12-50-42 SUNTEAST SURVEY FOR COMBITING BOARDARY LINE ADJISTICATI, ARK INDIG, BIC, PJO, 8-4-44 BOOK 62, PASE 666, SIGNED APRIL 20, 1971 LEBETTY DANISHERTY SHORT PLAT BY DEBAGS PROPLES, ANY DECKS BK. S, P. 2341 4-17-46 4. WRECOMED SHAPEY OF CLARK BURDGE FOR F.E. ANSTETO M MAKE FOUND WISKA. CO. BIGNESS IN E. WORLD WISK. 34-8-13 C LEGINATO BLACICLED BE SECULT PLAT BY BOD GLASSES. APK THIS BKS, P. ST 5-2-54 TERRA SURVEYING BURNEY FOR BIRCHERED TRUST, APA 14465 BK2, P. 82 11-4-62 MANDEMITY DEED, GEE TO BIALKONEKT, BOOK 🔩 PIGE 350, RECORDED 2-24-61. 6. CLECK BIGINEESING SIRVEY FOR KAR, BIALKONEY, BK I.P. KIT 10-28-16 BANAMILTON TO HOCKER, CONTRACT BOOK O, PACE 304, RECORDED #-T-17 S. OLSON ENGREERING SICA CO. CONTROL PROJECT, APR THEN 1-11-15 1. CARRIE ANISTETD SHORT PLAT, APH BABBA BICO, P. 105 5-21-14 B. BOKEN JE FORBY, NAVIGATION PROJECT, LANDS SECTION BA, TRY, RT. (RT.) RT. 1. COLLINE A HOME TRACTS BY ME. ATTMEL. BKA, P. 16 6-10-14 NARRATIVE IN. ALSTEDT TO LEICK, REAL ESTATE CONTRACT, Ball Dation Co motes no natural so traited of conflict first not a substraint patients enough. Requirement, size of the servicement to program not as beamples, and the servicement for demonstraint program changes, force service, not a 2. SPUA PLAN & PROPILE HAY 18, PIZE REFERENCE

EXHIBIT

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page 20f 4

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

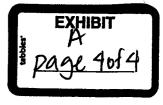
Started road retrace at intersect of the north edge of SR 14 and access road over Snyder Parcel.

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 briers 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+00-180+50 - 161+00-211+50-162+00-152+50 - 12' 3+00 - 13' 3+50-164+00 - 10' 4+50-175+00-11'5+50 - 14' 6+00-20-22road angle 6+15 - drainage crossing 6+33 - truck in brush 6+50 - 19' 7+00-127+50-168+00 - 16° 8+50 - 12° $9+00-12^{\circ}$ 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 briers 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.



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

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;

A tract of land in the S.E. corner of Section S6, 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 Companys Right-of-Way, running thence 605 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 soint 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: 12 29 \ 12

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 71/2 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.

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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 America Date <u>9-1-12 Parcell 3-75-36-4-0-1800</u> 3-75-36-4-0-1700 3-75-36-4-0-700

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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 ro 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 past book); with the North Bine of State Road No. 8; thence Meet on seld North Bine (80 feet thence North and bleate) to 0.3 East line of sald List 2 a distance of 477 feet; thence East 100 feet to said East line; mance Court on said line 77 feet to the place of beginning, and being in Lots 11 and 12 of Section 38, Township 3 North, Range 7 1/2 East, Willametto Meridian.

ALSO Beginning at the Southwest corner of Lot 3, Columbia Home Yricts; 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 36, Township 3 North, Range 7 1/2 East, Willamette Meridian, Skamania County, Washington.

TRACT 5 OF GOLUMBIA HOME TRACTS ACCORDING TO THE OFFICIAL FLAT THEREOF, ON FILE AND OF RECORD AT PAGE 76 OF BOOK "A" OF PLATS, RECORDS OF SKAMANIA COUNTY, WASH-INGTON.

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