

WHEN RECORDED RETURN TO:
Donna L Peterson
162 Passage Way
Stevenson WA 98848

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.

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.

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

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

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

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 July, 2012.

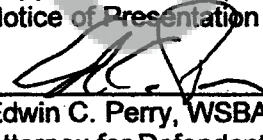
/S/ BRIAN ALTMAN

Superior Court Judge Brian Altman

Presented by:


Johnson Dunn, WSBA No. 35522
Attorney for Plaintiff

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

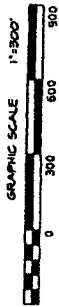

Edwin C. Perry, WSBA No. 15082
Attorney for Defendants

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 (TPC)
 - CALCULATED CORNER, NOT SET.
 - () PLAT OR DEED CALL
 - FENCE



AUDITOR'S CERTIFICATE

Filed for record Jan. 12th at Chicago, 2004
at 11:00 AM in Book of Surveys at page 27-84
at the request of Bell Design Company, Inc.

Michael J. Bell
Auditor

SURVEYOR'S CERTIFICATE

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

Robert M. Bell
Surveyor

ROBERT M. BELL, PLS. 1075
1-27-84
Date

DATE	1-27-84
PROJECT	988011
DATE	JAN. 2004

RECORD OF SURVEY
FOR KEITH PETERSON
STEVENSON, WASHINGTON



40-00 SR 14
1020-00 RC

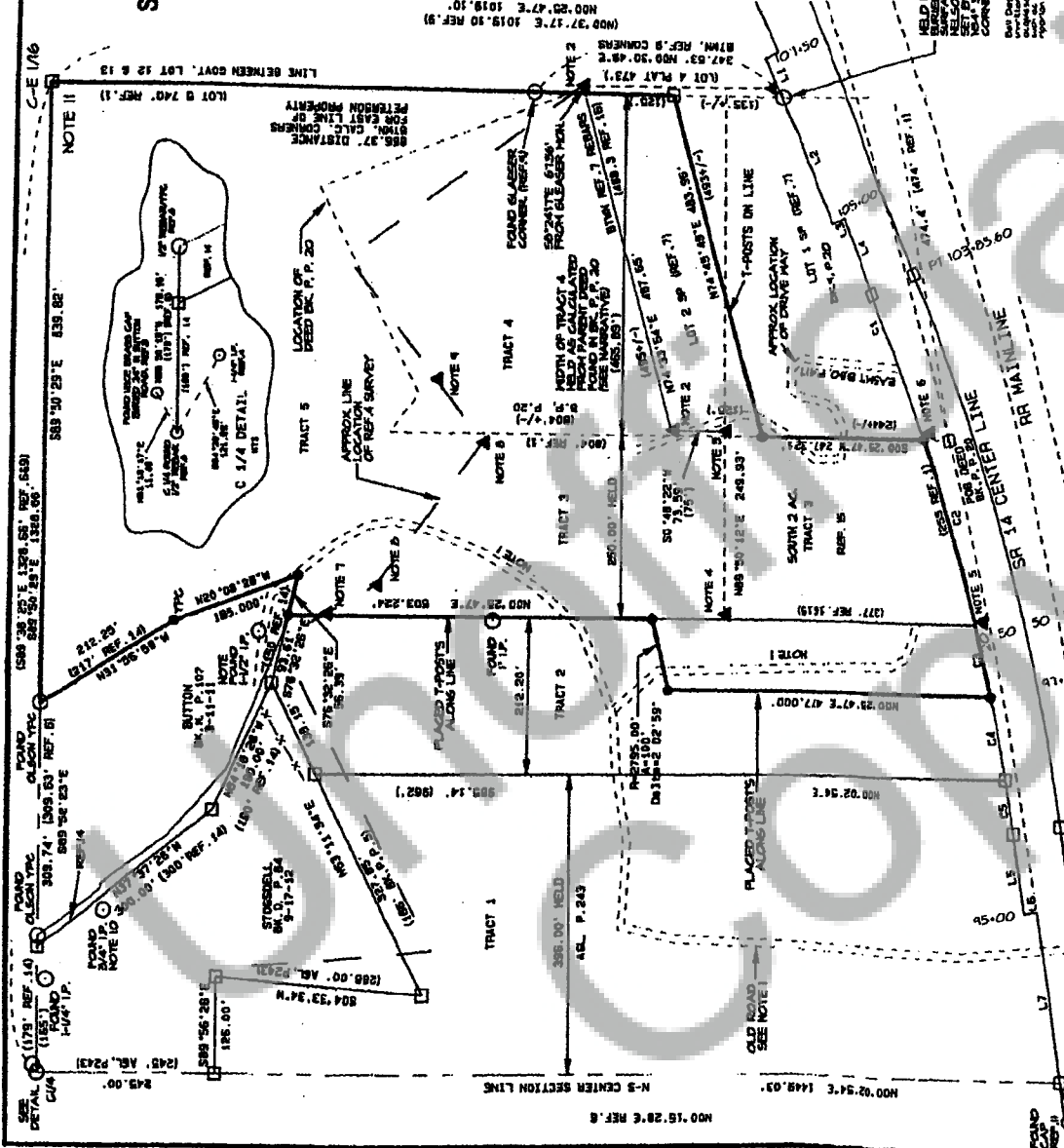


EXHIBIT
A
page 1 of 4

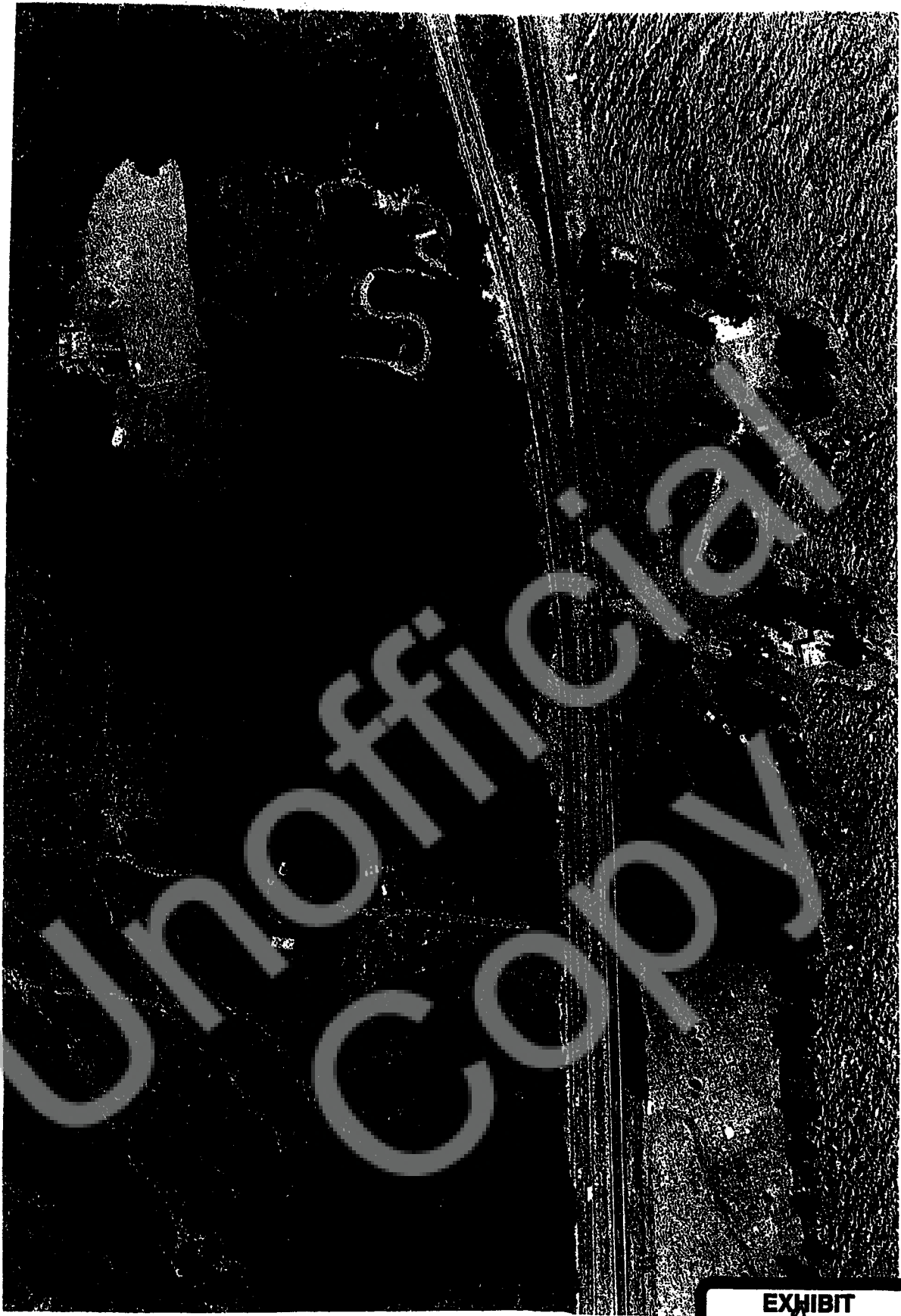


EXHIBIT
A
Page 3 of 4

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 – 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 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.

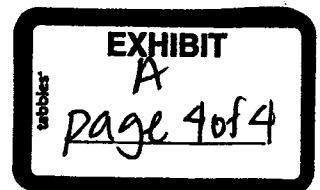


EXHIBIT A

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 $74^{\circ} 47' 15''$ 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 and 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
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