

Recorded at the Request of and
After Recording Return to:
Wyers | Wyers, Attorneys
P. O. Box 421
Bingen, WA 98605
(509) 493-2772

DECLARATION OF VIEW EASEMENTS AND RESTRICTIONS

Robin J. Hale, as owner of the below described parcels, grants the following view easements and creates the following restrictions for the purpose of establishing view easements for the benefit of, and over and across, the below described parcels. The rights and restrictions established herein shall run with the land and shall be binding upon and inure thereto for the benefit of all parties hereto, their successors and assigns and all persons claiming upon them and shall be a part of all transfers and conveyances of the property within such described parcels as though set forth in full in such transfers and conveyances.

For the benefit of Lot 1, Versari Short Plat, recorded in Book 3, Page 236, Skamania County Records, Skamania County, Washington, located in the Southwest quarter of the Northwest quarter of Section 22, Township 3 North, Range 10 East, of the Willamette Meridian, which is more particularly described on Exhibit "A" attached hereto (Assessor's Tax Parcel No. 03 10 2200 1106 00):

A view easement is hereby created as described below over and across Lot 2 of Boundary Line Adjustment recorded February 04, 2014, Auditor's File No. 2014000204, Skamania County Records, and also over and across that parcel hereinafter referred to as the "Hale Parcel", legally described as follows:

The East half of the Southwest quarter of the Northwest quarter and the East half of the West half of the Southwest quarter of the Northwest quarter, all in Section 22, Township 3 North, Range 10 East, of the Willamette Meridian, Skamania County, State of Washington. Excepting therefrom the following: That portion conveyed to William L. Garrett, et ux, by instrument recorded September 3, 1970, in Book 62, Page 41, Auditor's File No. 72506, Skamania County, Washington; that portion conveyed to Richard E. Lathrup by instrument recorded April 6, 1971, in Book 62, Page 758, Auditor's File No. 73305, Skamania County, Washington; that portion conveyed to Larry Z. Marczynski, et ux, by instrument recorded February 28, 1972, in Book 63, Page 793, Auditor's File No. 74466, Skamania County, Washington; that portion conveyed to John Lompa, et ux, by instrument recorded August 16, 1972, in Book 64, Page 336, Auditor's File No. 75085, Skamania County, Washington; that portion conveyed to Joe Perry, et ux, by instrument recorded November 8, 1974, in Book 67, Page 851, Auditor's File No. 78429, Skamania County, Washington. (Assessor's Tax Parcel No. 03 10 22 00 1100 00).

This easement shall be maintained in perpetuity to protect an unobstructed view from the said Lot 1 in an Easterly and Southeasterly direction across and at all points vertical from and above a horizontal plane beginning at a point located 75 feet North of the South line and 260 feet East of the West line of said Lot 1 referenced above, and terminating at the traffic deck of the Hood River-White Salmon Interstate Bridge. No man-made structures (including fences) or vegetation that interfere with this unobstructed view shall be constructed or permitted to grow across the servient lots, into or above the plane described above, except as follows:

Trees 30 feet tall or higher located on the Hale Parcel as of September 1, 2014, shall be permitted to remain. No tree over 30 feet tall as of September 1, 2014 shall be required to be cut or removed from the Hale Parcel unless and until such tree is diseased or dying. No limbs shall be required to be removed from any tree over 30 feet high as of September 1, 2014 except for dead branches. However, if a tree over 30 feet high is destroyed or removed for any

reason, any replacement tree shall be subject to the restrictions set forth in the view easement. The maple tree on Lot 2, located approximately 20 feet West of the East line and 122 feet South of the North line of said Lot 2 (currently approximately 50 feet tall and 27 inches in diameter) shall be permitted to remain.

Any obstruction of the view above such horizontal plane, except as exempted above, shall be considered an unauthorized interference with such right or easement and shall be removed on demand at the expense of servient property owner, his heirs, successors, and assigns.

For the benefit of Lot 2, Versari Short Plat, recorded in Book 3, Page 236, Skamania County Records, Skamania County, Washington, located in the Southwest quarter of the Northwest quarter of Section 22, Township 3 North, Range 10 East, of the Willamette Meridian, which is more particularly described on Exhibit "B" attached hereto (Assessor's Tax Parcel No. 03 10 2200 1104 00):

A view easement is hereby created as described below over and across that property hereinafter referred to as the "Hale Parcel", legally described as follows:

The East half of the Southwest quarter of the Northwest quarter and the East half of the West half of the Southwest quarter of the Northwest quarter, all in Section 22, Township 3 North, Range 10 East, of the Willamette Meridian, Skamania County, State of Washington. Excepting therefrom the following: That portion conveyed to William L. Garrett, et ux, by instrument recorded September 3, 1970, in Book 62, Page 41, Auditor's File No. 72506, Skamania County, Washington; that portion conveyed to Richard E. Lathrup by instrument recorded April 6, 1971, in Book 62, Page 758, Auditor's File No. 73305, Skamania County, Washington; that portion conveyed to Larry Z. Marczynski, et ux, by instrument recorded February 28, 1972, in Book 63, Page 793, Auditor's File No. 74466, Skamania County, Washington; that portion

conveyed to John Lompa, et ux, by instrument recorded August 16, 1972, in Book 64, Page 336, Auditor's File No. 75085, Skamania County, Washington; that portion conveyed to Joe Perry, et ux, by instrument recorded November 8, 1974, in Book 67, Page 851, Auditor's File No. 78429, Skamania County, Washington.

This easement shall be maintained in perpetuity to protect an unobstructed view from the said Lot 2 in an Easterly and Southeasterly direction across and at all points vertical from and above a horizontal plane beginning at said point located at the center of said Lot 2 referenced above, and terminating at the traffic deck of the Hood River-White Salmon Interstate Bridge. No man-made structures (including fences) or vegetation that interfere with this unobstructed view shall be constructed or permitted to grow across the servient lots, into or above the plane described above, except as follows:

Trees 30 feet tall or higher located on the Hale Parcel as of September 1, 2014, shall be permitted to remain. No tree over 30 feet tall as of September 1, 2014 shall be required to be cut or removed from the Hale Parcel unless and until such tree is diseased or dying. No limbs shall be required to be removed from any tree over 30 feet high as of September 1, 2014 except for dead branches. However, if a tree over 30 feet high is destroyed or removed for any reason, any replacement tree shall be subject to the restrictions set forth in the view easement.

Any obstruction of the view above such horizontal plane, except as exempted above, shall be considered an unauthorized interference with such right or easement and shall be removed on demand at the expense of servient property owner, his heirs, successors, and assigns.

Correction of any violation, including all financial costs thereof, shall be the responsibility of the lot owner on whose lot the violation exists or occurs. If

a dispute shall arise between the owners regarding the easements set forth herein and any party shall commence proceedings or institute suit to enforce rights hereunder, the prevailing party shall be entitled to costs and reasonable attorney's fees, including reasonable attorney's fees on appeal. Prior to filing such a lawsuit, the owners shall submit their dispute to and participate in mediation proceedings with Six Rivers Dispute Resolution Center, or another mediation service as agreed upon between the parties, the cost of which shall be determined within mediation.

Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.

Dated this 8th day of May, 2015.



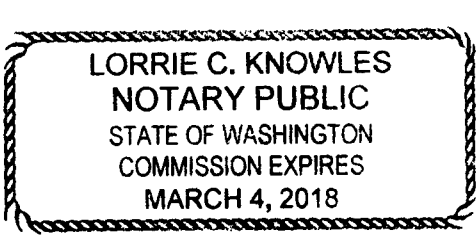
Robin J. Hale

Unofficial Copy

STATE OF WASHINGTON)
) §
COUNTY OF KLINKITAT)

I certify that I know or have satisfactory evidence that ROBIN J. HALE is the person who appeared before me and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated: May 8, 2015.



ku Lorrie C. Knowles

Lorrie C. Knowles
Notary Public in and for the State of
Washington, residing at White Salmon.
My commission expires: 3/4/18.

Unofficial Copy

EXHIBIT "A"
LOT 1, VERSARI SHORT PLAT

Lot 1, of the Versari Short Plat, recorded in Book 3, Page 236, Skamania County Records, Skamania County, Washington, Located in the Southwest Quarter of the NW Quarter of section 22, Township 3 North, Range 10 East, of the Willamette Meridian.

Excepting Therefrom:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet to the Point of Beginning of this description; Thence South 89°45'48" East, 121.03 feet to a point on southerly line of said Lot 1; Thence following the southerly line of said Lot 1 the following three (3) courses; 1.) Thence South 54°52'07" West, 50.53 feet; 2.) Thence South 34°06'22" West, 54.34 feet; 3.) Thence North 89°45'48" West, 50.00 feet to the southwest corner of said Lot 1; Thence North 00°35'46" East, 74.37 feet to the Point of Beginning.

Excepting Therefrom:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet; Thence South 89°45'48" East, 506.18 feet to the Point of Beginning of this description; Thence Continuing South 89°45'48" East, 42.05 feet to a point on the east line of said Lot 1; Thence South 22°35'31" West, 12.83 feet to the southeast corner of said Lot 1; Thence North 72°03'44" West along the south line of said Lot 1 a distance of 39.01 feet, to the Point of Beginning.

Including thereto:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet; Thence South 89°45'48" East, 121.03 feet to the Point of Beginning of this description; Thence following the south line of said Lot 1 the following five (5) Courses; 1.) Thence North 54°52'07" East, 35.64 feet; 2.) Thence South 89°45'48" East, 87.00 feet; 3.) Thence South 81°19'46" East, 136.36 feet; 4.) Thence North 19°21'30" East, 40.22 feet; 5.) Thence South 72°03'44" East, 127.04 feet; Thence North 89°45'48" West, 385.15 feet, to the Point of Beginning.

EXHIBIT "B" LOT 2, VERSARI SHORT PLAT

Lot 2, of the Versari Short Plat, recorded in Book 3, Page 236, Skamania County Records, Skamania County, Washington, Located in the Southwest Quarter of the NW Quarter of section 22, Township 3 North, Range 10 East, of the Willamette Meridian.

Including thereto:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet to the Point of Beginning of this description; Thence South 89°45'48" East, 121.03 feet to a point on southerly line of said Lot 1; Thence following the southerly line of said Lot 1 the following three (3) courses; 1.) Thence South 54°52'07" West, 50.53 feet; 2.) Thence South 34°06'22" West, 54.34 feet; 3.) Thence North 89°45'48" West, 50.00 feet to the southwest corner of said Lot 1; Thence North 00°35'46" East, 74.37 feet to the Point of Beginning.

Including thereto:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet; Thence South 89°45'48" East, 506.18 feet to the Point of Beginning of this description; Thence Continuing South 89°45'48" East, 42.05 feet to a point on the east line of said Lot 1; Thence South 22°35'31" West, 12.83 feet to the southeast corner of said Lot 1; Thence North 72°03'44" West along the south line of said Lot 1 a distance of 39.01 feet, to the Point of Beginning.

Excepting Therefrom:

Commencing at the Northwest Corner of Lot 1, of the Versari Short Plat; Thence South 00°35'46" West along the west line of said Lot 1, a distance of 150.73 feet; Thence South 89°45'48" East, 121.03 feet to the Point of Beginning of this description; Thence following the south line of said Lot 1 the following five (5) Courses; 1.) Thence North 54°52'07" East, 35.64 feet; 2.) Thence South 89°45'48" East, 87.00 feet; 3.) Thence South 81°19'46" East, 136.36 feet; 4.) Thence North 19°21'30" East, 40.22 feet; 5.) Thence South 72°03'44" East, 127.04 feet; Thence North 89°45'48" West, 385.15 feet, to the Point of Beginning.