

When Recorded Return To:
State of Washington, Department of Transportation
Real Estate Services Office
P.O. Box 47338
Olympia, WA 98504-7338

SKAMANIA COUNTY
REAL ESTATE EXCISE TAX

N/A
AUG 31 2016

PAID N/A
by deputy
SKAMANIA COUNTY TREASURER

Document Title: Highway Easement Deed
Reference Number of Related Documents: None
Grantor: United States of America, acting by and through the
Department of Transportation, Federal Highway Administration
Grantee: State of Washington, Department of Transportation
Legal Description: Ptn of SE 1/4 NW 1/4 Section 10, Township 1 N,
Range, 5 E, W.M., Skamania County, Washington
Additional Legal Description is on Pages 7-10 of Document.
Assessor's Tax Parcel Number: None

HIGHWAY EASEMENT DEED

THIS DEED, made this 14th day of, April 2016 by and between the UNITED STATES OF AMERICA, acting by and through the DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY ADMINISTRATION, hereinafter referred to as the DEPARTMENT, and the STATE OF WASHINGTON, DEPARTMENT OF TRANSPORTATION, hereinafter referred to as the STATE:

WITNESSETH:

WHEREAS, the STATE has filed application under the provisions of the Act of Congress of August 27, 1958, as amended (23 U.S.C. Section 317) for the right-of-way of a highway over certain land owned by the United States in the State of Washington, which is under the jurisdiction of the Department of Agriculture - Forest Service; and

WHEREAS, the Federal Highway Administrator, pursuant to delegations of authority from the Secretary of Transportation, has determined that an easement over the land covered by the application is reasonably necessary for right-of-way for State Route 14, Clark County Line to Prindle Vicinity (also known as SR 14, Cape Horn Bridge to Cape Horn Rd Safety Improvement Project); and

WHEREAS, the Department of Agriculture, acting by and through the Forest Service, has agreed to the transfer by the DEPARTMENT of an easement over the land to the STATE;

NOW THEREFORE, the DEPARTMENT, as authorized by law, does hereby grant to the STATE an easement for a right-of-way for the operation and maintenance of a highway, and use of the space above and below the established grade line of the highway pavement for highway purposes on, above, across, in and upon the land of the United States of America within the Gifford Pinchot National Forest, also referred to as Columbia River Gorge National Scenic Area, County of Skamania, State of Washington, as described and shown hachured on Exhibit A, attached hereto and made a part hereof, subject, however, to the following terms, conditions and covenants:

1. Outstanding valid claims, if any, existing on the date of this grant, and the STATE shall obtain such permission as may be necessary on account of any such claims.
2. The STATE and the Area Manager shall make determination as to the necessity for archaeological and paleontological reconnaissance and salvage within the right-of-way, and such reconnaissance and salvage to the extent determined necessary because of maintenance of the highway facility is to be undertaken by the STATE in compliance with the Acts entitled "An Act for the Preservation of American Antiquities", approved June 8, 1906 (34 Stat. 225, 16 U.S.C. 432-433), the "Archaeological Resources Protection Act of 1979" (93 Stat. 721, 16 U.S.C. 470aa-47011), and State laws where applicable.
3. The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purpose of construction/reconstruction, operation and maintenance of a highway and does not include the grant of any rights for non-highway purposes or facilities: Provided, that the right of the Forest Service to use or authorize the use of any portion of the right-of-way for non-highway purposes shall not be exercised when such use would be inconsistent with the provisions of Title 23 of the United State Code and the Federal Highway Administration Regulations issued pursuant thereto or would interfere with the free flow of traffic or impair the full use and safety of the highway, and in any case the STATE and the DEPARTMENT shall be consulted prior to the exercise of such rights; and Provided further, that nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of construction/ reconstruction clearing limits.
4. The design and construction/ reconstruction of the highway project situated on this right-of-way will be in accordance with the provisions of Title 23, United State Code-Highways, and amendments; the Regulations for the Administration for Federal-aid for Highways, effective May 11, 1960; and amendments and established procedures for Federal-aid projects, including the requirement of Title 23, Code of Federal Regulations, part 771, and the construction specifications of the State as approved by the FHWA for use on Federal-aid projects.

The Area Manager will be provided an opportunity to review plans relative to effects, if any, that the project work as planned will have upon adequate protection and utilization of the land traversed by the right-of-way and adjoining land under the administration of the Forest Service for the purposes for which such land is being administered. Those features of design,

construction/ reconstruction and maintenance of the highway facility and of use of the right-of-way that would have effect on the protection and utilization of the land under the administration of the Forest Service are to be mutually agreed upon by the Area Manager and the STATE by a conference or other communication during the preparation of the plans and specifications for each construction/ reconstruction project, and the plans shall be revised, modified, or supplemented to meet the approval of the Area Manager, or when deemed appropriate, supplemented by written stipulation between the Area Manager and the STATE, prior to start of construction/reconstruction.

The final design and the construction specifications for any highway construction project on the right-of-way will be presented to the Area Manager for approval; and construction/ reconstruction shall not begin until such approval is given: Provided, that if it is subsequently deemed necessary that the approved plans, specifications, or stipulation be amended or supplemented, any amendment or supplement shall be approved by the Area Manager and the STATE before being placed in effect.

5. Consistent with highway safety standards, the STATE shall:
 - a. Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of construction/ reconstruction limits.
 - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the construction/reconstruction, operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed where it is deemed necessary during a joint review between the Area Manager and the STATE. And the STATE shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be required to accomplish this objective. This provision shall also apply to slopes that are reshaped following slides which occur during or after construction/reconstruction.
6. The STATE shall establish no borrow, sand, or gravel pits, stone quarries, permanent storage areas, sites for highway operation and maintenance facilities, camps, supply depots, or disposal areas within the right-of-way, unless shown on approved construction/ reconstruction plans, without first obtaining approval of the Area Manager.
7. The STATE shall maintain the right-of-way clearing by means of chemicals only after consultation with the Area Manager. Consultation must address the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.
8. The STATE'S authorization for immediate entry for construction/reconstruction and maintenance shall be performed according to the Stipulations included in Exhibit "01", attached hereto and herein made a part hereof.

9. The STATE, in consideration of the grant of this easement, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns that:

a. No person shall, on the grounds of race, color, sex, age, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such land hereby conveyed; and

b. The STATE shall use said easement right-of-way so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination, in federally assisted programs of the Department of Transportation, effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulation may be amended.

10. When need for the easement herein granted shall no longer exist, and the area has been reasonably rehabilitated to protect the public and the environment, the STATE shall give notice of that fact to the Secretary of Transportation and the rights herein granted shall terminate and the land immediately revert to the full control of the Department of Agriculture.

IN WITNESS WHEREOF, I, Daniel M. Mathis, Division Administrator, pursuant to delegations of authority from the Secretary of Transportation, and the Federal Highway Administrator, by virtue of authority in me vested by law, have hereunto subscribed my name as of the day and year first above written.

UNITED STATES OF AMERICA
DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

By: Daniel M. Mathis

Daniel M. Mathis
Division Administrator

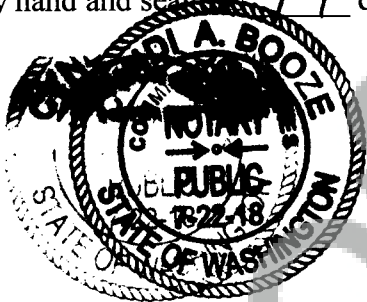
STATE OF WASHINGTON)

)ss:

COUNTY OF THURSTON)

I, Cyndi Booze, Notary Public in and for the State of WA do hereby certify that on the 14 day of April, 2014, before me personally appeared Daniel M. Mathis Division Administrator, Federal Highway Administration, and acknowledged that the foregoing instrument bearing date of April 14 2014 was executed by him, in his official capacity and by authority him vested by law, for the purposes and intents in said instrument described and set forth, and acknowledged the same to be his free act and deed as Division Administrator, Federal Highway Administration.

Witness my hand and seal this 14 day of April, 2014



Cyndi A Booze
Notary Public

My commission expires 7/22/18

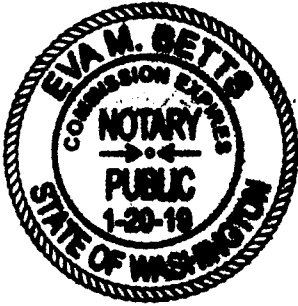
In compliance with the conditions set forth in the foregoing instrument, STATE certifies, and by the acceptance of this instrument, accepts the right-of-way over certain land herein described and agrees for itself, its successors and assigns forever to abide by the conditions set forth in said instrument.

By Terry Meara
Terry Meara
HQ Real Estate Services
Services Program Administrator
State of Washington
Department of Transportation

STATE OF WASHINGTON)
)ss
COUNTY OF THRUSTON)

I, Eva Betts, Notary Public in and for said County and State, hereby certify that Terry Meara, whose name as Headquarters Real Estate Services Program Administrator is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he in his capacity as Real Estate Services Program Administrator executed the same voluntarily on this day.

Given under my hand and seal of office this 22nd day of April, 2016



Eva Betts
Notary Public in and for the
State of Washington
Residing at Boneste, WA
My commission expires January 20, 2019

APPROVED AS TO
LEGAL SUFFICIENCY

Ann E. Saly
Assistant Attorney General

Date 5-20-16

**EXHIBIT 01
STIPULATIONS**

1. Outstanding valid claims, if any, existing on the date of this grant, and the Grantee shall obtain such permission as may be necessary on account of any such claims.
2. The Grantee and the Area Manager shall make a determination as to the necessity for archaeological and paleontological reconnaissance and salvage within the right-of-way, and such reconnaissance and salvage to the extent determined necessary because of reconstruction of the highway facility is to be undertaken by the Grantee in compliance with the acts entitled an Act for the preservation of American Antiquities, approved June 8, 1906 (34 Stat. 225, 16 U.S.C. 432-433), the Archaeological Resources Protection Act of 1979 (93 Stat. 721, 16 U.S.C. 470aa-47011), and State laws where applicable.
3. The easement herein granted is limited to use of the described right-of-way and the space above and below the established grade line of the highway pavement for the purpose of reconstruction, operation, and maintenance of a highway in accordance with the approved plans described in the following condition number 4 and does not include the grant of any rights for non-highway purposes of facilities: Provided, that the right of the Forest Service to use or authorize the use of any portion of the right-of-way for non-highway purposes shall not be exercised when such use would be inconsistent with the Administration regulations issued pursuant to thereto or would interfere with the free flow of traffic or impair the full use and safety of the highway, and, in any case, the Grantee and the Federal Highway Administration shall be consulted prior to the exercise of such rights: and Provided Further, that nothing herein shall preclude the Forest Service from locating National Forest and other Department of Agriculture information signs on the portions of the right-of-way outside of maintained clearing limits.
4. The design and reconstruction of the highway project situated on this right-of-way will be in accordance with the provision of Title 23, United States Code – Highways, and amendments; the Regulation for the Administration of Federal Aid for Highways, effective May 11, 1960, and amendments; and established procedures for Federal-Aid projects, including the requirements of Title 23, Code of Federal regulations, Part 771, and the construction specification of the State highway Department as approved by the Federal Highway Administration for use on Federal-Aid projects.

The Area Manager will be provided an opportunity to review plans relative to effects, if any, that the project works as planned will have upon adequate protection and utilization of the land traversed by the right-of-way and adjoining land under the administration of the Forest Service for the purposes for which such land is being administered. Those features of design, reconstruction, and maintenance of the highway facility and of use of the right-of-way that would have effect on the protection and utilization of the land under the administration of the Forest Service are to mutually agreed upon by the Area Manager and the Grantee by conference or other communication during the preparation of the plans and specifications for each reconstruction project, and the plans shall be revised, modified, or supplemented to meet the approval of the Area Manager, or when deemed appropriate, supplemented by written stipulation between the Area Manager and Grantee, prior to start of reconstruction.

The final design and the construction specifications for any highway reconstruction project on the right-of-way will be presented to the Area Manager for approval; reconstruction shall not begin until such approval is given: Provided, That if it is subsequently deemed necessary that the approved plans, specifications, or stipulation be amended or supplemented, any amendment or supplement shall be approved by the Area Manager and the Grantee before being placed into effect:

5. Consistent with highway safety standards, the Grantee shall:
 - a. Protect and preserve soil and vegetative cover and scenic and esthetic values on the right-of-way outside of reconstruction limits.
 - b. Provide for the prevention and control of soil erosion within the right-of-way and adjacent lands that might be affected by the reconstruction, operation, or maintenance of the highway, and shall vegetate and keep vegetated with suitable species all earth cut or fill slopes feasible for revegetation or other areas on which ground cover is destroyed where it is deemed necessary during a joint review between the Area Manager and the Grantee prior to completion of the highway and the Grantee shall maintain all terracing, water bars, leadoff ditches, or other preventive works that may be required to accomplish this objective. This provision shall also apply to slopes that are reshaped following slides which occur during or after reconstruction.
6. The Grantee shall establish no borrow, sand, or gravel pits; stone quarries, permanent storage areas; sites for highway operation and maintenance facilities, camps, supply depots, or disposal areas within the right-of-way; unless shown on approved reconstruction plans, without first obtaining approval of the Area Manager.
7. The Grantee shall maintain the right of way free of noxious weeds that have been identified in Federal, State, county, or local laws, regulations or orders. The Grantee shall maintain the right-of-way clearing by means of chemicals only after consultation with the Area Manager. Consultation must address the time, method, chemicals, and the exact portion of the right-of-way to be chemically treated.
8. The Forest Service will retain the right to any merchantable timber and all other resource materials not specifically appropriated, within the boundaries of the appropriation. The Grantee will notify the Forest Service which timber or other resource materials within the appropriation are scheduled to be removed and the Forest Service will determine whether a timber sale or other authorization for removal is appropriate.
9. All signing within the right-of-way will be installed and maintained by the Grantee. The Grantee will provide signs to mark National Forest boundaries (both for entering and leaving), intersecting Forest Service roads, directional signs to nearby National Forest information facilities which are staffed throughout the year, and signs to geographic or recreation areas. All signing will be in accordance with the Manual on Uniform Traffic Control Devices.
10. The Grantee shall permanently monument the right-of-way within 180 days after completing construction during the initial construction contract in accordance with State requirements. In any event, the minimum requirements shall be to replace existing permanent monuments at the intersection of right-of-way with all property lines, section lines, and at intervals of not more than 1,000 feet along the right-of-way limits.

11. Reestablish or restore public land monuments disturbed or destroyed by construction, reconstruction, or maintenance according to the BLM Manual of Surveying Instructions, 1973.

Other land monuments and property corners or witness markers shall not be damaged, destroyed, or obliterated without the prior permission of the Area Manager and shall be relocated or reestablished in accordance with standards satisfactory to the Area Manager.

12. All operations will comply with Industrial Fire Precautions and maintain forest access for fire and other emergency vehicle response.

13. The Grantee shall be responsible for the removal and cleanup of hazardous spills originating on the highway right-of-way, including those that extend beyond the boundaries of the appropriated right-of-way adjacent to National Forest System lands and resources.

14. The Grantee, in consideration of the grant of this easement, does hereby covenant and agree as a covenant running with the land for itself and its successors that it will comply with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat.242) and that:

- a. No person shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed, and
- b. The Grantee shall use said easement and right-of-way so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation, including any future amendments thereto.

15. When need for the easement herein granted no longer exists, Upon notification the Forest Service will either (1) accept the land as is; or (2) if a roadway or other improvements are in place and are to be removed, identify rehabilitation standards that the Grantee must complete. Upon notice of Forest Service intent to accept the land as-is, or upon completion of the rehabilitation and acceptance of same by the Forest Service, the Grantee will notify the Grantor, in writing, of the relinquishment. Upon receipt of this notice of relinquishment by the Grantor, the lands appropriated will immediately revert to the Forest Service and a formal relinquishing document will be prepared.

16. The Grantee, in consideration of the grant of this easement, shall comply with the terms and conditions agreed upon in the Columbia River Gorge National Scenic Area Management Plan -- Consistency Review Conditions, referenced as CD-09-04-S as listed below:

- A. The metal fence for the tunnels shall be rustic in finish, non reflective and of a dark earth tone color.
- B. Logs and/ or stumps greater than 20" in diameter shall be placed on the restored road bed where they are outside of the clear zone and the Compost Amended Vegetated Filter Strip.
- C. Trees and shrubs shall be planted on all cleared areas which are not permanently converted from a vegetated area and where rock does not limit planting. Plants should be planted in groupings to reflect the natural pattern on the landscape and should be of variable sizes. On the upper, portions of cut slopes, excluding the 10-15' at the top of slope, 2 gallon container trees should be planted. Species composition should reflect local plant communities.
- D. Within five years of planting the cleared areas shall meet the performance standards identified in the mitigation plan performance criteria, specifically Success Standard 2C. A CRGNSA specialist such as a landscape architect or botanist shall be consulted at that time.
- E. Any materials such as concrete, shotcrete or grout that are visible from SR 14 shall be of a dark earth tone color.
- F. Utility lines which cross SR 14 within the Salmon Falls Road vicinity of the project shall be undergrounded to mitigate impacts to the foreground view from SR 14.
- G. Should any historic or prehistoric cultural resources be uncovered during project activities, the applicant shall cease work and immediately notify the CRGNSA office and the Washington Office of Archeology and Historical Preservation. The applicant will also notify the Indian Tribal governments within 24 hours if the resources are prehistoric or otherwise associated with Native American Indians.
- H. All work done for the construction of the tunnels shall be consistent with findings and the mitigations of the 2009 Cape Horn Trail Area Recreation Plan EA and consistency review.
- I. All work done at St. Cloud Mitigation site shall be consistent with the findings and the mitigations for the 2008 Site-Specific Invasive Plan Treatment Project and Forest Plan Amendment EIS and consistency review for the Gifford Pinchot and CRGNSA.
- J. All necessary permits shall be attained.
- K. The project shall be consistent with the 2005 Memorandum of Understanding between the Washington State Department of Fish and Wildlife and the USDA Forest Service, Pacific Northwest Region regarding hydraulic projects.

L. In order to mitigate direct impacts to the riparian buffer around the western tunnel, a condition shall be made that some trees in the clearing area be directionally felled into the stream channel below the western tunnel. These trees shall be mutually agreed to prior to falling with CRGNSA specialist such as a biologist or hydrologist. Additionally, some of the trees which are cleared for the project shall be stockpiled in coordination with the CRGNSA. Fourteen trees over 12" dbh should be stockpiled with the root wad intact in 30' lengths.

M. The two trees identified to be potentially saved at the toe of the fill slope at Salmon Falls Road shall be preserved and protected. Additionally the large tree at the base of the fill slope identified for removal shall be filled around to the minimum extent practical and preserved during the construction process. If protection of these trees is not possible due to serious safety concerns that cannot be mitigated by any other action, removal of the trees may be allowed upon approval by the Area Manager.

N. Workers shall be aware that people may be walking through the project area. Additionally, WSDOT may choose to contact the Cape Horn Conservancy to help inform the public of the construction work.

Unofficial Copy

EXHIBIT "A"
2730 ROW GRANT
 RIGHT-OF-WAY EASEMENT TO
 STATE OF WA. DEPT. OF TRANSPORTATION
STATE ROUTE 14
CAPE HORN BR. VIC. TO CAPE HORN RD. VIC.
SAFETY PROJECT
 RIGHT OF WAY PLATS
 U.S.D.A.
 FOREST SERVICE
 PACIFIC NORTHWEST REGION
GIFFORD PINCHOT NATIONAL FOREST

DESCRIPTION OF LANDS:
 S.R. 14 STA. 334+91.14 TO STA 348+17.98
 Township 1 North Range 5 East, W.M.

REVIEWED *Roberta Romo*
FOREST LAND SURVEYOR

DATE 3/8/10

ACCEPTED *Vilma Nestling*
 for **FOREST ENGINEER**

DATE 3/8/10

TOTAL RIGHT-OF-WAY = 2.61 ACRES

LEGEND

**EXHIBIT OF SURVEY
ARE LOCATED AT:**

**WA. ST. DEPT. OF
 TRANSPORTATION
 SOUTHWEST REGION
 VANCOUVER, WA 98668**

WCS NAD 83/91







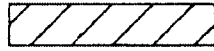
-  PROPOSED EASEMENT LINE
-  RIGHT OF WAY LINE
-  EXISTING RIGHT OF WAY LINE
-  SECTION LINE
-  1/4 SECTION LINE
-  1/16 SECTION LINE
-  EASEMENT AREA TO BE GRANTED

EXHIBIT "A"
2730 ROW GRANT
RIGHT-OF-WAY EASEMENT TO
STATE OF WA. DEPT. OF TRANSPORTATION
STATE ROUTE 14
CAPE HORN BR. VIC. TO CAPE HORN RD. VIC.
SAFETY PROJECT
RIGHT OF WAY PLATS
U.S.D.A.
FOREST SERVICE
PACIFIC NORTHWEST REGION
GIFFORD PINCHOT NATIONAL FOREST

DESCRIPTION OF LANDS:

Township 1 North Range 5 East, W.M.

THE RIGHT OF WAY EXTEND FROM THE TRUE
PROPERTY LINE AND TERMINATES AT THE
NORTH SOUTH CENTERLINE OF SECTION 10

TOTAL RIGHT-OF-WAY = 2.61 ACRES

RIGHT OF WAY WIDTHS IN FEET:

SEE ATTACHED PLAN

HIGHWAY ENGINEER STATION	WIDTH
335+22.62 to 343+72.02 Lt.	Varies 50' - 145.28'
334+91.14 to 348+17.98 Rt	Varies 50' - 110'

EXHIBIT "A"

4-07644

Tract 1:

All that portion of the hereinafter described PARCEL A lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 335+29.50 on the SR14 line survey of SR14, Clark County Line to Prindle Vicinity, and 120.54 feet northerly therefrom; thence easterly to a point opposite HES 343+01.65 on said line survey and 142.69 feet northerly therefrom; thence easterly to a point opposite HES 343+43.48 on said line survey and 144.65 feet northerly therefrom; thence easterly to a point opposite HES 343+57± on said line survey and 145.28 feet northerly therefrom, said point being on the north line of the Southeast quarter of the Northwest quarter of Section 10, Township 1 North, Range 5 East, W.M., said point also being on the westerly right of way line of Salmon Falls Road (Cape Horn Cut-Off) as it existed on February 23, 2012; thence southerly along said westerly right of way line to a point opposite HES 343+72± on said line survey and 50 feet northerly therefrom, said point being on the northerly right of way line of said SR 14, as conveyed to the State of Washington by deed recorded July 20, 1927, in Volume V of Deeds, page 342, under Auditor's File No. 14220, records of Skamania County; thence westerly along said northerly right of way line to the west line of said PARCEL A; thence northerly along said west line to the point of beginning.

Tract 2:

All that portion of the hereinafter described PARCEL A lying within a tract of land beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 347+13± on the SR14 line survey of SR14, Clark County Line to Prindle Vicinity, and 50 feet northerly therefrom, said point being on the northerly right of way line of said SR 14, as conveyed to the State of Washington by deed recorded July 20, 1927, in Volume V of Deeds, page 342, under Auditor's File No. 14220, records of Skamania County, said point also being on the westerly right of way line of Old Cape Horn Road, as it existed on February 23, 2012; thence northerly along said westerly right of way line of said Old Cape Horn Road, to a point opposite HES 347+17± on said line survey and 65 feet northerly therefrom; thence easterly parallel with said line survey to a point opposite HES 348+14± thereon, said point being on the centerline of said Section 10; thence southerly along said centerline to the northerly right of way line of said SR 14, as conveyed to the State of Washington by above referenced deed; thence westerly along said northerly right of way line to the point of beginning.

Tract 3:

All that portion of the hereinafter described PARCEL A lying southerly of the southerly right of way line of SR 14, as conveyed to the State of Washington by deed recorded July 20, 1927, in Volume V of Deeds, page 342, under Auditor's File No. 14220, records of Skamania County, and northerly of the following described line:

Beginning at a point opposite Highway Engineer's Station (hereinafter referred to as HES) 334+32.59 on the SR14 line survey of SR 14, Clark County Line to Prindle Vicinity and 110 feet southerly therefrom; thence easterly parallel with said line survey to a point opposite HES 342+00 thereon; thence easterly parallel with said line survey to a point opposite HES

344+52.87 thereon; thence easterly parallel with said line survey to a point opposite HES 344+76.35 thereon; thence easterly parallel with said line survey to a point opposite HES 345+62.42 thereon; thence easterly parallel with said line survey to a point opposite HES 352+32.59 thereon, and the terminus of said line.

PARCEL A

The Southeast of the Northwest quarter of Section 10, Township 1 North, Range 5 East of the Willamette Meridian, in Skamania County, Washington.

EXCEPTING THEREFROM the following described tract:

Beginning at the intersection of the West line of the New Cape Horn Landing Road with the North line of State Road No. 8 (now State Route No. 14); thence following said North line of said State Road No. 8 Westerly to the East line of the Old Cape Horn Landing Road; thence Northerly on said East line 200 feet; thence Easterly parallel with the North line of said State Road No. 8 to the West line of said New Cape Horn Landing Road; thence Southerly on said West line 200 feet, more or less, to the North line of said State Road No. 8, being the Point of Beginning.

ALSO EXCEPTING a tract of land beginning at a point 300 feet West of the center of Section 10, Township 1 North, Range 5 East, of the Willamette Meridian, in Skamania County, Washington, on the South line of the Northwest quarter of said Section 10; thence North 500 feet to the intersection with the South right of way line of Cape Horn Road (County Road No. 10050), as it existed on November 23, 1986; thence following said right of way line West and South to the intersection with the South line of the Northwest quarter of Section 10, Township 1 North, Range 5 East, of the Willamette Meridian; thence 825 feet East to the Point of Beginning.

ALSO EXCEPT Old Cape Horn Road (County Road #10050), as it existed on February 23, 2012, lying Southerly of SR 14, as conveyed to the State of Washington by deed recorded July 20, 1927, in Volume V of Deeds, page 342, under Auditor's File No. 14220, records of Skamania County.

ALSO the South half of the Southwest quarter of the Northeast quarter and the South half of the North half of the Southwest quarter of the Northeast quarter of Section 10, Township 1 North, Range 5 East, of the Willamette Meridian, in Skamania County, Washington.

EXCEPT the following tract of land:

Beginning at the Southeast corner of the Northwest quarter of the Northeast quarter of Section 10, Township 1 North, Range 5 East of the Willamette Meridian; thence South 440 feet to the initial point of the tract thereby conveyed; thence North 80°5' West 665.4 feet; thence South to the center line of said Section 10; thence East 660 feet to the Southeast corner of the Southwest quarter of the Northeast quarter of said Section 10; thence North 880 feet, more or less, to the Point of Beginning.

The lands herein described contain an area of 2.70 acres, more or less, the specific details concerning all of which are to be found on sheet 22 and 23 of that certain plan entitled SR 14, Clark County Line to Prindle Vicinity, now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval September 4, 2008, revised June 17, 2010, as to sheet 22, and February 23, 2012, as to sheet 23.

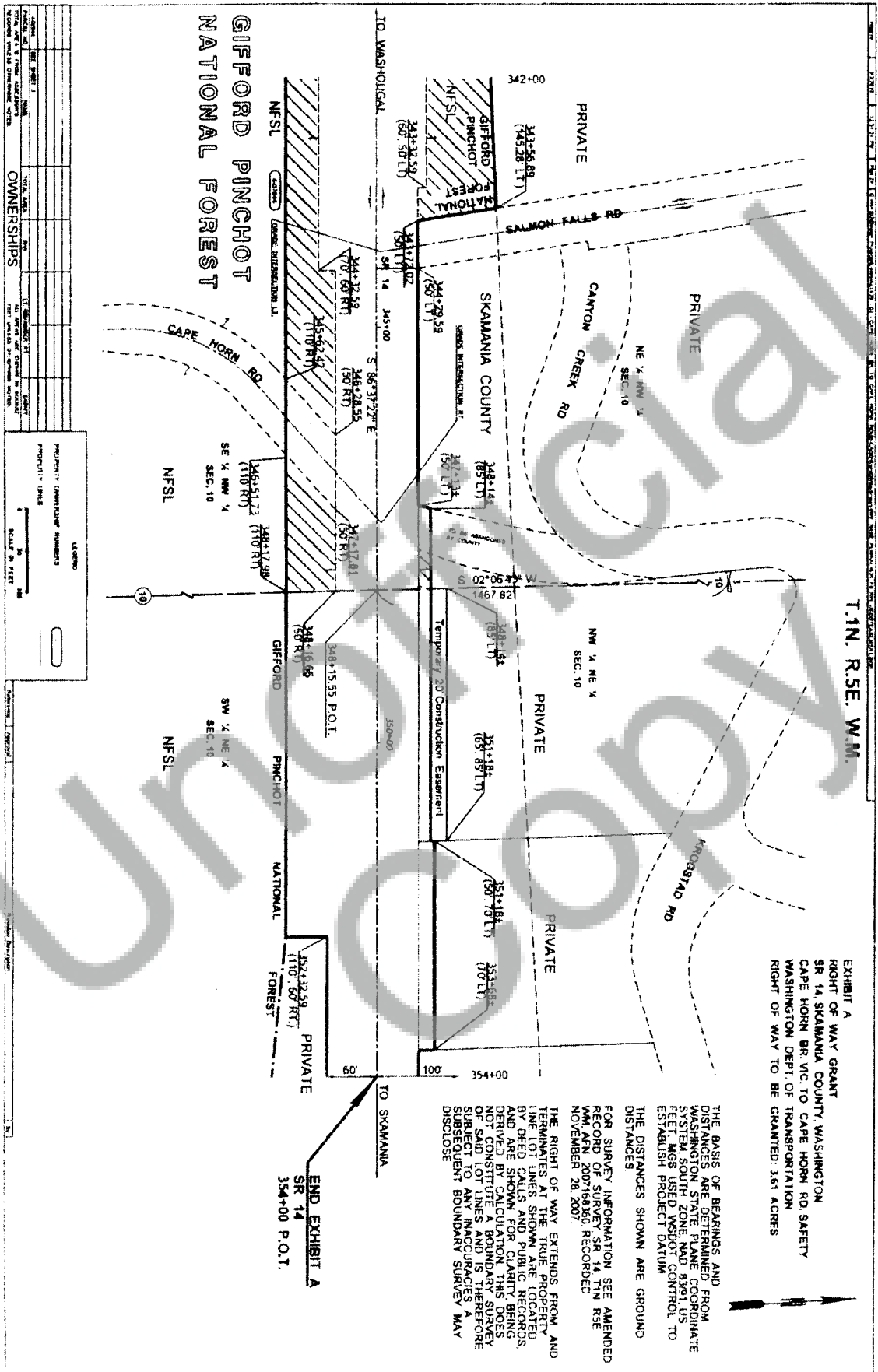


EXHIBIT A
RIGHT OF WAY GRANT
 SR 14, SKAMANIA COUNTY, WASHINGTON
 CAPE HORN BR. VIC. TO CAPE HORN RD SAFETY
 WASHINGTON DEPT. OF TRANSPORTATION
 RIGHT OF WAY TO BE GRANTED: 1.61 ACRES

THE BASIS OF BEARINGS AND DISTANCES ARE DETERMINED FROM WASHINGTON STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 83 BY US TO ESTABLISH PROJECT DATUM. THE DISTANCES SHOWN ARE GROUND DISTANCES.

FOR SURVEY INFORMATION SEE AMENDED RECORD OF SURVEY SR 14, T1N R3E NOVEMBER 20, 2007.

THE RIGHT OF WAY EXTENDS FROM AND TERMINATES AT THE TRUE PROPERTY LINE LOT LINES SHOWN ARE LOCATED BY DEED CALLS AND PUBLIC RECORDS AND BEING CALCULATED FROM THE BORES NOT CONSTITUTE A BOUNDARY SURVEY OF SAID LOT LINES AND IS THEREFORE SUBJECT TO ANY INACCURACIES A SUBSEQUENT BOUNDARY SURVEY MAY DISCLOSE.

END EXHIBIT A
 SR 14
 354+00 P.O.T.

OWNER	ACRES	ADJACENT
STATE OF WASHINGTON	1.61	TO THE WEST
SKAMANIA COUNTY	1.61	TO THE EAST
PRIVATE	1.61	TO THE SOUTH
NATIONAL FOREST	1.61	TO THE NORTH

SECTION	OWNER	ACRES
NE 1/4, NW 1/4, SE 1/4, SW 1/4	PRIVATE	1.61
Other sections	NFSL	1.61



OWNER	ACRES	ADJACENT
STATE OF WASHINGTON	1.61	TO THE WEST
SKAMANIA COUNTY	1.61	TO THE EAST
PRIVATE	1.61	TO THE SOUTH
NATIONAL FOREST	1.61	TO THE NORTH