

Skamania PUD
P.O. Box 500
Carson, WA
98610

RIGHT OF WAY EASEMENT

KNOW ALL PEOPLE BY THESE PRESENTS, that the undersigned Rick V. May and Julie F. May does hereby grant unto Public Utility District #1 of Skamania County (Skamania PUD), and its successors and assigns, the right to enter upon the lands of the undersigned, situated in Skamania County, Washington, and more particularly described as follows:

Legal description:

See Attached Exhibit 'A'

SKAMANIA COUNTY
REAL ESTATE EXCISE TAX

N/A
SEP 12 2016

PAID

N/A
[Signature]
SKAMANIA COUNTY TREASURER

Tax Parcel #: 03-07-36-4-4-0404-00 

Abbreviated Legal Description: SE ¼ SEC 36 T3N R7E

The undersigned grants a perpetual non-exclusive easement over, under and across a strip of land 15 feet wide centered on the underground or overhead power line on the above described lands to construct, operate and maintain an overhead or underground electric distribution line or system and/or all streets, roads or highways abutting said lands; to inspect and make such repairs, changes, alterations, improvements, removals from, substitutions and additions to its facilities as Skamania PUD may from time to time deem advisable, including, by way of example and not by way of limitation, the right to increase or decrease the number of circuits, wires, poles, cables, manholes, connection boxes, transformers and transformer enclosures; to cut, trim and control the growth by machinery or other means of trees and shrubbery that may interfere with or threaten to endanger the operation and maintenance of said line or system (including any control of the growth of other vegetation in the right of way which may incidentally and necessarily result from the means of control employed); and the right to permit the installation of communication and other circuits as part of said electric distribution system.

The undersigned agree that all poles, wires, and other facilities, including any equipment installed on the above-described lands by Skamania PUD or at its expense, shall be and remain the property of Skamania PUD and shall be removable at its option.

The undersigned covenant that they will not erect or maintain any structure over or under the electric facilities and that structure, if any, not be constructed closer than ten (10) feet from the nearest electric facilities; that if such a structure is built or placed, they will remove the same at the request of the Grantee at no cost to the Grantee, or in the alternative and in Grantee's sole discretion, pay the Grantee the cost of rerouting the utilities around the structure; and that they are the owners of the above-described lands, and that they have the right to execute this Right of Way Easement without the consent of any other party.

This easement shall be non-exclusive, except as set forth above and as to any use that is inconsistent with Grantee's use. Every other use in this easement is subordinate to Grantee's use and Grantee reserves the right to exclude and eject any use and user that it finds to be inconsistent to Grantee's use or in its judgment compromises the health or safety of its employees or the public.

Grantor retains use and actual control of the above described lands for all purposes, except as provided herein. This Right of Way Easement shall be binding upon and inure to the benefits of the successors and assigns of the parties.

Rights and obligations not specifically conveyed hereby remain with the undersigned.

IN WITNESS WHEREOF, we have set our hands this 30 day of August, 2016.

Rick V. May
Name (Print or type full name)

Julie F. May
Name (Print or type full name)

Rick V. May
Signature

Julie F. May
Signature

STATE OF Washington COUNTY OF Skamania
Personally appeared the above named Rick V. May and Julie F. May
on this 30 day of August, 2016 and acknowledged the foregoing to be their voluntary act and deed.

Before me:

Kelly Teton
Notary Public for Washington
1/23/18
My Commission Expires

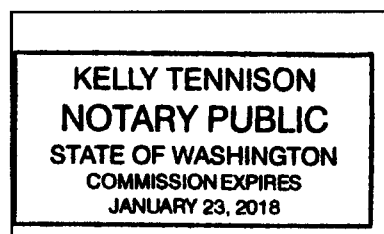


Exhibit 'A'

A portion of the Shepard Donation Land Claim, situated in the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 36, Township 3 North, Range 7 East, Willamette Meridian, being more particularly described as follows:

Beginning at the $\frac{5}{8}$ " rebar with yellow plastic cap inscribed "KC Dev. LS 38028" marking a point on the Division Line of the Shepard Donation Land Claim which bears $S87^{\circ}49'55''E$, 432.98 feet from the intersection of said Division Line with the Southerly Right of Way Line of Kanaka Creek Cut Off, a 50.00 foot wide public roadway; thence along the Division Line of the Shepard Donation Land Claim, $S87^{\circ}49'55''E$, 287.23 feet to a $\frac{3}{4}$ " iron pipe marking the Westerly Right of Way line of Kanaka Creek Road, a variable width public roadway; thence along said Westerly Right of Way line, along a line parallel and 20.00 total distance and Westerly from the Centerline thereof, $S22^{\circ}45'31''E$, 110.00 feet to a $\frac{5}{8}$ " Rebar with Yellow Plastic Cap inscribed "KC Dev. LS 38028"; thence leaving said line, $S78^{\circ}48'03''W$, 309.66 feet; thence $N86^{\circ}06'17''W$, 32.33 feet; thence $N02^{\circ}10'05''E$, 170.37 feet to the point of beginning.

Containing 44,045 Square Feet (1.01 Acres)