

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:**

SKAMANIA COUNTY  
REAL ESTATE EXCISE TAX

N/A

See Attached Exhibit 'A'

SEP 12 2016

PAID

N/A

*Quincy Lane Deputy*  
SKAMANIA COUNTY TREASURER

Tax Parcel #: 03-07-36-4-4-0402-000

**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 Tennison  
Notary Public for Washington

1/23/18  
My Commission Expires

KELLY TENNISON  
NOTARY PUBLIC  
STATE OF WASHINGTON  
COMMISSION EXPIRES  
JANUARY 23, 2018

## 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 the intersection of the Northerly Right of Way line of Del Ray Avenue, a 40 foot wide public roadway, with the Westerly Right of Way line of Kanaka Creek Road, a 40 foot wide public roadway; thence along the Northerly Right of Way line of Del Ray Avenue,  $S64^{\circ}04'00''W$ , 63.61 feet to the Southeast Corner of Lot 16, Block 2 Second Addition to Median Acre Tracts, a plat of Record in Book A, Page 96, Skamania County Plat Records; thence along the East line of said Lot 16,  $N25^{\circ}54'02''W$ , 100.00 feet to the Northeast Corner thereof; thence along the North line of said lot 16, and continuing along the North lines of Lots 1 through 15, Block 2, said plat,  $S64^{\circ}04'00''W$ , 400.00 feet to the  $\frac{5}{8}$ " x 30" rebar with yellow plastic cap inscribed "KC Dev. LS 38028" marking the Northwest Corner of said Lot 1, being also the Southeast Corner of the Broughton Tract of Land as described in deed, recorded in Book 59, page 304, Skamania County Deed Records; thence along the East line of said Broughton Tract of Land,  $N25^{\circ}55'31''W$ , 200.11 feet to the  $\frac{5}{8}$ " x 30" rebar with yellow plastic cap inscribed "KC Dev. LS 38028" marking the Northeast Corner thereof; thence  $N25^{\circ}55'31''W$ , 81.58 feet; thence  $N64^{\circ}50'28''W$ , 133.48 feet; thence  $N09^{\circ}25'03''W$ , 17.80 feet; thence  $S89^{\circ}05'37''W$ , 73.53 feet; thence  $N51^{\circ}11'45''W$ , 35.80 feet; thence  $S68^{\circ}56'12''W$ , 295.10 feet to the West line of the Shepard Donation Land Claim; thence along said line,  $N02^{\circ}25'26''E$ , 123.13 feet to the Southerly Right of Way Line of Kanaka Creek Cut Off, a 50.00 foot wide public roadway; thence along said Right of Way line,  $N62^{\circ}18'50''E$ , 222.78 feet to the Division Line of the Shepard Donation Land Claim; thence along said line,  $S87^{\circ}49'55''E$ , 217.81 feet; thence leaving said line,  $S06^{\circ}50'10''E$ , 146.11 feet; thence  $S64^{\circ}50'28''E$ , 55.84 feet; thence  $S86^{\circ}06'17''E$ , 173.30 feet; thence  $N78^{\circ}48'03''E$ , 309.66 feet to 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 foot distant and Westerly from the Centerline thereof,  $S22^{\circ}45'31''E$ , 96.09 feet to a point of curvature; thence continuing along said Right of Way Line, along the arc of a 593.00 foot radius curve concave to the Northeast, through a central angle of  $15^{\circ}41'12''$  (Chord bears  $S30^{\circ}36'07''E$ , 161.85 feet) a distance of 162.35 feet to the Point of Beginning.

Together with Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 of Block 2, Second Addition to Meldan Acre Tracts, a plat of Record in Book A, Page 96, Skamania County Plat Records.

Containing 198,402 Square Feet (4.56 Acres).