

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

SKAMANIA COUNTY
REAL ESTATE EXCISE TAX

N/A
JUN 26 2017

PAID N/A
Robert J. Waymire
SKAMANIA COUNTY TREASURER

RIGHT OF WAY EASEMENT

KNOW ALL PEOPLE BY THESE PRESENTS, that the undersigned Scott W Birkenfeld 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:

All that portion of Government Lot 2 lying Northeasterly of the Wind River and all that portion of Government Lot 1 laying Southwesterly of the right of way of the county road formerly designated as State Secondary Highway No. 8-C as the same was constructed and existed on February 2, 1954 of Section 1, Township 3 North, Range 7.5 East of the Willamette Meridian, County of Skamania and State of Washington.

Tax Parcel #: ~~03-07-25-40-0107-00~~

03-05-01-00-040000 MS
0375-01-00-040000

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 or water line on the above described lands to construct, operate and maintain an overhead or underground electric or water distribution lines 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 or water 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 or water 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 22 day of June, 2017

Scott Birkenfeld

Name (Print or type full name)

Scott W Birkenfeld

Signature

STATE OF Washington COUNTY OF Skamania

Personally appeared the above named Scott Birkenfeld and _____
on this 22 day of June, 2017, and acknowledged the foregoing to be their voluntary act and deed.

Before me:

Kelly Tennison
Notary Public for Washington
11/23/2018
My Commission Expires

