

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

SKAMANIA COUNTY  
REAL ESTATE EXCISE TAX

*N/A*  
FEB 15 2018

PAID *N/A*  
*C. Klett*  
SKAMANIA COUNTY TREASURER

**RIGHT OF WAY EASEMENT**

KNOW ALL PEOPLE BY THESE PRESENTS, that the undersigned James H. Klett, as his separate estate 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'

**Tax Parcel #:** 02-05-34-0-0-0401-00 *Lm 2/15/18*

**Abbreviated Legal Description:** SE ¼ SEC 34 T2N R5E

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 12<sup>TH</sup> day of FEBRUARY, '2018

JAMES HOWARD KLETT  
Name (Print or type full name)

James Klett  
Signature

STATE OF Washington COUNTY OF Skamania

Personally appeared the above named James H. Klett and \_\_\_\_\_  
on this 12 day of February, 2018, and acknowledged the foregoing to be their voluntary act and deed.

Before me: Kelly T  
Notary Public for Washington  
1/23/2022  
My Commission Expires



## Exhibit 'A'

A parcel of land located in a portion of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 34, Township 2 North, Range 5 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at the Southwest corner of the Southeast Quarter of said Northeast Quarter; Thence North  $00^{\circ}56'30''$  East, along the West line of the Southeast Quarter of said Northeast Quarter, for a distance of 182.23 feet;

Thence leaving said West line, South  $88^{\circ}28'11''$  East, parallel with the South line of the Southeast Quarter of said Northeast Quarter, for a distance of 1168.60 feet;

Thence South  $00^{\circ}41'15''$  West parallel with the East line of the Southeast Quarter of said Northeast Quarter, for a distance of 181.20 feet;

Thence South  $01^{\circ}09'47''$  West parallel with the East line of the Northeast Quarter of said Southeast Quarter, for a distance of 215.40 feet to the centerline of 'Mabee Mines' Road and the beginning of a 347.00 foot radius non-tangent curve to the left;

Thence along said center line, along the arc of a 347.00 foot radius non-tangent curve to the left, for an arc distance of 137.09 feet, through a central angle of  $22^{\circ}38'09''$ , the radius of which bears South  $54^{\circ}19'50''$  East, the long chord of which bears South  $24^{\circ}21'05''$  West for a chord distance of 136.20 feet;

Thence continuing along said centerline, South  $13^{\circ}02'01''$  West for a distance of 76.19 feet to the beginning of a 200.00 foot radius tangent curve to the right.

Thence continuing along said centerline, along the arc of a 200.00 foot radius tangent curve to the right, for an arc distance of 173.49 feet, through a central angle of  $49^{\circ}42'03''$ , the radius of which bears North  $76^{\circ}57'59''$  West, the long chord of which bears South  $37^{\circ}53'02''$  West, for a chord distance of 168.10 feet;

Thence continuing along said centerline, South  $62^{\circ}44'04''$  West, for a distance of 234.21 feet to the beginning of a 273.00 foot radius tangent curve to the right;

Thence continuing along said centerline, along the arc of a 273.00 foot radius tangent curve to the right, for an arc distance of 18.50 feet, through a central angle of  $03^{\circ}53'01''$ , the radius of which bears North  $57^{\circ}15'56''$  West, the long chord of which bears South  $64^{\circ}40'34''$  West, for a

chord distance of 18.50 feet to the South line of the North Half of the Northeast Quarter of said Southeast Quarter;

Thence North  $89^{\circ}29'03''$  West, along said South line for a distance of 221.19 feet to the centerline of said 'Mabee Mines' Road and the beginning of a 273.00 foot radius non-tangent curve to the right;

Thence along said centerline, along the arc of a 273.00 foot radius non-tangent curve to the right, for an arc distance of 16.41 feet, through a central angle of  $03^{\circ}26'37''$ , the radius of which bears North  $24^{\circ}24'49''$  East, the long chord of which bears North  $63^{\circ}51'52''$  West, for a chord distance of 16.41 feet;

Thence continuing along said centerline, North  $62^{\circ}08'33''$  West, for a distance of 88.93 feet to the beginning of a 231.00 foot radius tangent curve to the left;

Thence continuing along said centerline, along the arc of a 231.00 foot radius tangent curve to the left, for an arc distance of 279.69 feet, through a central angle of  $69^{\circ}22'25''$ , the radius of which bears South  $27^{\circ}51'27''$  West, the long chord of which bears South  $83^{\circ}10'14''$  West, for a chord distance of 262.92 feet;

Thence continuing along said centerline, South  $48^{\circ}29'01''$  West, for a distance of 21.39 feet to the South line of the North Half of the Northeast Quarter of said Southeast Quarter;

Thence leaving said centerline, North  $89^{\circ}29'03''$  West, along said South line, for a distance of 187.24 feet to the Southwest corner of said North Half;

Thence leaving said South line, North  $01^{\circ}10'08''$  East, along the West line of said North half, for a distance of 661.90 feet to the Point of Beginning.