

After recording return document to:

State of Washington
Department of Transportation
Real Estate Services Office
P O Box 47338
Olympia WA 98504-7338

Document Title: Possession and Use Agreement

Grantor(s): Edward E. Hargadine, Diane A. Hargadine, Sharon Hargadine Dolan and Bill Dolan

Grantee(s): State of Washington, Department of Transportation

Legal Description: Ptn of the SE1/4 of the NW1/4 and Ptn of the NE1/4 of the SE1/4 of Sec. 29, T3N, R8E of the Willamette Meridian, Skamania County

Additional Legal Description is on Page 6 and 7 of Document

Assessor's Tax Parcel Number: 03 08 29 0 0 0400 00

POSSESSION AND USE AGREEMENT

State Route 14, Wind River Vicinity

This AGREEMENT is made and entered into by and between the **State of Washington, acting by and through its Department of Transportation**, hereinafter referred to as the "State", and the undersigned **Edward E. Hargadine, as his separate estate, Diane A. Hargadine, as her separate estate, Sharon Hargadine Dolan, who acquired title as Sharon Lee Sandifur, as her separate estate, and Bill Dolan as his separate estate**, hereinafter referred to as the "Owners":

WITNESSETH

WHEREAS, the State affirms that the Owners' real estate described herein is required by the State for immediate construction of a transportation project.

AND WHEREAS, the State affirms that any delay in its construction program is contrary to

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the public interest;

AND WHEREAS, the State has made a firm and continuing offer to pay the amount of TWO HUNDRED FIFTY FIVE THOUSAND ONE HUNDRED AND No/100 Dollars (\$255,100.00), for the purchase of the following described real property situated in Skamania County, in the State of Washington:

For legal description and additional conditions
See Exhibit A attached hereto and made a part hereof

AND WHEREAS, the Owners require additional time to evaluate said offer and/or to resolve any questions concerning just compensation;

NOW THEREFORE, for and in consideration of the payment of said offer, the Owner(s) hereby grant to the State a right to possess and use the above described real estate and the parties further agree that:

1. The real estate is necessary for a public use of the State of Washington.
2. The State will issue a warrant in payment to the Owners of the amount of the offer stated above, subject only to deduction of the value of interests of others therein.
3. Execution of this agreement by the undersigned parties shall not prejudice such parties' rights to subsequent adjudication of just compensation pursuant to state law, and neither shall this agreement, nor the basis therefore, be construed as an admission of fair market value or just compensation by any of the parties named herein.
4. If it becomes necessary for the State to institute condemnation proceedings, the Owners have no objection to the State entering an Order Adjudicating Public Use, as provided by RCW 8.04.070, and agree that this instrument shall be treated as having the same legal effect as an Order for Immediate Possession provided by RCW 8.04.090, et seq., which, by this reference, are incorporated herein as if fully set forth.
5. The date of valuation for the determination of just compensation shall be the date that this agreement is accepted and approved by the Department's Authorized Agent.

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6. The Owners hereby waive the requirement of a written notice to move, as provided by RCW 8.26.180, and will surrender possession of the above described real estate to the State not later than December 15, 2018.

It is understood and agreed that delivery of this agreement is hereby tendered and that the terms and obligations hereof shall not become binding upon the State of Washington unless and until accepted and approved hereon in writing for the State of Washington, by and through its Department of Transportation, by its authorized agent.

The undersigned grantors hereby authorize and instruct the State of Washington, Department of Transportation to pay the entire consideration to Diane A. Hargadine, and direct that the state voucher in payment thereof shall be executed only by said Diane. A. Hargadine.

Dated: October 17, 2018

Edward E. Hargadine
Edward E. Hargadine

Diane A. Hargadine
Diane A. Hargadine

Sharon H. Dolan
Sharon Hargadine Dolan

Bill Dolan
Bill Dolan

Accepted and Approved

STATE OF WASHINGTON
Department of Transportation

By: Mike Palazzo
Mike Palazzo, SWR Real Estate Services
Manager, Authorized Agent

Date: 10/18/18

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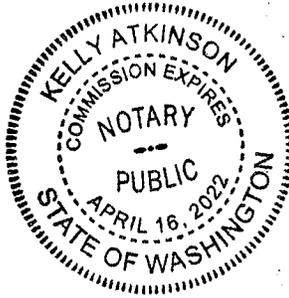
STATE OF WASHINGTON)

: ss

County of Pierce)

On this 17th day of October, 2018 before me personally appeared Diane A. Hargadine to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that she signed and sealed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Kelly Atkinson
Notary Public in and for the State of Washington,
residing at VANCOUVER, WA
My commission expires 4-16-2022

STATE OF WASHINGTON)

:ss

County of Skamania)

On this 17th day of October, 2018 before me personally appeared Sharon Hargadine Dolan and Bill Dolan to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Kelly Atkinson
Notary Public in and for the State of Washington,
residing at VANCOUVER, WA
My commission expires 4-16-2022

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STATE OF WASHINGTON)

: ss

County of Skamania)

On this 17th day of October, 2018 before me personally appeared Edward E. Hargadine to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that he signed and sealed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



Kelly Atkinson

Notary Public in and for the State of Washington,

residing at Vancouver, WA

My commission expires 4-22-2022

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EXHIBIT A

All that portion of the hereinafter described Parcel "A" lying within the following described property:

Beginning at a point opposite Highway Engineer's Station (HES) 207+46.30 on said line survey and 85 feet Northerly therefrom; thence Northerly to a point opposite HES 208+69.09 on said line survey and 278.16 feet Northerly therefrom; thence Northeasterly to a point opposite HES 210+00.26 on said line survey and 318.32 feet Northerly therefrom; thence Easterly to a point opposite HES 212+78.54 on said line survey and 190.55 feet Northerly therefrom; thence Southwesterly to a point opposite HES 210+85.68 on said line survey and 116.65 feet Northerly therefrom; thence Westerly to the point of beginning.

PARCEL "A".

THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON.

EXCEPTING THEREFROM THE FOLLOWING:

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED MARCH 8, 1924 IN BOOK "T", PAGE 512, SKAMANIA COUNTY DEED RECORDS. ALSO RECORDED DECEMBER 30, 1926 IN BOOK "V", PAGE 147, SKAMANIA COUNTY DEED RECORDS.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED JUNE 10, 1929 IN BOOK "W", PAGES 190 AND 191.

THAT PORTION CONVEYED TO SKAMANIA COUNTY, RECORDED JANUARY 16, 1969 IN BOOK 60, PAGE 124, SKAMANIA COUNTY DEED RECORDS.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED SEPTEMBER 3, 1992 IN BOOK 130, PAGE 542, SKAMANIA COUNTY DEED RECORDS.

THAT PORTION CONVEYED TO THE STATE OF WASHINGTON, RECORDED JANUARY 24, 1994 IN BOOK 141, PAGE 34.

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THAT PORTION CONVEYED TO SKAMANIA COUNTY RECORDED JANUARY 27, 1994 IN BOOK 141, PAGE 144.

THAT PORTION CONVEYED TO SKAMANIA COUNTY RECORDED FEBRUARY 18, 1994 IN BOOK 141, PAGE 540.

THAT PORTION LYING NORTH OF AND WITHIN THE BONNEVILLE POWER ADMINISTRATION AND UNITED STATES OF AMERICA RIGHT OF WAY TRANSMISSION LINE OVER SAID PROPERTY.

PUBLIC ROADS.

EXCEPT THAT PORTION CONVEYED TO DALE I. HARGADINE AND KATHLEEN HARGADINE BY AUDITOR'S FILE NO. 2016002791

The lands herein described contains an area of 1.43 acres, more or less, the specific details concerning all of which are to be found on sheets 1, 2, and 3 of that certain plan entitled SR 14 Wind River Vicinity, now of record and on file in the office of the Secretary of Transportation at Olympia, and bearing date of approval June 15, 2018.

Grantor's Initials
~~EH~~
E.E.H.
B.D.
S.H.C.