

**RETURN ADDRESS**

JEFF LINDBERG

Landerholm, P.S.

P.O. Box 1086

Vancouver, WA 98666

Please print neatly or type information

**Document Title(s)**

ORDER ESTABLISHING JUST COMPENSATION AND DECREE OF APPROPRIATION

**Reference Number(s) of related documents:**

N/A

Additional Reference #'s on page \_\_\_\_

**Grantor(s)** (Last name, First name and Middle Initial)

JAMES P. PINSON and BRADLEY S. CHRISTIE and BECKY J. CHRISTIE fka BECKY PARIS

Additional grantors on page \_\_\_\_

**Grantee(s)** (Last name, First name and Middle Initial)

WEYERHAEUSER COMPANY, a Washington corporation and BIRKENFELD HERITAGE, LLC,  
a Washington limited liability company

Additional grantees on page \_\_\_\_

**Legal Description:** (abbreviated form: i.e. lot, block, plat or section township, range,  
quarter/quarter)

Lot(s) 1-3 BEAR CREEK S/P Book 3, Page 307, records of Skamania County, Washington and  
SEC 8, T3N, R8E WM

Additional legal(s) on pages "2 and 3"

**Assessor's Property Tax Parcel/Account Number**

03080800020000, 03080800022300, 03080800022400, 03080800030000 and 03080800010000

Additional parcel #'s on page \_\_\_\_

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

**I am requesting an emergency nonstandard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording process may cover up or otherwise obscure some part of the text of the original document.**

\_\_\_\_\_  
**Signature of Requesting Party**

SKAMANIA COUNTY  
FILED

NOV 14 2018

GRACE D. CROSS  
SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

WEYERHAEUSER COMPANY;  
BIRKENFELD HERITAGE, LLC, a  
Washington Limited Liability Company,

Case No. 17-2-00025-8

Plaintiffs,

ORDER ESTABLISHING JUST  
COMPENSATION AND DECREE OF  
APPROPRIATION

v.

RICHE and ANDREA MCWHORTER;  
DONNA BARLOW; JAMES P. PINSON;  
BRADLEY S. CHRISTIE and BECKY J.  
PARIS,

Defendants.

THIS MATTER having come on for trial on August 27, 28, and 29, 2018, before  
the Honorable Randall C. Krog. Plaintiff Weyerhaeuser Company was represented by  
Joseph Vance of Miller Nash Graham & Dunn LLP. Plaintiff Birkenfeld Heritage, LLC was  
represented by Bradley W. Andersen of Landerholm, P.S. Defendant James P. Pinson was  
represented by Thomas DiStefano of Heurlin, Potter, Jahn, Leatham, Holtmann & Stoker, P.S.  
Defendants Bradley S. Christie and Becky J. Christie (fka Becky Paris) were represented by  
Steven E. Turner of Steven Turner Law, PLLC.

Based upon the record, testimony, and evidence presented at trial, and the Court  
being duly advised, NOW, THEREFORE, it is hereby:

ORDERED, ADJUDGED, and DECREED as follows:

ORDER ESTABLISHING JUST COMPENSATION AND DECREE OF  
APPROPRIATION - I

MILLER NASH GRAHAM & DUNN LLP  
ATTORNEYS AT LAW  
T: 360.699.4771 | F: 360.694.6413  
500 BROADWAY STREET, SUITE 400  
VANCOUVER, WASHINGTON 98660  
4837-4342-7447.3

1. That plaintiffs Weyerhaeuser Company and Birkenfeld Heritage, LLC are hereby granted a permanent private way of necessity, on, across, over, and through the following described property of defendants James P. Pinson and Bradley S. Christie and Becky J. Christie, and their heirs and assigns, hereinafter referred to as the "Easement" for means of ingress and egress and the construction and maintenance thereon of roads and the installation of utilities for the benefit of plaintiffs Weyerhaeuser Company and Birkenfeld Heritage, LLC appurtenant to those certain parcels of real property hereafter described as the "Benefitted Properties."

### EASEMENT

#### ACCESS EASEMENT LEGAL DESCRIPTION

An Easement for ingress, egress, and utilities over a portion of Lot's 1, 2, and 3 as shown in Book 3 of Short Plats, Page 307 Skamania County Auditor's Records, located in the Northeast quarter of Section 8, Township 3 North, Range 8 East, Willamette Meridian, Skamania County, Washington, described as follows:

Beginning at a Skamania County Brass cap Monument marking the North quarter corner of Section 8, Thence South 63°06'36" East, 674.99 feet to a point on the Westerly line of said Short Plat (SP 3-307), marking the corner between Lot 1, and 2 of said Short Plat (SP 3-307), said point also being on the Easterly line of Lot 3 as shown in Book 2 of Short Plats, Page 188 Skamania County Auditor's Records, said point being the True Point of Beginning of a 40 foot Easement over the following described centerline;

Thence South 64°38'40" East, for a distance of 98.54 feet;

Thence South 60°05'54" East, for a distance of 117.40 feet;

Thence South 44°59'35" East, for a distance of 50.87 feet;

Thence South 11°50'23" East, for a distance of 37.96 feet;

Thence South 08°06'11" West, for a distance of 179.49 feet;

Thence South 26°00'21" West, for a distance of 47.23 feet;

Thence South 43°16'45" West, for a distance of 60.49 feet;

Thence South 52°15'02" West, for a distance of 192.32 feet;

Thence North 77°00'01" West, for a distance of 197.30 feet;

Thence South 50°26'35" West, for a distance of 75.90 feet;

1 Thence South 40°26'52" West, for a distance of 155.04 feet;  
 2 Thence South 47°49'14" West, for a distance of 158.22 feet;  
 3 Thence South 18°08'12" West, for a distance of 208.88 feet to a point on the  
 4 South line of Lot 3 of said Short Plat (SP 3-307), said point also being on the  
 5 South line of the Northwest quarter of the Northeast quarter of Section 8 and the  
 6 terminus of said centerline (the sidelines of said easement shall be shortened or  
 7 extended so as to terminate on said South line).  
 8  
 9 SUBJECT TO Easements and restrictions of record.  
 10  
 11 ALSO Together with an Easement for ingress, egress, and utilities over the  
 12 Northerly 40 feet of Lot 3 as shown in Book 2 of Short Plats, Page 188, Skamania  
 13 County Auditor's Records.  
 14  
 15 As illustrated in Exhibit A attached hereto.

16 **BENEFITTED PROPERTIES**

17 **WEYERHAEUSER COMPANY PROPERTY**

18 The Northeast Quarter of the Southwest Quarter and that portion of the Southeast  
 19 Quarter of the Northwest Quarter which lies on the Southeasterly side of the  
 20 center of Bear Creek, Section 8, Township 3 North, Range 8 East of the  
 21 Willamette Meridian, in the County of Skamania, State of Washington.

22 **BIRKENFELD HERITAGE, LLC PROPERTY**

23 **PARCEL 13: (03-08-08-0-0-0100-00)**

24 The Northeast quarter of the Northeast quarter; The South half of the Northeast  
 25 quarter; The North half of the Southeast quarter; Government Lots 1, 2, and 3; all  
 26 in Section 8, Township 3 North, Range 8 East, in the Willamette Meridian,  
 County of Skamania and State of Washington.

EXCEPTING THEREFROM that portion as set forth in Boundary Line  
 Adjustment recorded in Quit Claim Deed, recorded June 7, 2012 as Auditor File  
 No. 2012180816, more particularly described as follows:

All of the above described property lying Westerly and Southerly of the center of  
 the Wind River.

2. That the just compensation to be paid to defendant James P. Pinson for the Easement is \$38,471.00; and

3. That the just compensation to be paid to defendants Bradley Christie and Becky Christie for the Easement is \$75,544.00; and

4. That all requests (if any) for an award of reasonable attorney fees and costs shall be, and the same is hereby, reserved for further order of the Court, with all parties reserving all rights with respect to such requests.

DATED this 14 day of November, 2018.

RK  
Randall Kroog

Presented by:

MILLER NASH GRAHAM & DUNN LLP

Joseph Vance, P.C.  
WSB No. 25531  
Attorneys for Plaintiff Weyerhaeuser Company

LANDERHOLM, P.S.

Bradley W. Anderson  
WSB No.  
Attorneys for Plaintiff Birkenfeld Heritage, LLC

1                   2.     That the just compensation to be paid to defendant James P. Pinson for the  
2 Easement is \$38,471.00; and

3                   3.     That the just compensation to be paid to defendants Bradley Christie and  
4 Becky Christie for the Easement is \$75,544.00; and

5                   4.     That all requests (if any) for an award of reasonable attorney fees and  
6 costs shall be, and the same is hereby, reserved for further order of the Court, with all parties  
7 reserving all rights with respect to such requests.

8                   DATED this \_\_\_\_ day of November, 2018.

9  
10  
11  
12  
13 Presented by:

14 MILLER NASH GRAHAM & DUNN LLP

15  
16  
17 \_\_\_\_\_  
18 Joseph Vance, P.C.  
19 WSB No. 25531  
20 Attorneys for Plaintiff Weyerhaeuser Company

21 LANDERHOLM, P.S.

22 \_\_\_\_\_  
23 Bradley W. Anderson  
24 WSB No.  
25 Attorneys for Plaintiff Birkenfeld Heritage, LLC  
26

APPROVED AS TO FORM BY:  
STEVEN TURNER LAW PLLC

Steven Turner  
STEVEN E. TURNER  
WSB No. 33840  
ATTORNEY FOR SCOTT + BECKY CHRISTIE

2. That the just compensation to be paid to defendant James P. Pinson for the Easement is \$38,471.00; and

3. That the just compensation to be paid to defendants Bradley Christie and Becky Christie for the Easement is \$75,544.00; and

4. That all requests (if any) for an award of reasonable attorney fees and costs shall be, and the same is hereby, reserved for further order of the Court, with all parties reserving all rights with respect to such requests.

DATED this \_\_\_\_ day of November, 2018.

Presented by:

MILLER NASH GRAHAM & DUNN LLP

Joseph Vance, P.C.  
WSB No. 25531  
Attorneys for Plaintiff Weyerhaeuser Company

LANDERHOLM, P.S.

Bradley W. Anderson  
WSB No.  
Attorneys for Plaintiff Birkenfeld Heritage, LLC

*Hewlin, Potter, Tolan, Hartman, Holman, Sober*



*THOMAS A. DeStefano  
WSB No. 50152  
Attorney for Pinson*

EXHIBIT A - ORDER ESTABLISHING JUST COMPENSATION AND  
DECREE OF APPROPRIATION - 1

MILLER NASH GRAHAM & DUNN LLP  
ATTORNEYS AT LAW  
1100 6TH AVENUE, SUITE 1411  
SEASIDE, WASHINGTON 98602  
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4837-4342-7447.3

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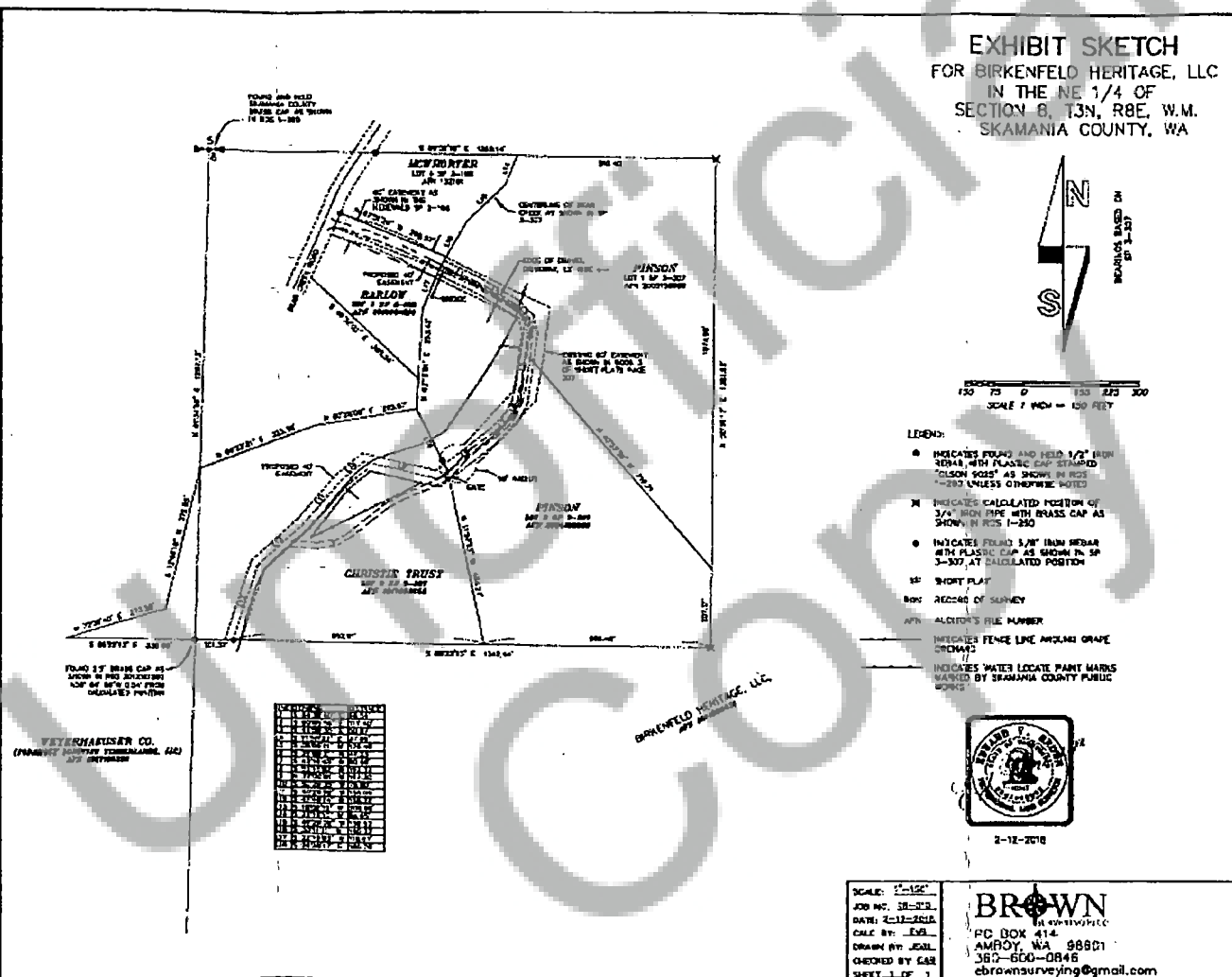


EXHIBIT A



SUPERIOR COURT OF WASHINGTON FOR SKAMANIA COUNTY

WEYERHAEUSER COMPANY;  
BIRKENFELD HERITAGE, LLC, a  
Washington Limited Liability Company,

Plaintiffs,

v.

RICHIE and ANDREA MCWHORTER;  
DONNA BARLOW; JAMES P. PINSON;  
BRADLEY S. CHRISTIE and BECKY J.  
PARIS,

Defendants.

Case No: 17-2-00025-8

DECLARATION OF JOSEPH VANCE  
PURSUANT TO GENERAL RULE 17

I, Joseph Vance, hereby declare as follows:

1. I am one of the attorneys for Plaintiff Weyerhaeuser Company in this matter. I am over the age of 18, and competent to testify to the matters set forth below and I have personal knowledge of those matters.

2. I have examined the attached Order Establishing Just Compensation and Decree of Appropriation bearing the electronically scanned signatures of counsel of record Bradley W. Anderson, Steven E. Turner, and Thomas DiStefano, determined that it consists of nine (9) pages, including the two pages of this declaration, and that it is complete and legible.

DECLARATION OF JOSEPH VANCE PURSUANT TO GENERAL  
RULE 17 - 1

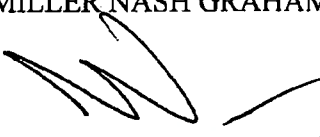
4821-1353-0490.1

MILLER NASH GRAHAM & DUNN LLP  
ATTORNEYS AT LAW  
T: 360.699.4771 | F: 360.694.6413  
500 BROADWAY STREET, SUITE 400  
VANCOUVER, WASHINGTON 98660

1 I declare under penalty of perjury under the laws of the state of Washington that  
2 the foregoing is true and correct.

3 DATED this 9 day of November, 2018, at Vancouver, Washington.

4 MILLER NASH GRAHAM & DUNN LLP

5   
6  
7 Joseph Vance, P.C.  
8 WSB No. 25531  
9 joseph.vance@millernash.com  
10 360.699.4771

11 Attorneys for Plaintiff  
12 Weyerhaeuser Company  
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DECLARATION OF JOSEPH VANCE PURSUANT TO GENERAL  
RULE 17 - 2

4821-1353-0490.1

MILLER NASH GRAHAM & DUNN LLP  
ATTORNEYS AT LAW  
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300 BROADWAY STREET, SUITE 400  
VANCOUVER, WASHINGTON 98660

Dobyns Clerk

Unofficial  
Copy

State of Washington

County of Skamania

County Clerk of the Superior Court of Skamania County, DO HEREBY  
CERTIFY that this instrument, consisting of 9 page(s), is a true  
and correct copy of the original now on file and of record in my office  
and as County Clerk, I am the legal custodian thereof.

Signed and sealed at Stevenson, Washington

this date 1-10-2019 Grace D. Cross

Skamania County Clerk

By

[Signature] Deputy Clerk