

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

SKAMANIA COUNTY
REAL ESTATE EXCISE TAX

NA
JUN 3 2019

NA
PAID *Cy deputy*
SKAMANIA COUNTY TREASURER

RIGHT OF WAY EASEMENT

KNOW ALL PEOPLE BY THESE PRESENTS, that the undersigned, Gary F. Clelland and Vickie Clelland, husband and wife 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 #: 03-07-36-1-4-0600-00 *88*

Abbreviated Legal: Lot 5 of STEVENSON PARK ADDITION

The undersigned grants a perpetual non-exclusive easement over and across a strip of land 10 feet wide on the West property line for overhead power line on the above described lands to construct, operate and maintain an overhead 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, 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 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 3rd day of June, 2019.

Gary F. Clelland
Name (Print or type full name)

Vickie Clelland
Name (Print or type full name)

[Signature]
Signature

Vickie Clelland
Signature

STATE OF Washington

COUNTY OF Skamania

Personally appeared the above named Gary F. & Vickie Clelland on this 3rd day of June, 2019, and acknowledged the foregoing to be their voluntary act and deed.

Before me:

[Signature]
Notary Public for Washington
1-9-2020
My Commission Expires

LESLIE L. MOORE
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
JANUARY 9, 2020

Exhibit 'A'

A tract of land located in Lot 5 of STEVENSON PARK ADDITION according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington, more particularly described as follows:

Beginning at the intersection of the North line of said Lot 5 with the westerly right of way line of the county road known as designated as FRANK JOHNS ROAD; thence West along the North line of said Lot 5 a distance of 135.92 feet to the initial point of the tract hereby described; thence West along the North line of the said Lot 5 a distance of 80 feet; thence South $01^{\circ}48'$ West 150.3 feet to the intersection with the South line of the said Lot 5; thence East along the South line of the said Lot 5 a distance of 80 feet; thence North $01^{\circ}48'$ East 150.3 feet to the point of beginning.

SUBJECT to easements and rights of way for a public road along the North line of said Lot 5.