

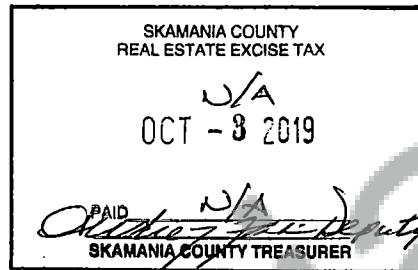


After recording, return document to:

William H. Sumerfield
P. O. Box 758
Hood River, OR 97031

Until a change is requested all
tax statements shall be sent to:

No change



Grantor(s): Judith I. Bean, Personal Representative of Eldon Schalk Estate
Abbreviated Legal: Lots 1,2, Ptn 3, 6-11 HOODVIEW HOME SITES Bk A/Pg122 & Ptn Sec 19, T3N, R10E W.M. Grantee Judith I Bean
Additional legal(s): Exhibit A
Assessor's Tax Parcel Number(s): 03 10 19 3 4 0300-00
03 10 19 3 4 0101-00

Skamania County Assessor

Date 10/3/19 Parcel# 03-10-19-34-0300-00
03-10-19-34-0101-00

AGREEMENT CREATING EASEMENTS FOR SEPTIC DRAINFIELDS

This Agreement is made this 3rd day of October, 2019, by **Judith I. Bean**, as **Personal Representative of the Estate of Eldon Leonard Schalk, deceased**, pursuant to **Skamania County Superior Court Case Number 19-4-00001-30, ("Grantor")**.

Grantor is the owner of the property described in Exhibit A, consisting of two separate tax lots identified in Exhibit A as Parcel I ("**Tax Lot 300**") and Parcel II ("**Tax Lot 101**").

1. Grantor has constructed or will construct a reserve septic drainfield on a portion of Tax Lot 300 for the benefit of Tax Lot 101. In the event that the common ownership of Tax Lot 300 and Tax Lot 101 is severed, there shall be an easement for a reserve septic drainfield over and across that portion of Tax Lot 300 described as follows:

An Easement for a Reserve Drainfield located within that area described in Boundary Line Adjustment Quit Claim Deed, Exhibit A, Tax Parcel 03-10-19-3-4-0300-00, filed

under Auditor File Number 2008170213, in the Southeast $\frac{1}{4}$ of Section 19, Township 3 North, Range 10 East, W.M., in Skamania County, Washington, and more particularly described as follows:

Beginning at a point that is North 30 feet and East 15 feet of the Northeast corner of Lot 1 of Hood View Homes Sites (Vol. AP, Page 122) and a found Iron Pipe set by an unrecorded survey by James Nims, license 9409;

Said point being the Southwest corner of the following described easement and on the North edge of Hood View Road as shown on Record of Survey filed under Auditor file Number 2008170214;

Thence North $02^{\circ}34'13''$ East, a distance of 55.00 feet;
thence South $87^{\circ}25'47''$ East, a distance of 55.00 feet;
thence South $02^{\circ}34'13''$ West, a distance of 55.00 feet;
thence North $87^{\circ}25'47''$ West, a distance of 55.00 feet to Point of Beginning.

(the "***Reserve Drainfield Easement Area***").

The Reserve Drainfield Easement Area may only be used as a septic drainfield for emergency purposes, and it shall not be used as a general septic drainfield.

2. Grantor intends that the doctrine of merger not apply, and intends that this grant of easement shall run with the land and shall be binding on and inure to the benefit of Grantor's heirs, successors and assigns as to each tax lot. This grant of easement burdens only Tax Lot 300 and benefits only Tax Lot 101.

3. The owner of Tax Lot 101 shall maintain the reserve septic drainfield in good repair, and shall have the right of ingress to and egress from the Reserve Drainfield Easement Area for the purpose of maintaining the reserve drainfield. The owner of Tax Lot 101 shall restore Tax Lot 300 to its pre-construction condition after installing or maintaining the reserve drainfield.

4. The owner of Tax Lot 300 shall not construct or plant anything in the Easement Area which will affect the functionality of the reserve drainfield and/or the owner of Tax Lot

101's ability to construct or maintain the reserve drainfield.

5. Grantor has constructed or will construct a septic drainfield on a portion of Tax Lot 101 for the benefit of Tax Lot 300. In the event that the common ownership of Tax Lot 300 and Tax Lot 101 is severed, there shall be an easement for a septic drainfield over and across that portion of Tax Lot 101 described as follows:

An Easement for a Drainfield located within that area described in Boundary Line Adjustment Quit Claim Deed, Exhibit B, Tax Parcel 03-10-19-3-4-0101-00, filed under Auditor File Number 2008170213, in the Southeast $\frac{1}{4}$ of Section 19, Township 3 North, Range 10 East, W.M., in Skamania County, Washington, and more particularly described as follows:

Beginning at a point that is South 32 feet of the Northeast corner of Lot 1 of Hood View Homes Sites (Vol. AP, Page 122) and a found Iron Pipe set by an unrecorded survey by James Nims, license 9409;

Said point being the Northwest corner of the following described easement and on the West line of the above Tax Parcel as shown on Record of Survey filed under Auditor file Number 2008170214;

Thence Southerly along said line South $03^{\circ}32'00''$ West, a distance of 42.00 feet;
thence South $88^{\circ}08'17''$ East, a distance of 43.00 feet;
thence North $03^{\circ}32'00''$ East, a distance of 42.00 feet;
thence North $88^{\circ}08'17''$ West, a distance of 43.00 feet to the Point of Beginning.

(the "*Septic Drainfield Easement Area*").

6. Grantor intends that the doctrine of merger not apply, and intends that this grant of easement shall run with the land and shall be binding on and inure to the benefit of Grantor's heirs, successors and assigns as to each tax lot. This grant of easement burdens only Tax Lot 101 and benefits only Tax Lot 300.

7. The owner of Tax Lot 300 shall maintain the septic drainfield in good repair, and shall have the right of ingress to and egress from the Septic Drainfield Easement Area for the purpose of maintaining the septic drainfield. The owner of Tax Lot 300 shall restore Tax Lot

101 to its pre-construction condition after installing or maintaining the septic drainfield.

8. The owner of Tax Lot 101 shall not construct or plant anything in the Septic Drainfield Easement Area which will affect the functionality of the septic drainfield and/or the owner of Tax Lot 300's ability to construct or maintain the septic drainfield.

9. The Reserve Drainfield Easement Area and the Septic Drainfield Easement Area are each depicted on Exhibit B.

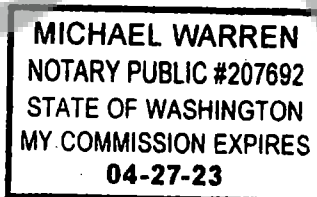
IN WITNESS WHEREOF, Grantor has executed this agreement on the date and year first above written.

Grantor:

Judith I. Bean
Judith I. Bean, as Personal Representative
of the Estate of Eldon Leonard Schalk

STATE OF Washington)
County of Clark) ss.

On this 3 day of October, 2019, personally appeared before me Judith I. Bean, as Personal Representative of the Estate of Eldon Leonard Schalk, deceased, pursuant to Skamania County Superior Court Case Number 19-4-00001-30, and acknowledged that the foregoing instrument is her voluntary act and deed.



Michael Warren
Notary Public for Clark County
My commission expires: 04/27/23

EXHIBIT A

PARCEL I: 03-10-19-3-4-0300-00

That portion of Lots 1, 6, 7, 8, 9, 10 and 11 of HOODVIEW HOME SITES, according to the Plat thereof, recorded in Book 'A' of Plats, Page 122, records of Skamania County, Washington, and a portion of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at the Point of Beginning, which is the Northeast corner of Lot 1 of said HOODVIEW HOME SITES (Book A, Page 122) and a found Iron Pipe set by an unrecorded survey by James Nims, license 9409;
thence South 86° 28' 00" East, a distance of 50.43 feet to the beginning of a curve tangent to said line; thence easterly a distance of 6.00 feet along the curve concave to the North, having a radius of 114.67 feet and a central angle of 3° 00' 00";
thence South 89° 28' 00" East tangent to said curve, a distance of 74.40 feet to a Red Plastic Cap marked "Bell Design 41954" set on a 5/8" rebar;
thence North 49° 53' 40" East, a distance of 38.39 feet to the beginning of a curve tangent to said line having a radius of 64.99 feet and a central angle of 56° 58' 39" and being subtended by a chord which bears North 10° 01' 20" East 62.00 feet;
thence northeasterly along said curve, a distance of 64.63 feet;
thence North 18° 28' 00" West tangent to said curve, a distance of 8.66 feet to the beginning of a curve tangent to said line;
thence northerly, northeasterly and easterly a distance of 72.82 feet along the curve concave to the southeast, having a radius of 35.00 feet and a central angle of 119° 13' 00";
thence South 79° 15' 00" East tangent to said curve, a distance of 92.37 feet;
thence North 34° 01' 00" West, a distance of 237.71 feet to a point being North 34° 01' 00" West of a found yellow plastic cap set by a Trantow Survey recorded in AFN 9338;
thence North 87° 39' 00" West, a distance of 276.10 feet to a found Iron Pipe set as shown in the said HOODVIEW HOME SITES plat;
thence South 03° 01' 00" West, a distance of 438.70 feet to a point South 03° 01' 00" East 55.37 of a found Iron Pipe as shown on said HOODVIEW HOME SITES plat;
thence South 70° 46' 00" East, a distance of 49.63 feet to the north-south center section line of said Section 19;
thence South 01° 23' 09" West, a distance of 346.52 feet along said center section line to the South Quarter Corner of said Section 19;
thence North 88° 45' 14" East along the south line of said Section 19, a distance of 65.70 feet;
thence North 03° 32' 00" East, a distance of 473.75 feet more or less to the Point of Beginning.
EXCEPTING THEREFROM any portion lying within Hood View Road as shown of record by the Plat of HOODVIEW HOME SITES, recorded in Book 'A' of Plats, Page 122, records of Skamania County.

PARCEL II: 03-10-19-3-4-0101-00

That portion of Lots 2 and 3, HOODVIEW HOME SITES, according to the Plat thereof, recorded in Book 'A' of Plats, Page 122, records of Skamania County, Washington, and a

portion of Section 19, Township 3 North, Range 10 East of the Willamette Meridian, in the County of Skamania, State of Washington, described as follows:

Commencing at the Point of Beginning, which is the Northwest corner of Lot 2 of said HOODVIEW HOME SITES (Book A, Page 122) and a found Iron Pipe set by an unrecorded survey by James Nims, license 9409;
thence South $86^{\circ} 28' 00''$ East, a distance of 50.43 feet to the beginning of a curve tangent to said line;
thence easterly a distance of 6.00 feet along the curve concave to the north, having a radius of 114.67 feet and a central angle of $3^{\circ} 00' 00''$;
thence South $89^{\circ} 28' 00''$ East tangent to said curve, a distance of 74.40 feet to a Red Plastic Cap marked "Bell Design 41954" set on a 5/8" rebar;
thence South $00^{\circ} 32' 00''$ West, a distance of 137.97 feet to a Red Plastic Cap marked "Bell Design 41954" set on a 5/8" rebar;
thence North $84^{\circ} 46' 00''$ East, a distance of 326.07 feet;
thence South $34^{\circ} 01' 00''$ East, a distance of 416.27 feet;
thence South $88^{\circ} 45' 14''$ West, a distance of 716.36 feet;
thence North $03^{\circ} 32' 00''$ East, a distance of 473.75 feet more or less to the Point of Beginning.

EXCEPTING THEREFROM the East 60' Lot 3, HOODVIEW HOME SITES, according to the Plat thereof, recorded in Book 'A' of Plats, Page 122, records of Skamania County.

Unrecorded

ORIGINAL SCALE
1"=40'

40 0

HOUSE

SEPTIC TANK

SHED

LOT 101
PARCEL #
03101934010100
5.01 ACRES

DRAIN FIELD
BASEMENT
FOR TAX
LOT 300

BLUFF LINE

55.37'

15'

30'

32'

43'

40'

53°32'00"W
99.93'

N86°29'00"W
50.43'

P.O.B.

RADIUS = 114.67'
CHORD = 5.00'
ARC = 5.00'
DELTA = 03°00'00"

S99°28'00"E
74.40'

RIGHT OF WAY
FOR HOOD VIEW
HOMES PLAT

50°52'00"N 75.26'
PARCEL #
03101934020000

