Skamania County, WA Total:\$107.50 EASE

2021-001338 04/19/2021 02:48 PM

Request of: CLARK COUNTY TITLE

00008256202100013380050059

After recording, return to:

WIND VALLEY LODGES, LLC 1526 SE Powell Blvd., 2F Portland, OR 97202

SKAMANIA COUNTY REAL ESTATE EXCISE TAX N/A APR 1 9 2021

Tax Parcel Nos.: 03-08-27-0-0-0704-00;

03-08-27-0-0-0705-00: 03-08-27-0-0-0700-00:

03-08-27-0-0-0701-00; 03-08-27-0-0-0702-00

Space Above for Recording Information Only

ACCESS AND UTILITY EASEMENT

Grantor:

Naoki Yoshida, a married person as his separate property ("Grantor")

Grantee:

Wind Valley Lodges, LLC, a Washington limited liability company ("WVL")

RECITALS

- WHEREAS, WVL, SKS Management, LLC ("SKS"), Toyoe Yoshida, and A. Grantor are all parties to that certain Hot Water Supply, Right of Entry and Easement Agreement By and Between SKS Management, LLC, Wind Valley Lodges, LLC, and Owners of Certain Properties Located in Skamania County, Washington dated February 4, 2021 (the "Hot Water Supply Agreement");
- WHEREAS, the Hot Water Supply Agreement generally grants easements and access rights to WVL and SKS and also provides that the parties to the Hot Water Supply Agreement may enter into additional easement agreements;
- WHEREAS, WVL owns Skamania County real property commonly known as parcel numbers 03-08-27-0-0-0700-00; 03-08-27-0-0-0701-00; and 03-08-27-0-0-0702-00 and legally described on Exhibit A hereto (the "WVL Parcels");
- D. WHEREAS, Grantor owns Skamania County real property commonly known as parcel numbers 03-08-27-0-0-0704-00 and 03-08-27-0-0-0705-00 and legally described on Exhibit B hereto (the "Yoshida Parcel");
- WHEREAS, the source for hot water that is the subject of the Hot Water Supply Agreement is located on a parcel of property to the west of the Yoshida Parcel;

ACCESS AND UTILITY EASEMENT - 1 SKAC01-000003 - 5367854_1

- F. WHEREAS, the waterlines, pumps, meters, and related infrastructure to be used in connection with the extraction and delivery of hot water pursuant to the Hot Water Supply Agreement for the benefit of the WVL Parcels (the "Infrastructure") must be placed upon or cross the Yoshida Parcels in order to bring hot water to the WVL Parcels;
- G. WHEREAS, Grantor desires to grant an easement over and across the Yoshida Parcels to WVL for the purpose of constructing, maintaining, and accessing the Infrastructure for the benefit of the WVL Parcels; and
- H. WHEREAS, Grantor incorporates these recitals as part of the easement grant herein.

GRANT OF EASEMENT

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which are hereby acknowledged, GRANTOR does hereby grant to WVL, for the benefit of the WVL Parcels, a perpetual, nonexclusive easement over and across the Yoshida Parcels for construction and maintenance of the Infrastructure, and across the Yoshida Parcels to conduct such construction and maintenance of the Infrastructure. The location of the easement granted herein shall become fixed upon completion of the construction of the Infrastructure, and shall include the location of any water lines installed on the Yoshida Parcels, fifteen feet on either side of such water lines, the location of any other element of the Infrastructure installed on the Yoshida Parcels, and fifteen feet on any side of any such other element of the Infrastructure.

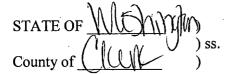
The Easement granted herein and its corresponding benefits and burdens shall run with the land and shall benefit and burden the parties' heirs, successors, and assigns.

IN WITNESS WHEREOF, Grantor has executed this instrument this $\frac{15}{100}$ day of ______, 2021.

Date

NAOKI YOSHIDA

NOTARY BLOCKS ON FOLLOWING PAGES



I certify that I know or have satisfactory evidence that NAOKI YOSHIDA is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

Dated:

 $H(\mathcal{N}_1)$), 2021.

CHERYL MONAHAN NOTARY PUBLIC #67276 STATE OF WASHINGTON COMMISSION EXPIRES JUNE 9, 2023

NOTARY PUBLIC in and for the State of residing at

My appointment expires:

EXHIBIT A (Legal Description for WVL Parcels)

PARCEL # 030827000700000:

A TRACT OF LAND IN THE EAST HALF OF THE WEST HALF OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:
LOT 1 OF THE ED CALLAHAN SHORT PLAT, RECORDED IN BOOK 3 OF SHORT PLATS,

FAGE 105, SKAMANIA COUNTY RECORDS.

EXCEPT THAT PORTION LYING EAST OF THE EAST LINE OF THE MURPHY D.L.C., AS DESCRIBED BY INSTRUMENT RECORDED SEPTEMBER 22, 1994, IN BOOK 145, PAGE 984, SKAMANIA COUNTY DEED RECORDS.

TOGETHER WITH THAT CERTAIN PORTION OF LAND DESCRIBED IN THE BOUNDARY

ADJUSTMENT QUIT CLAIM DEED RECORDED FEBRUARY 1, 2001 AS BOOK 206, PAGE 331, MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NE CORNER OF THE MURPHY DLC-127 FEET SOUTH TO THE TRUE POINT OF BEGINNING:

THENCE EAST ALONG THE EAST-WEST CENTERLINE OF SECTION 27, 240 FEET TO A POINT:

THENCE SOUTH 370 FEET TO A POINT:

THENCE SOUTH 24°03'03" WEST 421.78 FEET TO A POINT:

THENCE NORTH 60'00'00" WEST TO THE EAST LINE OF THE MURPHY DLC;

THENCE NORTH TO THE TRUE POINT OF BEGINNING.

PARCEL # 03082700070100:

A TRACT OF LAND IN THE WEST HALF OF THE EAST HALF OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA. STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:
LOT 2 OF THE ED CALLAHAN SHORT PLAT, RECORDED IN BOOK 3 OF SHORT PLATS,

PAGE 105, SKAMANIA COUNTY RECORDS.
TOGETHER WITH THAT PORTION OF LOT 1 OF THE ED CALLAHAN SHORT PLAT LYING

EAST OF THE EAST LINE OF THE MURPHY D.L.C., RECORDED IN BOOK 3 OF SHORT PLATS, PAGE 105, AS DISCLOSED BY IN STRUMENT RECORDED SEPTEMBER 22, 1894 IN BOOK 145, PAGE 984, SKAMANIA COUNTY DEED RECORDS.

EXCEPT THAT CERTAIN PORTION OF LAND DESCRIBED IN THE BOUNDARY LINE ADJUSTMENT

QUIT CLAIM DEED RECORDED FEBRUARY 1, 2001, AS BOOK 206, PAGE 331, MORE-PARTICULARLY DESCRIBED AS:

BEGINNING AT THE NE CORNER OF THE MURPHY DLC 127 FEET SOUTH TO THE TRUE POINT OF BEGINNING;

THENCE EAST ALONG THE EAST-WEST CENTERLINE OF SECTION 27, 240 FEET TO A POINT:

THENCE SOUTH 370 FEET TO A POINT;

THENCE SOUTH 24°03'03" WEST 421.78 FEET TO A POINT;

THENCE NORTH 60°00'00" WEST TO THE EAST LINE OF THE MURPHY DLC;

THENCE NORTH TO THE TRUE POINT OF BEGINNING.

PARCEL # 03082700070200:

A TRACT OF LAND IN THE WEST HALF OF THE EAST HALF OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA. STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:
LOT 3 OF THE ED CALLAHAN SHORT PLAT, RECORDED IN BOOK 3 OF SHORT PLATS, PAGE 105, SKAMANIA COUNTY RECORDS.

EXHIBIT B (Legal Description for Yoshida Parcels)

PARCEL I:

A TRACT OF LAND IN THE EAST HALF OF THE WEST HALF OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 1 OF THE IDA CALLAHAN SHORT PLAT, RECORDED IN BOOK 3 OF SHORT PLATS, PAGE 106, SKAMANIA COUNTY RECORDS.

ASSESSOR'S PARCEL NUMBER: 03-08-27-0-0-0705-00

PARCEL II:

A TRACT OF LAND IN THE EAST HALF OF THE WEST HALF OF SECTION 27, TOWNSHIP 3 NORTH, RANGE 8 EAST OF THE WILLAMETTE MERIDIAN, IN THE COUNTY OF SKAMANIA, STATE OF WASHINGTON, DESCRIBED AS FOLLOWS:

LOT 2 OF THE IDA CALLAHAN SHORT PLAT, RECORDED IN BOOK 3 OF SHORT PLATS, PAGE 106, SKAMANIA COUNTY RECORDS.

EXCEPT ALL THAT PORTION LYING EAST OF THE EAST LINE OF THE MURPHY D.L.C., AS DESCRIBED BY INSTRUMENT RECORDED SEPTEMBER 22, 1994, IN BOOK 145, PAGE 982, SKAMANIA COUNTY DEED RECORDS.

TOGETHER WITH ALL THAT PORTION OF LOT 4 OF ED CALLAHAN SHORT PLAT LYING WEST OF THE EAST LINE OF THE MURPHY D.L.C., RECORDED IN BOOK 3 OF SHORT PLATS, PAGE 105, AS DESCRIBED BY INSTRUMENT RECORDED SEPTEMBER 22, 1994, IN BOOK 145, PAGE 983, SKAMANIA COUNTY DEED RECORDS.

ASSESSOR'S PARCEL NUMBER: 03-08-27-0-0-0704-00