Skamania County, WA Total:\$107.50 EASE

2021-001339 04/19/2021 02:48 PM

Request of: CLARK COUNTY TITLE

00008257202100013390050056

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

N/A

PAID
NAMANIA COUNTY
TREASURER

Tax Parcel Nos.: 03-08-27-0-0501-00;

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:

Toyoe Yoshida, a single person ("Grantor")

Grantee:

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

RECITALS

- A. WHEREAS, WVL, SKS Management, LLC ("SKS"), Naoki "Nick" Yoshida, and 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");
- B. 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;
- C. 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 number 03-08-27-0-0501-00 and legally described on Exhibit B hereto (the "Yoshida Parcel");
- E. WHEREAS, the source for hot water that is the subject of the Hot Water Supply Agreement is located on the Yoshida Parcel;

ACCESS AND UTILITY EASEMENT - 1 SKAC01-000003 - 5367152_1

- F. WHEREAS, Grantor desires to grant an easement over and across the Yoshida Parcel to WVL for the purpose of constructing, maintaining, and accessing 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"); and
- G. 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 Parcel for construction and maintenance of the Infrastructure, and across the Yoshida Parcel 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 Parcel, fifteen feet on either side of any such water lines, the location of any other element of the Infrastructure installed on the Yoshida Parcel, 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.

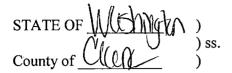
IN WITNESS WHEREOF, Grantor has executed this instrument this 13 day of

<u>April</u>, 2021.

Pate 202/

TOYOE YOSHIDA

NOTARY BLOCKS ON FOLLOWING PAGES



I certify that I know or have satisfactory evidence that TOYOE YOSHIDA is the person who appeared before me, and said person acknowledged that she 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:

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 # 03082700070000:

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, PAGE 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 EQOK 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 INSTRUMENT RECORDED SEPTEMBER 22, 1994 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)

A tract of land located in the William Meridian Murphy D.L.C. and in Government Lot 4. all in Section 27. Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington, more particularly described as follows:

BEGINNING at the Northwest corner of the William M. Murphy D.L.C. in Section 27: thence East along the North line of said Murphy D.L.C., a distance of 447.03 feet: thence South 14° 15' West a distance of 193.5 feet: thence North 82° 43' East a distance of 137 feet to teh centerline of Lyons Road; thence Northwesterly along the centerline of Lyons Road a distance of 188 feet to a point on the North line of the Murphy D.L.C. said point being 462.03 feet East of the Northwest corner of the Murphy D.L.C.; thence East along the North line of said Murphy D.L.C., a distance of 327 feet, more or less, to the centerline of Skamania County Road No. 30360, known as Berge Road; thence along the centerline of Bergc Road North 18° 00' East a distance of 136.5 feet; thence North 20° 58' West a distance of 216.9 feet; thence North 49° 15' East a distance of 325.1 feet; thence South 84° 18' East a distance of 165.4 feet; thence leaving the centerline of said road North 28° 07' East a distance of 65 feet; thence West parallel with the North Line of the Murphy D.L.C. a distance of 920 feet, more or less, to a point in the Government meander line on the East side of Wind River; thence Southerly along said Government meander line a distance of 620 feet, more or less, to the Northwest corner of the Murphy D.L.C. and the Point of Beginning.

EXCEPT Public Roads.