



**WHEN RECORDED RETURN TO:**

ANTONY CLARKE  
15-1775 1<sup>st</sup> AVE. #B3  
KEEAU, HI 96749

Please print or type information **Washington State Recorder's Cover Sheet** (RCW 65.04)

**DOCUMENT TITLE(S)** (or transaction contained therein) (all areas applicable to your document must be filled in)

AGREEMENT FOR WATERLINE EASEMENT AND ACCESS

**REFERENCE NUMBER(S)** of Documents assigned or released:

N/A

☐ Additional numbers on page \_\_\_\_\_ of document.

**GRANTOR(S):**

1. ANTONY DAVID CLARKE 2. \_\_\_\_\_

3. ROSEMARY FOGGIA CLARKE 4. \_\_\_\_\_

☐ Additional names on page \_\_\_\_\_ of document.

**GRANTEE(S):**

1. ANTONY D. CLARKE 2. \_\_\_\_\_

3. ROSEMARY FOGGIA CLARKE 4. \_\_\_\_\_

☐ Additional names on page \_\_\_\_\_ of document.

**LEGAL DESCRIPTION** (Abbreviated: i.e. Lot, Block, Plat or Section, Township, Range, Quarter):

0106060032200

SEC 6 T1N R6E

☐ Complete legal on page \_\_\_\_\_ of document.

**Assessor's Property Tax Parcel #**

0106060032200

☐ Additional parcel numbers on page \_\_\_\_\_ of document.

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.

"I am signing below and paying an additional \$50.00 recording fee (as provided in RCW 36.18.010 and referred to as an emergency nonstandard document), because this document does not meet margin and formatting requirements. Furthermore, I hereby understand that the recording process may cover up or otherwise obscure some part of the text of the original document as a result of this request."

Antony Clarke

Signature of Requesting Party

Note to Submitter: Do NOT sign above nor pay additional \$50 fee if the document meets margin/formatting requirements.

## AGREEMENT FOR WATER LINE EASEMENT AND ACCESS

THIS AGREEMENT is made and entered this 9<sup>th</sup> day of January, 2023 by ANTONY DAVID CLARKE and ROSEMARY FOGGIA CLARKE, husband and wife, as current owners of property (TL322, TL323 and TL324) having the respective addresses of 231, 382 and 392 Snowberry Lane, Washougal, WA 98671. The primary objective is to confirm an easement for existing and/or future waterline placement over portions of TL322 that would serve current and future owners of TL323 and TL324 and their heirs, personal representatives, successors, and assigns. This agreement is in addition to any other prior easement agreements that may exist relevant to the use and distribution water from the "unnamed spring" located in the far SW corner of TL322 by the owners of TL323 and TL324.

### RECITALS

WHEREAS, Antony D. Clarke and Marcia E. Clarke, husband and wife, John B. Medlin and Margaret Medlin, husband and wife, and Peter T. Clarke and Joan C. Clarke, husband and wife, all as equal tenants-in-common, acquired certain real estate consisting of approximately 24 acres, more or less, together with an easement for ingress and egress along the existing gravel road from the south boundary of the subject property to Smith-Cripe Road, situated within Skamania County, Washington, by virtue of a Statutory Warranty Deed recorded on July 17, 1974, in Book 67 of Deed Records at Page 79, records of Skamania County (hereinafter referred to as "Subject Property"); and

WHEREAS, the above-named parties subsequently divided the Subject Property between themselves conveying the most westerly parcel (now TL322) to Peter C. Clarke and Joan C. Clarke by Quit Claim Deed recorded on July 25, 1974, in Book 67 of Deed Records at Page 340, records of Skamania County; conveying the adjoining parcel to the east (now TL 305) to John B. Medlin and Margaret E. Medlin by Correction Quit Claim Deed recorded on July 26, 1974, in Book 67 of Deed Records at Page 345, and conveying the most easterly parcel to Antony D. Clarke and Marcia E. Clarke by Quit Claim Deed recorded on July 26, 1974, in Book 67 of Deed Records at Pages 340 and 345; and

WHEREAS this latter parcel was subsequently short platted on July 30, 1974 (Book 67, Page 356) into two separate parcels and later modified by a boundary line adjustment on October 1, 2004 (Doc 2004154653) and now identified as TL 323 and TL324 (see EXHIBIT 1).

WHEREAS, all of the above-named parties agreed to and divided the Subject Property among themselves subject to reserving existing water rights in the Subject Property; and

WHEREAS, Antony D. Clarke, previously obtained the Certificate of Water Rights # S2-21800C with priority date January 17, 1974 to said "unnamed spring" in the SW corner of TL322 (SEE EXHIBIT 1) as the water source for the benefit of TL323 (subsequently divided into TL323 and TL324) at the maximum continuous rate of 0.02 cubic ft per second; and

WHEREAS, said flow has been in continuous use since that date and at various times has flowed in water lines lying above, on or below the surface of TL322 (see EXHIBIT 1); and

WHEREAS, at some time in 1998 the water lines were buried by owner of TL305 and have since followed the southern boundary of TL322 to a ground water collection tank (collecting any groundwater from area around tank, including the original source located about 40ft to NW of tank) installed on adjacent property TL307 (see EXHIBIT 1). and

WHEREAS, the current and/or future owners of TL323 and TL324 may wish to ensure water lines are extended directly to the original water source established under their Jan. 17, 1974 water rights (A.D. Clarke) and/or rerouted away from TL307 and/or reburied for repair or improved access:

NOW THEREFORE, we hereto agree to and confirm an easement for water lines following the southern boundary of TL322 to this original water source as established on or near this southern boundary of TL322 in 1974 (see EXHIBIT 1). This includes possible rerouting of buried lines currently going to the collection tank on TL307. This may include: (A) a simple direct connection of a water line from the source to the existing water line to the tank serving TL's 322, 323 and 324.; or (B) bypassing the collection tank on TL307 by running new lines to the source on, above or under ground over TL322 following the boundary between TL302 and TL307. This easement, and access to same, is to be 10' wide, following the run of said water lines as needed to accommodate ground conditions, but constrained to lie within 30' of the southern boundary of TL322 (see EXHIBIT 1).

IN WITNESS WHEREOF, the parties have executed this Easement Agreement for Access and Utilities to be effective on the day and year first above written.

Rosemary Foggia Clarke  
ROSEMARY FOGGIA CLARKE

NOTARY PUBLIC  
Residing at Wrentham, VA  
My Appointment Expires: 06-21-24

**JAMES HALEN**  
**NOTARY PUBLIC #22033984**  
**STATE OF WASHINGTON**  
**MY COMMISSION EXPIRES**  
**06-21-26**

