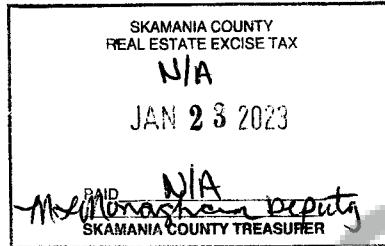


John F and Cloida Peyrollaz
PO Box 188
Carson, WA 98610

RETURN ADDRESS:



RESERVATION OF ACCESS AND UTILITY EASEMENT

REFERENCE NO. OF RELATED
DOCUMENT(S):

N/A

GRANTOR/GRANTEE:

John F. and Cloida F. Peyrollaz

ASSESSOR'S TAX PARCEL NO(S):

6.S.
03082820100000

This RESERVATION OF ACCESS AND UTILITY EASEMENT is made and entered into this 23 day of January, 2023, by Grantor/Grantee, John F. Peyrollaz and Cloida F. Peyrollaz, Trustee of the John F. Peyrollaz and Cloida F. Peyrollaz Trust agreement dated November 13, 1996 (hereafter "Peyrollaz").

RECITALS:

WHEREAS, "Peyrollaz" is the fee simple owner of certain real property located in Skamania County, Washington, which property is more particularly described as, Tax Lot 03082820100000, in Quit Claim Deed, Auditor's File No. 2016000617, Skamania County State of Washington, located in the South half of the Northwest quarter of Section 28, Township 3 North, Range 8 East of the Willamette Meridian, County of Skamania, State of Washington.

Described in Exhibit "A"

WHEREAS, "Peyrollaz" desires to reserve an Access and Utility Easement, being an express easement over, under, and across a portion of their property for the construct, maintenance, repair, and improvements of a access road and all utilities servicing their lots and future lots.

NOW, THEREFORE, "Peyrollaz", in consideration of the recitals which are incorporated herein by this reference, and other good and valuable consideration, the receipt of which is hereby acknowledged, and grants for itself and its successors and assigns, as follows:

1. Easement. "Peyrollaz" does hereby grant, convey, establish, and create, for the benefit the Peyrollaz properties, and their agents, successors, assigns, tenants, and invitees, a perpetual nonexclusive appurtenant easement (the "Easement") over, under, and across a portion of the Peyrollaz tract, described on Exhibit B, attached hereto, and incorporated herein by this reference (the "Easement Area"). The parties, and their heirs, successors, assigns, employees, licensees, agents, invitees, tenants, and/or independent contractors, shall have the right and ability at such times as deemed necessary by them to enter upon, over, or under the "Easement" area for the purpose of: (1) ingress, egress, and access for constructing, installing, reconstructing, improving, inspecting, operating, maintaining, repairing, and replacing any and all utilities necessary or desirable to service all or any portion of driveway and utilities, without limitation.

2. No Obstruction. "Peyrollaz", nor their successors, assigns, tenants, and invitees shall permanently or unreasonably, obstruct, impede, or interfere in the reasonable use of the Easement or Easement Area by the other.

4. Definition of Owner. As used herein, "owner" or "owners" shall mean the record owner or owners, whether one or more persons or entities of a fee simple title to those having such interests merely as security for the performance of an obligation

5. Easement to Run With the Land; Binding on Successors and Assigns. The easements, restrictions, benefits, and obligations created hereunder shall run with the land and shall be binding upon and run for the benefit or burden, as the case may be, of the owners of all or any portion of said Peyrollaz properties, their heirs, administrators, personal representatives, successors and assigns, and all persons and parties claiming by or through any of them in perpetuity.

6. Counterparts. This Easement Agreement may be executed in counterparts, each of which shall be an original, but all of which shall together constitute one and the same agreement.

7. Maintenance and Repair. The Parties shall share equally in the costs of maintaining the shared driveway. If any "Party", or it tenants or their respective agents, cause damage to any portion of the driveway, or other extraordinary activity, including, without limitation, any activities related to the installation or repair of utilities lines or related facilities, such party, shall, at its own cost, cause the damaged improvements to be repaired and restored to a condition at least equal in quality to the condition of such improvement prior to such damage.

IN WITNESS WHEREOF, this Easement Agreement has been executed as of the day and year first hereinabove set forth,

"PEYROLLAZ"

GRANTOR/GRANTEE

John F. Peyrollaz

John F. Peyrollaz

Cloida F. Peyrollaz

Cloida F. Peyrollaz

STATE OF WASHINGTON)

COUNTY OF Skamania)

I certify that I know or have satisfactory evidence that **John F. Peyrollaz and Cloida F. Peyrollaz**, Trustee of the John F. Peyrollaz and Cloida F. Peyrollaz Trust agreement dated November 13, 1996, are the people who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Witness my hand and official seal hereto affixed on January 23, ²⁰²³2022

Leslie L Moore

Notary Signature

Leslie L Moore

Notary printed name

NOTARY PUBLIC in the State of Washington

My Appointment Expires: 2/24/24

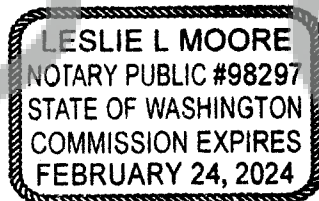


EXHIBIT A

The South 1/2 of the Northwest 1/4 of the said section 28, Township 3 North, Range 8 East, Willamette Meridian, Skamania County, Washington;

EXCEPTING THEREFROM the following described tract: (As described in Quit Claim Deed recorded in Book 162, Page 970 Skamania County Records)

Beginning at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 (SE1/4 NW 1/4) of section 28, Township 3 North, Range 8 East, Willamette Meridian; Thence East, 660.00 feet (40 rods); Thence South, 528.00 feet (32 rods); Thence West, 660.00 feet (40 rods); Thence North, 528.00 feet (32 rods) to the point of beginning.

Also EXCEPTING THEREFROM the following described tract: (As described in Quit Claim Deed recorded in Book 162, Page 970 Skamania County Records)

Beginning at a point 693.00 feet (42 rods) East of the Northwest corner of the Southeast 1/4 of the Northwest 1/4 (SE1/4 NW 1/4) of section 28, Township 3 North, Range 8 East, Willamette Meridian; Thence East, 627 feet (38 rods) to the center line of said section 28; Thence South along the centerline of 498.00 feet (63-1/4 rods) to a point; Thence West, 627 feet (38 rods); Thence North, 498.00 feet (63-1/4 rods) to the point of beginning.

ALSO EXCEPTING THEREFROM the following described tract:

Lot 2 of the Henry Wood Short Plat recorded in Book 3 of Short Plats Page 24.

ALSO EXCEPTING THEREFROM, the following described tract:

Beginning at a point 25.00 feet west and 40.00 feet south of the Northeast corner of the Southwest Quarter of the Northwest 1/4 (SE1/4 NW1/4) of said section 28, Township 3 North, Range 8 East, Willamette Meridian; Thence West 725.00 feet; Thence South 151.00 feet; Thence East 226.6 feet; Thence South 40.00 feet; Thence East 494.9 feet; Thence North 191.00 feet to the point of Beginning.

ALSO EXCEPTING THEREFROM, the following described tract:

Commencing at the Southwest corner of the Northwest Quarter (NW1/4) of Section 28, Township 3 North, Range 8 East, Willamette Meridian; Thence North 0°01'24" West along the west line of said section 182 feet; Thence North 89°58'36" East, 172 feet to the Point of Beginning; Thence North 89°58'36" East, 30 feet; Thence South 0°01'24" East, 25 feet; Thence South 89°58'36" West, 30.00 feet; Thence North 0° 1 '24" West, 25 feet to said Point of Beginning.

ALSO EXCEPTING THEREFROM, the following described tract:

Commencing at the Northeast corner of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of the Section 28, Township 3 North, Range 8 East; Thence North 89°58'51" West, 30.00 feet to the **Point of Beginning**; Thence North 89°58'51" West, along the North line of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of said Section 28, a distance of 745.93 feet; Thence South 00°01'09" West, 231.00 feet; Thence North 89°58'51" West, 295.00 feet; Thence North 00°01'09" East,

231.00 feet to a point on the North line of said Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4); Thence North 89°58'51" West, along the North line of said Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), a distance of 283.94 feet to the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of said section 28; Thence North 00°56'25" East, along the West line of said Section 28, a distance of 2.79 feet to a point; Thence North 89°32'26" East, a distance of 1324.90 feet to a point; Thence South 00°09'16" West, a distance of 13.86 feet the **Point of Beginning**.

ALSO EXCEPTING THEREFROM, the following described tract:

Commencing at the Northeast corner of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of Section 28, Township 3 North, Range 8 East, Willamette Meridian; Thence North 89°58'51" West, along the North line of said Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4), a distance of 1070.93 feet to the **Point of Beginning**; Thence South 00°01'09" West, 191.00 feet; Thence North 89°58'51" West, 286.96 feet to the west line of said Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4); Thence North 00°55'37" East, 191.02 feet the Northwest corner of the Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of said section 28; Thence South 89°58'51" East, along the said the north line of the said Southwest Quarter of the Northwest Quarter (SW1/4 NW1/4) of the said Section 28, a distance of 283.94 feet to the point of the **Point of Beginning**.

ALSO EXCEPTING THEREFROM, the following described tract:

Commencing at a 2" iron pipe marking the NW 1/16 corner of said Section 28, Township 3 North, Range 8 East; Thence South 01°21'16" West along the east line of the Southwest Quarter of the Northwest Quarter of Section 28, a distance of 231.05 feet; Thence North 89°58'51" West, 25.01 feet to the Southeast corner of that certain tract of land described in personal representative deed recorded in Skamania county auditors file no. 2021-001409 also being the **Point of Beginning** of this description;

Thence South 01°21'16" West, parallel with and 25.00 feet west of said east line of the Southwest Quarter of the Northwest Quarter, a distance of 611.16 feet to a point; Thence North 89°47'36" West, a distance of 455.14 feet to a point; Thence North 30°49'12" West, a distance of 81.11 feet to a point; Thence North 01°42'35" East, a distance of 540.09 feet to the Southwest corner of that certain tract of land described as parcel 1 of quit claim deed recorded in Skamania county in Book 131, Page 444; Thence South 89°58'51" East, a distance of 495.02 feet along the South line of said tract described in Book 131, Page 444 and also the South line of Lots 1 and 2 of the Ronald & Charlene Anderson short plat and the easterly projection thereof to the **Point of Beginning**.

TOGETHER WITH all easements and rights of way appurtenant to the above described real property.

“EXHIBIT B”

LEGAL DESCRIPTION OF EASEMENT AREA

A strip of land located in the South Half of the Northwest Quarter of section 28, township 3 North, Range 8 East of the Willamette Meridian, Skamania County, state of Washington, being more particularly described as follows:

Beginning at a 2” iron pipe marking the NW 1/16 corner of said Section 28, Township 3 North, Range 8 East; Thence South $01^{\circ}21'16''$ West, along the East line of the Southwest Quarter of the Northwest Quarter of Section 28, a distance of 527.92 feet to the Southwest corner of Lot 2 of the Ted Johnson Short Plat; Thence South $89^{\circ}15'07''$ East, along the South line of said Lot 2 of the Ted Johnson Short Plat, and its easterly projection, a distance of 685.93 feet to a point on the West line of lot 2 of the Wood Short Plat; Thence South $00^{\circ}34'58''$ West, along the West line of said Lot 2 of the Wood Short Plat, a distance of 25.01 feet; Thence North $89^{\circ}15'07''$ West, parallel with and 25.00 feet South of the South line of said Lot 2, of the Ted Johnson Short Plat, a distance of 711.28 feet; Thence North $01^{\circ}21'16''$ East, parallel with and 25.00 feet west of the East line of the Northwest quarter of the Southwest Quarter of Section 28, a distance of 552.60 feet to a point on the North line of the Southwest Quarter of the Northwest Quarter of Section 28; Thence South $89^{\circ}58'51''$ East, 25.01 feet back to the **Point of Beginning**.