

Columbia NW Engineering

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Woods Lake WA

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10/08/2003 02:54P

COLUMBIA NORTHWEST ENGINEERING 53 20.00 Adams Co. Aud.

### EASEMENT OF RIGHT OF WAY AGREEMENT

Agreement between Olsen Homes, LLC., Grantor and the City of Othello, Washington,  
Grantee.

Grantor is the owner of real property located in Adams County, Washington, described as a portion of the southwest quarter of the southwest quarter of Section 3, Township 15 North, Range 29 East, W.M., known as tax parcel# 1529030682401.

The Grantor grants, assigns, and sets over to the City of Othello an easement of right-of-way to construct, repair and maintain public right-of-way for alleys/walk way and/or to construct, maintain and operate public or private utilities on an easement more particularly described as a 20 ft. wide alley connecting 1<sup>st</sup> Avenue to the 20 ft. wide walk path in the Saddlerock 2<sup>nd</sup> Addition Plat on the south side of the north right-of-way line of Wahluke Street extended eastward, or as owned by the Grantor, including a 50 ft. radius for the intersecting alley as shown on the Saddlerock 2<sup>nd</sup> Addition Plat being approximately 300 ft. in length and 6,000 SF in area.

The Grantor shall fully use and enjoy the real property described above except as to the easement granted. There shall be no permanent buildings, trees or other structures placed within the easement. Any plantings or improvements placed within the easement may be damaged or destroyed by the City of Othello or the utility company in the use of this easement. This easement is non-exclusive. The Grantor may grant easements to others in the area of the easement provided that the City shall agree that such easements are not in conflict with this easement granted the City of Othello; such agreement shall not be unreasonably withheld. Any additional easements granted shall reference this easement.

The parties have executed this easement the 12<sup>th</sup> day of August, 2003.

GRANTOR:

[Signature], OLSEN Homes, LLC  
Signature

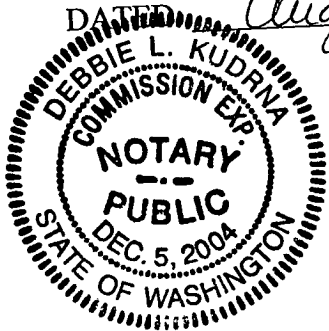
Pete Olsen  
Name

Member  
Title

STATE OF WASHINGTON  
COUNTY OF ADAMS

I certify that I know or have satisfactory evidence that Pete Olsen signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as the Easement of r-of-w agreement to be the free and voluntary act of such party for the uses and purposes mentioned in this instrument.

DATED August 12, 2003.



[Signature]  
Type or print name Debbie L. Kudrna  
Notary Public for Washington State  
My commission expires 12-5-04