



## APPENDIX C:

# LAND USE, ZONING, COMPREHENSIVE PLAN AND EASEMENTS REPORT

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PORT OF LONGVIEW  
MASTER PLAN PHASE I FEASIBILITY STUDY  
Land Use, Zoning, Comprehensive  
Plan and Easement Report



February 8, 2016

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## 1.0 INTRODUCTION

In 2010 the Port of Longview (Port) purchased the 275-acre property at Barlow Point for future Port industrial development. The Port acquired an additional 7.5 acres of tidelands in 2012 bringing the site total to 282.5 acres. The property is located downstream of the current developed Port at approximately river mile 64 (RM 64), which is on the west side of the City of Longview, Washington (City). In order to better understand the full potential of the Barlow Point site, the Port determined that a comprehensive master planning process should occur. The first step in that process was to perform a due diligence study to assess the feasibility to develop the Barlow Point into a marine terminal.

A market analysis and conceptual site planning exercise were performed in late 2014 through early 2015 to identify possible types of use and site layouts. Specific industry types were identified from the market analysis to be the basis to analyze potential site layout and use at Barlow Point. Two options arose from that evaluation, which focus on production and/or export of dry or liquid bulk commodities/tenants. Both of the options identified would have a site occupied by three bulk commodities. The dry bulk option (Option 1) consists of potash, urea and wood pellets. The liquid bulk option (Option 2) consists of crude oil, methanol and biodiesel. A third option (Option 3) was also considered where a single commodity/tenant occupies the entire site. Option 3 will not be discussed further in this report as the general site layout, land use, zoning and easement needs are similar to Option 1 and 2. See the Conceptual Site Plans and the Concept Planning and Market Analysis Report located in Appendix A and Appendix B of the main report.

As part of that study, the land use, zoning, comprehensive plan designation and existing easements were reviewed to determine their impact on potential site development. The need for new easements based on the potential site development was also reviewed.

## 2.0 SITE DESCRIPTION

The existing site is a 282.5-acre Greenfield site located on the west side of the City approximately 8 miles west of I-5. The property is situated between State Route (SR) 432 to the north and the Columbia River to the south and is comprised of undeveloped farmland, with a sparse patch of trees. A levee, which is part of the greater City of Longview flood control system, runs along the entire southern border separating the site from the river. The western boundary of the site abuts similarly undeveloped farmland. The majority of the northern boundary is a shared ditch with Mt. Solo Landfill. The shared ditch meanders forming oxbows which creates an atypical property boundary. A Bonneville Power Administration (BPA) easement occupies the eastern boundary of the site, which borders existing industrial property (see Exhibit 1 – Site Location Map).

The Port property at Barlow Point consists of 13 separate tax parcels, 11 of which are contiguous and the

Port purchased an additional 7.5 acres of tidelands in 2012. The two detached parcels are located at an adjacent site entrance from SR 432 that provides access to the site through an easement over the neighboring property. The eastern portion of offsite tidelands parcel 107140100 (tidelands) was transferred to Port owned parcel 107190100 (levee parcel) through a boundary adjustment. The parcels owned by the Port are contained entirely within the City limits, although the eastern property boundary abuts unincorporated Cowlitz County (see Exhibit 2 – Parcel Map and Exhibit 4 – Record of Sale Survey and Boundary Line Adjustment). Reference to Barlow Point throughout this report refers to the Port property, not the greater Barlow Point area.

## 2.1 BINDING SITE PLAN

For this feasibility study, it is assumed the individual parcels at Barlow Point will most likely be combined under the regulations of a Type 'A' Binding Site Plan for commercial industrial properties in accordance with Longview Municipal Code (LMC) Chapter 19.90. The purpose of a binding site plan is to combine the contiguous Port owned parcels into a single entity. This provides a legal method for the Port to lease land to tenants, and provides a mechanism for the City planning department to review development requests by the Port and its tenants. Otherwise, the individual parcels would each be subject to the zoning requirements as defined by the LMC. This could be an issue where individual site uses across the Barlow Point site may not conform to the zoning requirements within an individual parcel. A binding site plan solves this issue by allowing the site to be considered as a whole, making it easier for the overall site development to conform to zoning requirements.

## 2.2 ZONING AND COMPREHENSIVE PLAN DESIGNATION

Barlow Point and the surrounding parcels within the City are zoned Heavy Industrial (HI). The City Comprehensive Plan is currently consistent with the Zoning Code for the majority of the property; however there is a portion of the site which is not consistent. An area in the north-west corner of the site, that encompasses parts of three Port parcels, has a Comprehensive Plan land use designation of Mixed Use Residential/Commercial (see Exhibit 3 – Zoning and Comprehensive Plan Maps). The surrounding unincorporated Cowlitz County area is zoned Heavy Manufacturing and has a matching Comprehensive Plan designation. .

The Zoning Code, as defined by the LMC Title 19, provides the legal requirements for how a parcel of land can be developed and used at the present time. The Comprehensive Plan is an official public document that guides policy decisions related to the physical, social and economic growth of the City. It provides a framework for future growth, public decision making and development. The Comprehensive Plan is not a regulatory document; rather it is a guiding document which includes goals, objectives and policies that are implemented through development regulations such as the City's zoning code.

The Port is currently working with the City through their Comprehensive Plan update process to make the land use designation consistent with the Zoning Code. The zoning code for Mixed Use Residential/Commercial has not been developed at this time. Revising the Comprehensive Plan land use designation back to its original designation of Heavy Industrial would make the document consistent with

the Zoning Code and would reduce confusion about potential development at Barlow Point and the surrounding area.

## 3.0 CONCEPTUAL DEVELOPMENT

Two conceptual site plan options were developed which focus on dry and liquid bulk industries with each option having multiple tenants. A third option (Option 3) was also considered where a single commodity/tenant occupies the entire site. Option 3 will not be discussed further in this report as the general site layout, land use, zoning and easement needs are similar to Option 1 and 2. The potential development options will likely require rail infrastructure, piers, roads, conveyor/piping systems, storage sheds, tanks, and other industrial facilities to support the industries identified. See the Conceptual Plans located in Appendix A of the main report. This future land use is consistent with the Heavy Industrial zoning classification as described in the LMC Chapter 19.58.010 and 19.58.020. The Heavy Industrial classification allows for site uses consistent with marine/port industrial related activities included but not limited to: marine/port industrial related activities, bulk commodities processing and handling, and railroad yards and services. The potential development is also compatible with the surrounding areas zoning and comprehensive plan designations within Cowlitz County.

### 3.1 DIMENSIONAL STANDARDS

Future development of the Port property at Barlow Point will need to comply with the Zoning Code dimensional standards as described in the LMC Chapter 19.58.030. For industrial sites, the maximum impervious surface (paving, buildings, etc.) area is 85% (15% pervious). This requirement limits the amount of the site that can be developed into buildings, tanks, road, parking lots, laydown yards and work areas. Fortunately, the levee and the BPA easement area have limited opportunity for development and will remain mostly pervious. These two portions of the site nearly satisfy the 15% pervious requirement. See the Stormwater Assessment Report located in Appendix I of the main report for additional information on the maximum impervious surface.

### 3.2 SETBACK REQUIREMENTS

The minimum front and rear yard setback requirement is 20 feet and the minimum side yard setback is 10 feet. No structure or portions of structures may be placed within these setbacks. This reduces the available land where structures can be placed but provides space for stormwater facilities, screening and additional pervious area to satisfy the zoning criteria described above. These setbacks are enforced from the parcel (property) boundary. As described in Section 2.1, the binding site plan would allow the site to be treated as a whole and the setback requirements would be enforced from the aggregate boundary, not the individual parcel boundaries.

### 3.3 MAXIMUM HEIGHT ALLOWANCE

The maximum height of structures is 60 feet in areas zoned Heavy Industrial. The majority of the structures that would need to be built to support identified commodities will likely not exceed the 60 foot limit with the exception of bulk commodity conveyor and piping towers. These structures may need to be greater than 60 feet tall to span over the top of the levee and still provide necessary fire access clearances between the bottom of the structure and the levee road. Towers and other structures essential for the operation of the business may exceed the height restrictions upon receiving a special property use permit as described in the LMC Chapter 19.12.

The conceptual plans in Appendix A of the main report show the likely locations of infrastructure to be constructed by the Port including roads, rail and pier structures. These items have been located to comply with the zoning requirements. Development by future tenants is not shown and will also need to comply with City zoning requirements.

## 4.0 EXISTING EASEMENTS

There are a number of existing easements that encumber Barlow Point. The scope of this review is limited to the easements identified in the Record of Sale survey by Gibbs & Olson Inc. dated December 2010 and the Limited Liability Certificate (Order No. 00164955) provided by the Port (see Exhibit 4 and Exhibit 5). The extent of this review will be limited to the development options identified in this due diligence study.

### 4.1 EASEMENT DEFINITIONS

Easements are defined as a non-possessory right for the holder of the easement to make some use of the land. There are generally two types of easements that encumber Barlow Point: access easements and utility easements.

- a) Access easements provide access to an individual or organization to cross the property. Access easements are typically non-exclusive, but can sometimes be granted to a single entity, making them exclusive. The non-exclusive versus exclusive easement type does not affect the Owner (Port) in any way, since access must be maintained in either case.
- b) Utility easements are areas of a property that are defined for use by utility companies or entity. A utility easement is an agreement that gives a utility company or entity the legal right to use and access a specific area of the property for a utility.

The existing easements at the Barlow Point site are listed and described below, See Exhibit 5 for further information on existing easements.

### 4.2 SITE ACCESS

Currently, access to the site is from SR 432, located on the northern boundary of the site through a

number of access easements (AFN 3393501 and AFN 3219402). These easements could be maintained by the Port if desired, but development would require a new, dedicated site entrance which would provide access to the site.

An ingress and egress (access) easement established through court case SCO#08-2-00233-1 in favor of Wilson (tidelands Parcel #107140100) provides access from SR432 to through the eastern portion of the site to the parcel south of the levee. The portion of the Parcel #107140100 accessed by this easement was purchased by the Port in 2012 (see Exhibit 4) and Boundary Line Agreement included transfer of this non-exclusive easement to the Port.

Barlow Point Road (on the western boundary) becomes a dead end approximately 700 from the site and this point demarcates the beginning of the existing gravel access road to the site which runs along the top of the levee. This road runs through a perpetual, non-exclusive access easement (AFN 3288870) in favor of the Port from Barlow Point Road over and across Lot 2 of Short Subdivision No. 91-001 in favor of the Port of Longview. This easement should likely be maintained to continue to provide and established access to the levee access road.

#### 4.3 BPA (BONNEVILLE POWER ADMINISTRATION) EASEMENT

The largest easement on the site is the 900 foot wide BPA easement running from north to south which occupies the eastern boundary. The BPA easement was established in 1967 and held by BPA for the maintenance and operation of the power transmission lines. BPA has a perpetual easement and right to erect, maintain, rebuild, operate and patrol the electric transmission power line (see List of Exceptions in Exhibit 5).

The Owner (Port) has the right to cross the BPA easement with railroads, truck roads and all other ways and means customary in transporting forest products. The Port has the right to freely pass over and across the easement by all necessary means and for any purpose incidental to the ownership of adjoining lands. However, the easement limits the Port to how the land in the easement can be developed. For example, building any buildings or structures, or planting trees is not allowed on the BPA easement. The BPA easement shall not be used as parking lots for motor vehicles. In addition, any development in the BPA easement must be coordinated with BPA. See the Energy Utilities Assessment Report located in Appendix K of the main report for more details.

#### 4.4 CONSOLIDATED DIKING IMPROVEMENT DISTRICT #1 (CDID #1) DITCH 14

The CDID #1 has a 100 foot wide easement (AFN 549259) for drainage Ditch 14 that serves the Reynolds Lift Station (see List of Exceptions in Exhibit 5). This easement crosses the site in the north-east corner of the site where the rail is proposed to enter the site. Development of the site entrance to bridge the ditch for the rail will need to be coordinated with CDID #1. Access to this easement must be maintained at all times for the upkeep of the ditch.

#### 4.5 CDID#1 (COWLITZ PUBLIC UTILITY DISTRICT) POWER LINE EASEMENT

There is an existing power line easement (AFN 891222007) held by the Public Utility District #1 (PUD#1) that runs parallel to the eastern boundary of the site for the benefit of CDID #1. This power line feeds an existing CDID #1 Reynolds lift station, which is located adjacent to Port owned property, near the SE corner of the site. Access to this easement must be maintained at all times for the upkeep of the power lines.

#### 4.6 CDID#1 LEVEE

The levee resided within a 375 foot wide easement in favor of CDID#1 that was established by Superior Court Order #5362. The Port will need to coordinate with CDID#1 and the United States Army Corps of Engineers for development on the levee. Access to this easement must be maintained at all times for the upkeep of the levee.

## 5.0 FUTURE EASEMENTS

New easements will likely be required to accommodate the various site features of the potential development of the site identified in the conceptual plans. These features include site access, rail infrastructure and utilities. The proposed easements at the potential site are listed and described below:

#### 5.1 RAIL ACCESS

The type of land use being investigated for the site includes extension of a rail spur to tenants onto the site. Rail access to Barlow Point would extend from the end of the Reynolds Lead and enter the site at the northeastern boundary of the site where BNSF owns a parcel of land that abuts Port property. Due to the configuration of the Port and BNSF parcels, the rail connection will likely extend on to Northwest Alloys Inc. property to the south (see Exhibit 6). The Port would need to coordinate with Northwest Alloys Inc. for a potential easement to provide rail access to the Barlow Point site. Further coordination would be required between stakeholders and details will need to be finalized in the design phase to determine the extent of the easement. Based on the number of unit trains identified for the liquid and dry bulk options, an easement to accommodate the rail entrance could range between 150 to 200 feet at the widest point (see Exhibit 6)

#### 5.2 MAIN SITE ENTRANCE CONNECTION TO SR432 (WSDOT)

A new entrance to the Barlow Point site would provide access to the site via SR 432 and would be situated at the northern site boundary within WSDOT right-of-way between State Route Mile Post 2.17 and 2.78. The new entrance would provide a new dedicated access eliminating the usefulness of the existing site access easements.

The Port would need to coordinate with WSDOT and apply for an Access Connection Permit onto a State

Highway for the new entrance on SR 432 to the site. The Access Connection Permit is required by the Revised Code of Washington (RCW) 47.50 (see Exhibit 6).

### 5.3 MAIN SITE ENTRANCE CROSSING CDID#1 DITCH 10

The location of the potential new site entrance to Barlow Point from SR 432 would need to cross Ditch 10 which comprises the northern boundary of the site. This ditch belongs to CDID #1 and is located in parcel #107080100 (see Exhibit 2 and Appendix A of the main report). An access easement, approximately 100 feet wide, will likely be required from CDID #1 to build the site entrance within their property. Further coordination will be required between stakeholders and details will need to be finalized in the design phase (see Exhibit 6).

### 5.4 SECONDARY SITE ACCESS FROM BARLOW POINT ROAD

A secondary access to the site could be provided from Barlow Point Road located at the northwest corner of the site at the toe of the levee. The Barlow Point Road right-of-way is located approximately 250 feet from the Port property boundary, but the actual road terminates approximately 460 feet from the property boundary. From this point, a gravel access road connects up to the Dike Road providing access to the top of the levee through an existing non-exclusive access easement as described above.

Future development could include a public access area in the north-west corner of the site, which could be accessed via Barlow Point Road (see the Public Access Memorandum located in Appendix M of the main report). Barlow Point Road could also serve as a secondary emergency access to the site. This could be accomplished through an access easement, approximately 40 feet by 250 feet long, over the adjacent Barlow Point Land Company LLC property (Parcel#107130100) and extend the road to the site (see Exhibit 6). Barlow Point Road is located mostly within Cowlitz County but it dead ends within the City of Longview limits.

### 5.5 PUBLIC ACCESS VIEWING PLATFORM

Two options for a public view platform have been identified in the Public Access Memorandum (see Appendix M of the main report). Option 1 includes a viewing platform that extends over the Columbia River. The viewing platform for this option would be located on property owned by Barlow Point Land Company LLC (Parcel #107140100, see Exhibit 1). The Port would need to coordinate with the property owner for an easement for a public access viewing platform. Option 2 has a more modest viewing platform that remains on the Port property and would not require an easement. Both options for a public view platform would require access and construction within the CDID#1 easement for the levee. Any proposed development within the levee easement would need to be coordinating with CDID#1 and the Army Corps of Engineers.

### 5.6 PROCESS NATURAL GAS

There is potential that the process tenants identified during the market analysis, methanol and urea,

would require a high pressure, large diameter feedstock natural gas main. Requirements for this gas line would be better understood through the Federal Energy Regulation Commission (FERC) process and would fall upon the tenant(s) seeking access to natural gas. See the Riverfront Environmental and Other Considerations report in Appendix D of the main report. A large diameter natural gas line would likely require a dedicated utility easement. In anticipation for this utility, a planned utility corridor east of the new site entrance could be established by the Port to allow a tenant to bring a large diameter gas main on to the site (see Exhibit 6). The location of the utility corridor would be located between the site entrance and rail corridor and would ideally allow a tenant to build the gas main to their site with minimum impact to the Port backbone infrastructure.

## 5.7 OTHER UTILITY EASEMENTS

A utility easement could potentially be required for utilities such as electric power, domestic water, fire water, process water, sanitary sewer and fiber optics to the Barlow Point site. An easement may be required by the utility purveyors from the point where they enter the property up to a termination point determined by the purveyor (e.g., gas meter, electrical substation, water meter, etc.) where the utility would then turn private. These utilities have conceptually been located in or adjacent to the Port access road that would loop around the site. The following descriptions are indented to identify which utility purveyors would supply the potential utilities to the site. Additional coordination will be needed with the utility purveyors during design when more details are known.

## 5.8 ELECTRIC POWER

New electric power service to the site would be provided by Cowlitz County Public Utility District (PUD). A new electric service connection to the site would involve new transmission lines and a substation. Further coordination will be needed between the Port and PUD for accommodating electric service connection to the site. See the Power Utilities Assessment and Planning Report located in Appendix K of the main report for more details.

## 5.9 DOMESTIC AND FIRE WATER

Access to domestic and fire water would be through a connection to the existing 12-in City water main line which runs along SR 432 to the north of the site. This would be the most likely connection point for the water line to the site. The flow meter for the service connection would be located near the site entrance to limit potential easement size. Further coordination will be needed between the Port and the City for accommodating water service connection to the site. See the Civil Utilities Report located in Appendix J of the main report for more details.

## 5.10 PROCESS WATER

A number of the perspective industries identified in the market analysis have a high demand for water for their industrial process and the existing 12-inch water main in SR432 would not be able to supply this demand. An additional source of water would be needed and one of the options would be to receive

water from an off-site City intake facility (City of Longview Mint Farm). A new water main would need to be constructed from the off-site intake facility to the site. Further coordination will be needed between the Port and the City for accommodating process service connection to the site if that water source is chosen. See the Civil Utilities Report located in Appendix J of the main report for more details.

### 5.11 SANITARY SEWER

There is no sanitary sewer infrastructure located in SR432 adjacent to Barlow Point. A pressurized sanitary sewer line would likely be needed to connect off-site to the City system. Depending on the route, the sanitary sewer line would be located partially on WSDOT right-of-way and partly on City right-of-way. See the Civil Utilities Report located in Appendix J of the main report for more details.

### 5.12 COMMUNICATION

The closest connection point to access communications infrastructure for the site would be along SR432. CenturyLink has existing copper cable located along SR432 and have indicated that fiber optic cable could be extended along SR432 to the site. CenturyLink could potentially connect copper or fiber cable to the site for communications. Further coordination will be needed between the Port and CenturyLink for accommodating fiber optic and copper cable connections to the site. See the Civil Utilities Report located in Appendix J and the Power Utilities Assessment and Planning Report located in Appendix K of the main report for more details.

## 6.0 CONCLUSION

The Port of Longview is planning to develop their Barlow Point property into a marine terminal. Barlow Point is zoned Heavy Industrial and future development of the site into a marine terminal would be consistent with this zoning. Currently, the Comprehensive Plan designation is not consistent with the zoning for a portion of the property. The Port has initiated a Comprehensive Plan change process with the City to make the Comprehensive Plan consistent with the zoning code. This process is currently underway.

Any development on the property will need to comply with the Longview Municipal Code (LMC) requirements. This includes requirements for setbacks, height restrictions, and limitations to the amount of site that can be made impervious. As part of those requirements, a Binding Site Plan would likely be required and allow a site that contains multiple parcels to be developed. This makes the LMC requirements apply to the entire site, not to individual parcels.

There are a number of existing easements that encumber Barlow Point. These existing easements include access and utility easements with the BPA power corridor and the CDID#1 levee easement being the two easements which most greatly affect the site. There are limitations to how the property can be developed and utilized within these easements, but they do not preclude the development of Barlow Point.

For future development of the site, new easements will likely be required for the purposes of site access,

rail infrastructure, public access and utilities. The Port will need to coordinate with stakeholders to negotiate the terms of these easements. Preliminary dimensions of the new easements have been determined through the planning process but will likely be refined with further site design.

Based on the research and findings in this report, no issues were identified associated with land use, zoning, existing and proposed easements that could not be mitigated through thoughtful design and coordination with stakeholders.

## 7.0 REFERENCES

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*City of Longview Zoning, Planning Division*. City of Longview, (n.d). Web. 18 Nov. 2015.

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Washington State County Auditor, *Boundary Line Agreement 3468308*. Cowlitz County: Cowlitz County Title Company, 2012. Print.

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EXHIBIT 1:

SITE LOCATION MAP

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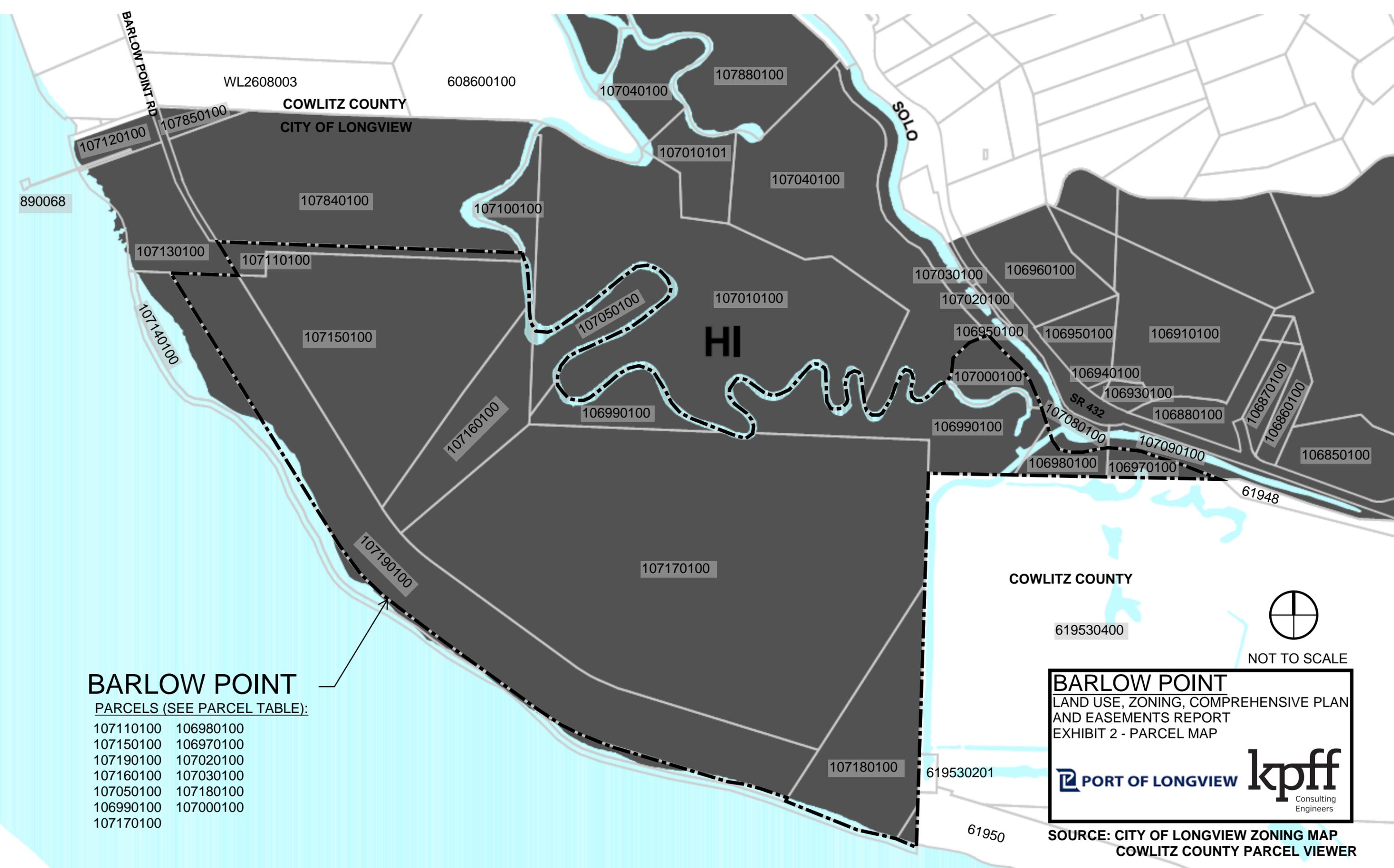


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EXHIBIT 2:  
PARCEL MAP

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890068

WL2608003

608600100

107040100

107880100

**COWLITZ COUNTY  
CITY OF LONGVIEW**

107010101

107040100

107840100

107100100

SOLO

107030100

106960100

107130100

107110100

107020100

107010100

107050100

106950100

106950100

106910100

107150100

107160100

106990100

107000100

106940100

106930100

106880100

SR 432

106870100  
106860100

106850100

106990100

107080100

107090100

106980100

106970100

61948

**COWLITZ COUNTY**

619530400



NOT TO SCALE

**BARLOW POINT**

PARCELS (SEE PARCEL TABLE):

- 107110100
- 107150100
- 107190100
- 107160100
- 107050100
- 106990100
- 107170100
- 106980100
- 106970100
- 107020100
- 107030100
- 107180100
- 107000100

107180100

619530201

61950

**BARLOW POINT**  
 LAND USE, ZONING, COMPREHENSIVE PLAN  
 AND EASEMENTS REPORT  
 EXHIBIT 2 - PARCEL MAP

SOURCE: CITY OF LONGVIEW ZONING MAP  
 COWLITZ COUNTY PARCEL VIEWER

### Port Owned Parcels at Barlow Point

Parcel #	Owner	Description
106970100	Port of Longview	Parcel adjacent to Ditch #10 at entrance
106980100	Port of Longview	Parcel adjacent to Ditch #10 at entrance
106990100	Port of Longview	Parcel adjacent to Mt. Solo at entrance
107000100	Port of Longview	Parcel adjacent to Ditch Number #10 and Keystone Contracting, Inc.
107020100	Port of Longview	Parcel between Mt. Solo Rd and Ditch #10 as existing entrance
107030100	Port of Longview	Parcel between Mt. Solo Rd and Ditch #10 as existing entrance
107050100	Port of Longview	Parcel in oxbow on the south side of Mt. Solo
107110100 <sup>1</sup>	Port of Longview	Parcel at west site boundary
107150100 <sup>1</sup>	Port of Longview	Large parcel to the southwest of Mt. Solo
107160100	Port of Longview	Parcel adjacent to Mt. Solo
107170100	Port of Longview	Large parcel on east side of site
107180100	Port of Longview	Southeast corner of site adjacent to the lift station
107190100 <sup>1</sup>	Port of Longview	Levee and tidelands parcel

<sup>1</sup>These parcels have been identified for the comprehensive plan change.

## Parcels Adjacent to Port Property

Parcel #	Owner	Description
107140100	Barlow Point Land Co., LLC	River front between levee and river
107130100	Barlow Point Land Co., LLC	Far west portion of levee with road access up onto levee
107840100	Longview Property LLC	Western most large parcel within city limits
107100100	Mt. Solo Landfill LLC	Small parcel on west edge of landfill
107010100	Mt. Solo Landfill LLC	Main parcel of landfill
107040100	Keystone Contracting, Inc.	Parcel east of Mt. Solo with buildings and equipment
107010101	Keystone Contracting, Inc.	Parcel north of Mt. Solo
619530201	CDID #1 <sup>1</sup>	Reynolds Lift Station parcel east of Ditch #14
107090100	CDID #1	Ditch Number #10 adjacent to Mt. Solo Rd.
107080100	CDID #1	Ditch Number #10 adjacent to Mt. Solo Rd.
107880100	CDID #1	Parcel north of Mt. Solo and adjacent to Keystone Contracting
107870100	CDID #1	Parcel north of Mt. Solo and adjacent to Keystone Contracting
619530400	Northwest Alloys, Inc.	Large industrial parcel to the east across Ditch #14
61950	Northwest Alloys, Inc.	Levee to east adjacent to Northwest Alloys, Inc.
61948	BNSF Railway Company	Rail to north of Northwest Alloys, Inc. (closest rail parcel)
107850100	Brian Magnuson	Triangular parcel at west edge of city limits
107120100	Brian Magnuson	Parcel on levee with house
890068	Brian Magnuson	Pier extending into river

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EXHIBIT 3:  
ZONING/COMPREHENSIVE PLAN MAP(S)  
(MULTIPLE)

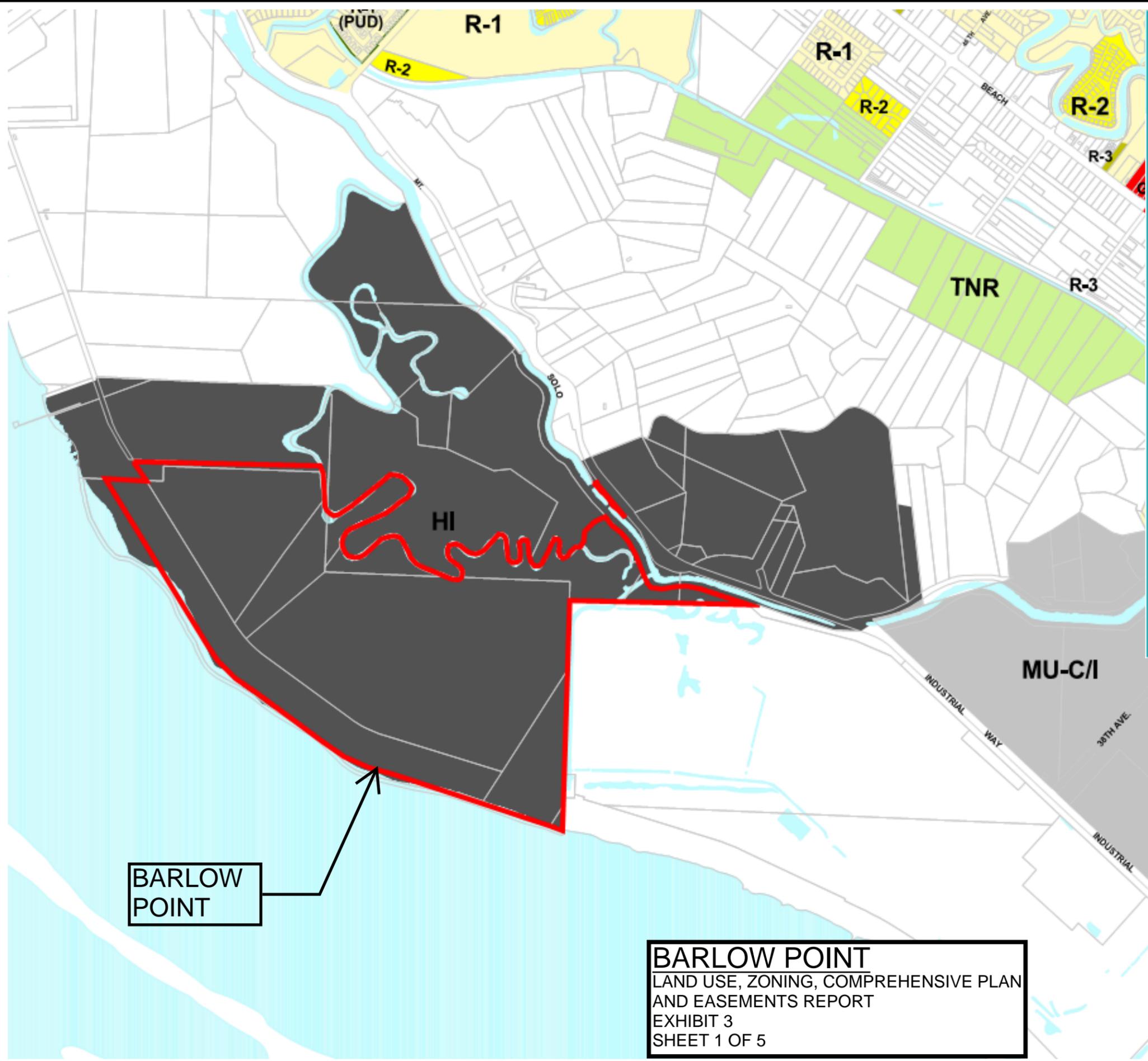
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# City of Longview Zoning Map

## LEGEND

- R-1 Residential District
- R-2 Residential District
- TNR Traditional Neighborhood Residential
- R-3 Residential District
- R-4 Residential District
- NC Neighborhood Commercial District
- GC General Commercial District
- D-C Downtown Commerce District
- CBD Central Business District
- O/C Office/Commercial District
- RC Regional Commercial District
- LI-A Light Industrial District
- LI-B Light Industrial District
- MU-C/I Mixed Use Commercial/Industrial District
- HI Manufacturing District
- C-C Civic Center District
- C-D Country Club District
- C-F County Fairgrounds District
- RF-1 Riverfront District
- PUD Planned Unit Development Floating Overlay District



BARLOW POINT

**BARLOW POINT**  
 LAND USE, ZONING, COMPREHENSIVE PLAN  
 AND EASEMENTS REPORT  
 EXHIBIT 3  
 SHEET 1 OF 5



SOURCE: CITY OF LONGVIEW ZONING MAP

# COMPREHENSIVE PLAN LAND USE MAP

## LEGEND

-  Planning Area Boundary
-  Longview City Limits
- Land Use
-  Low Density Residential
-  Traditional Neighborhood Res.
-  Medium Density Residential
-  High Density Residential
-  Mixed Use Residential/Commercial
-  Neighborhood/Convenience Commercial
-  Community Commercial
-  Mixed Use Office/Commercial
-  Regional Commercial
-  Central Business District
-  Mixed Use Commercial/Industrial
-  Light Industrial
-  Heavy Industrial
-  Civic Center
-  Public/Quasi-Public/Institutional

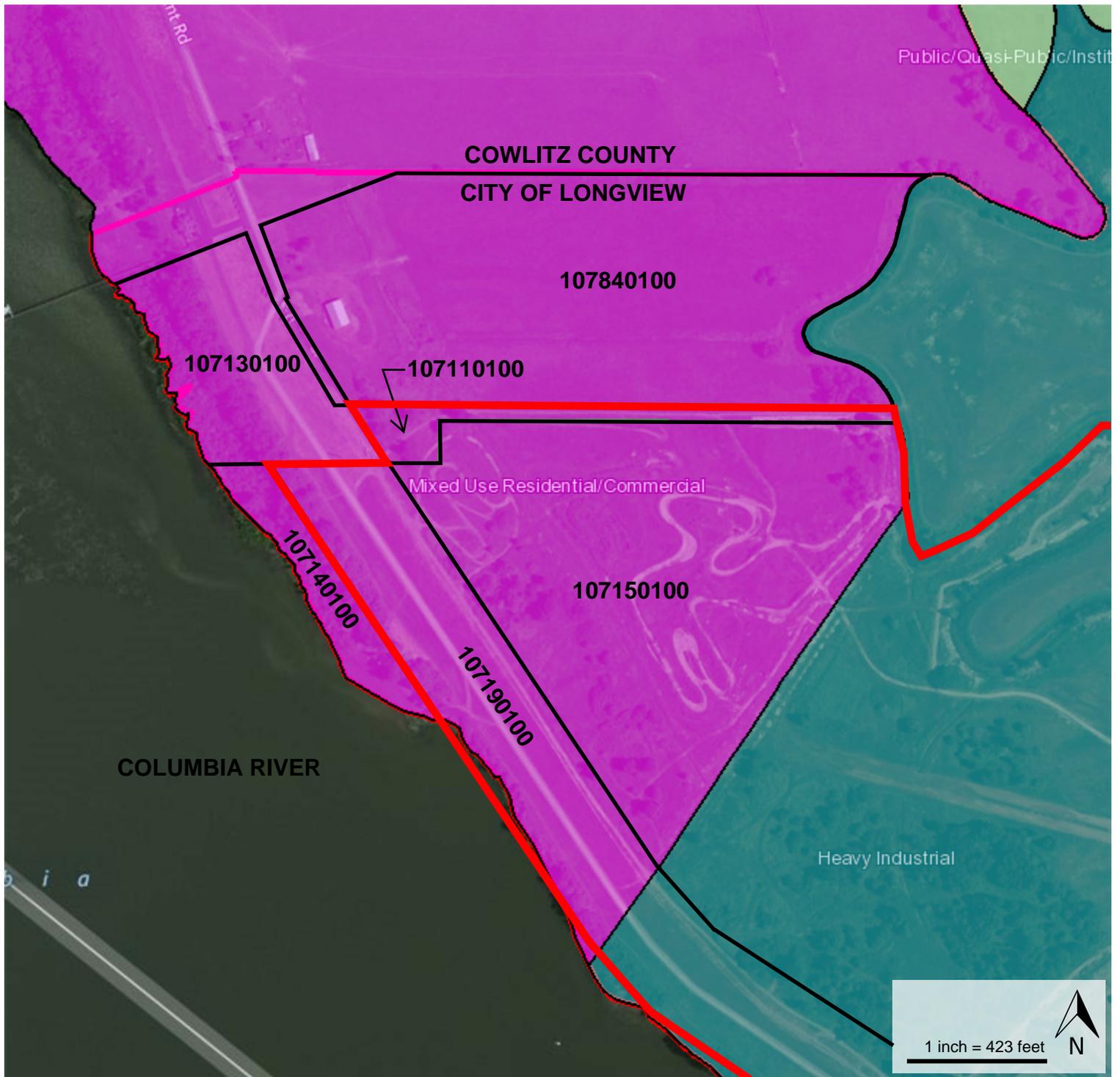


**COWLITZ COUNTY**  
**CITY OF LONGVIEW**

PARCELS WITHIN  
MIXED USE  
RESIDENTIAL/COMMERCIAL  
DESIGNATION

BARLOW  
POINT

**BARLOW POINT**  
LAND USE, ZONING, COMPREHENSIVE PLAN  
AND EASEMENTS REPORT  
EXHIBIT 3  
SHEET 2 OF 5



## **EXHIBIT 3**

### **COMPREHENSIVE PLAN LAND USE MAP - SHEET 3 OF 5**

**PARCELS:** 107110100 (OWNER - PORT OF LONGVIEW)  
 107150100 (OWNER - PORT OF LONGVIEW)  
 107190100 (OWNER - PORT OF LONGVIEW)  
 107130100 (OWNER - BARLOW POINT LAND COMPANY LLC)  
 107140100 (OWNER - BARLOW POINT LAND COMPANY)  
 107840100 (OWNER - LONGVIEW PROPERTY LLC)

**SOURCE: CITY OF LONGVIEW COMMUNITY VIEW ONLINE MAPS**

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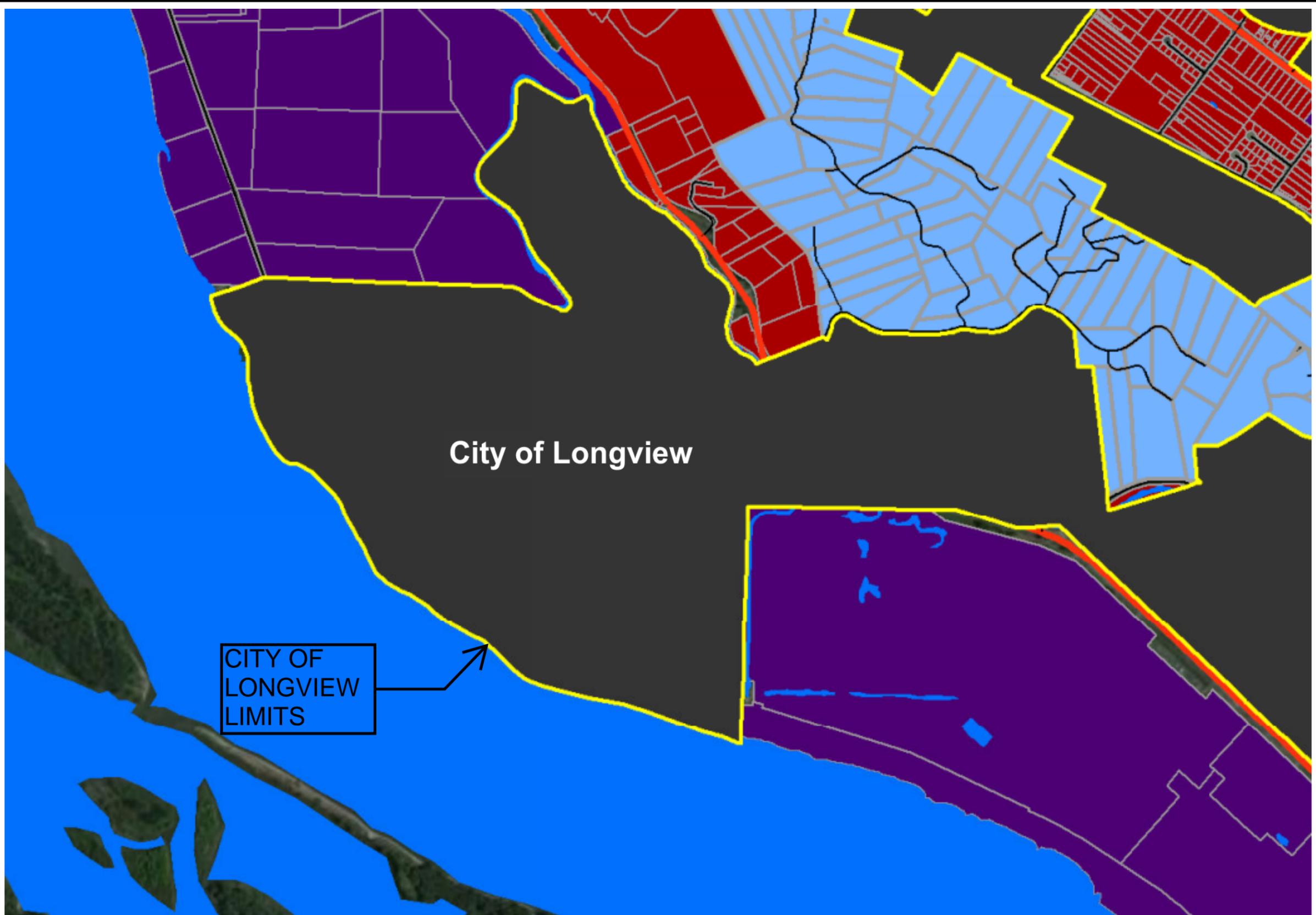


### **EXHIBIT 3**

#### **CITY OF LONGVIEW ZONING MAP - SHEET 4 OF 5**

- PARCELS:** 107110100 (OWNER - PORT OF LONGVIEW)  
 107150100 (OWNER - PORT OF LONGVIEW)  
 107190100 (OWNER - PORT OF LONGVIEW)  
 107130100 (OWNER - BARLOW POINT LAND COMPANY LLC)  
 107140100 (OWNER - BARLOW POINT LAND COMPANY)  
 107840100 (OWNER - LONGVIEW PROPERTY LLC)

**SOURCE: CITY OF LONGVIEW COMMUNITY VIEW ONLINE MAPS**



City of Longview

CITY OF LONGVIEW LIMITS

### Legend

**Draft Comp Plan Designations**

Draft\_CP

- ERL\_AG
- ERL\_FOR
- ERL\_IND
- ERL\_MRL
- Remote
- Rural
- Smallhold
- Suburban
- Urban



**BARLOW POINT**  
 LAND USE, ZONING, COMPREHENSIVE PLAN  
 AND EASEMENTS REPORT  
 EXHIBIT 3  
 SHEET 5 OF 5

# COWLITZ COUNTY COMPREHENSIVE PLAN LAND USE MAP

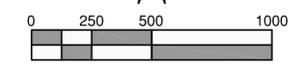
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EXHIBIT 4:

RECORD OF SALE (ROS) SURVEY AND  
BOUNDARY LINE ADJUSTMENT

---

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Scale: 1" = 500'

BASIS OF BEARING: Washington State Coordinate System, South Zone. Bearing (S42°52'38"E) derived from ties to Cowlitz County GPS Monuments #1006 and #1054.

Distances shown on this survey are ground distances, unless otherwise noted. To calculate grid distance multiply ground distances by scale factor (not CGF) 0.999943576'.

LEGEND

- ⊙ Set 5/8" rebar with red plastic cap (Gibbs & Olson, Williams 34147)
- ⊕ Found rebar & cap, reference survey #12
- ⊕ Found conc. mon with 3-1/4" aluminum cap w/levee station as noted & stamped LS21711 reference survey #4
- Found rebar & cap, as noted
- ⊙ Found iron pipe, as noted
- ⊕ Found monument, as noted
- Calculated point, not found or set this survey
- (n) Reference Survey, bearing/distance
- ROS Record of Survey
- AFN Auditor's File No.
- TB Top of Bank ditch/slough
- SCO Superior Court Case
- wc Witness Corner

- Line of Ordinary High Water as measured November 17 & 18, 2010
- - - Donation Land Claim (DLC) line

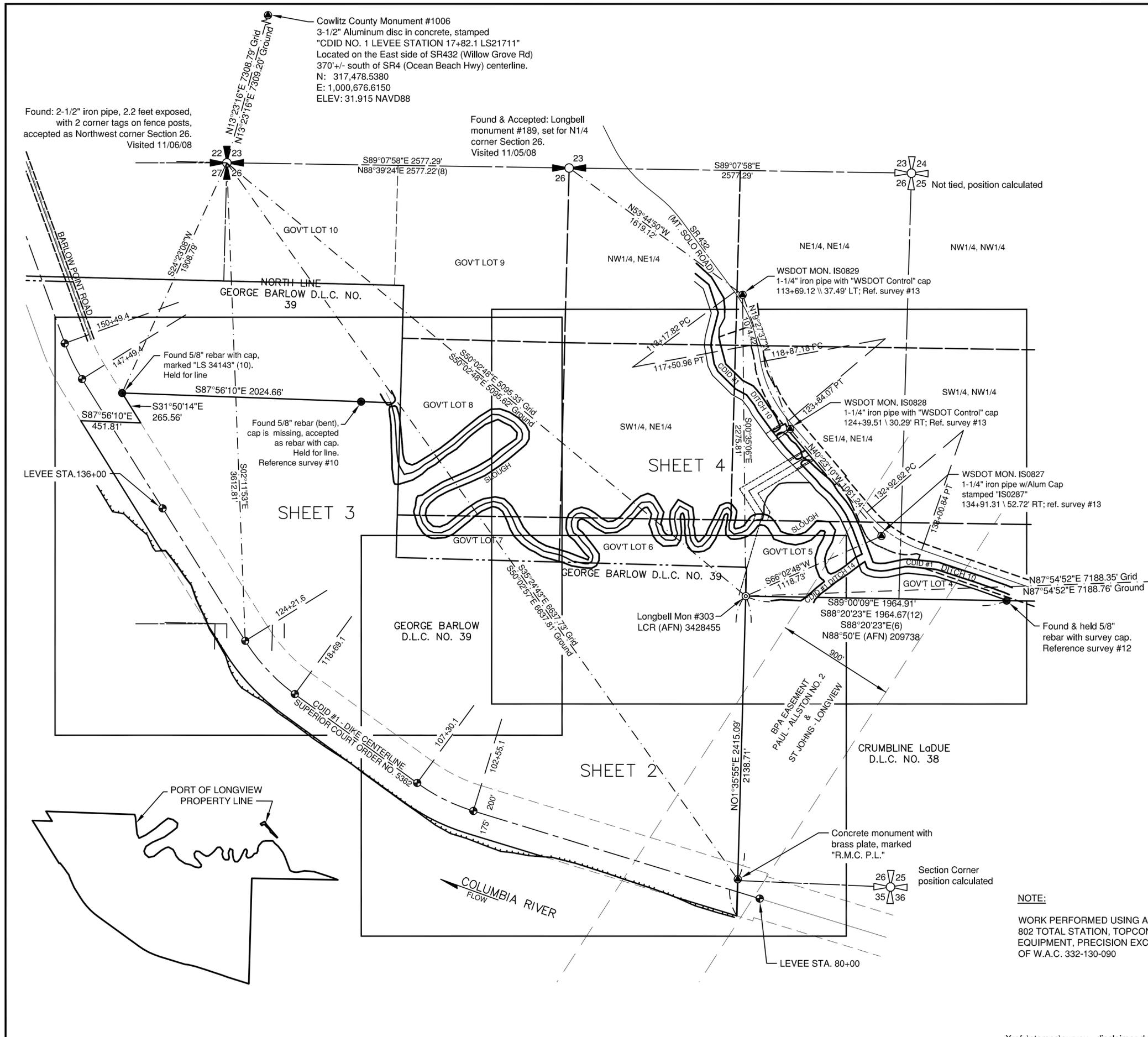
Cowlitz County Monument #1054  
 2" Brass cap with punch mark in concrete.  
 Located in centerline of Memorial Park Drive  
 25'+/- Easterly of 38th Ave centerline.  
 N: 307,357.9090  
 E: 1,010,073.8240  
 ELEV: 10.397 NAVD88

See Sheet 5 for the following information:

- REFERENCE DOCUMENTS
- REFERENCE SURVEYS
- NARRATIVE
- LINE TABLE
- NOTES

NOTE:

WORK PERFORMED USING A 2 SECOND LEICA TCR 802 TOTAL STATION, TOPCON HYPER GGD GPS-RTK EQUIPMENT, PRECISION EXCEEDS REQUIREMENTS OF W.A.C. 332-130-090



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 LONGVIEW WASHINGTON

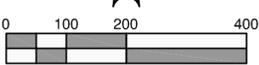
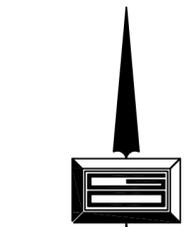
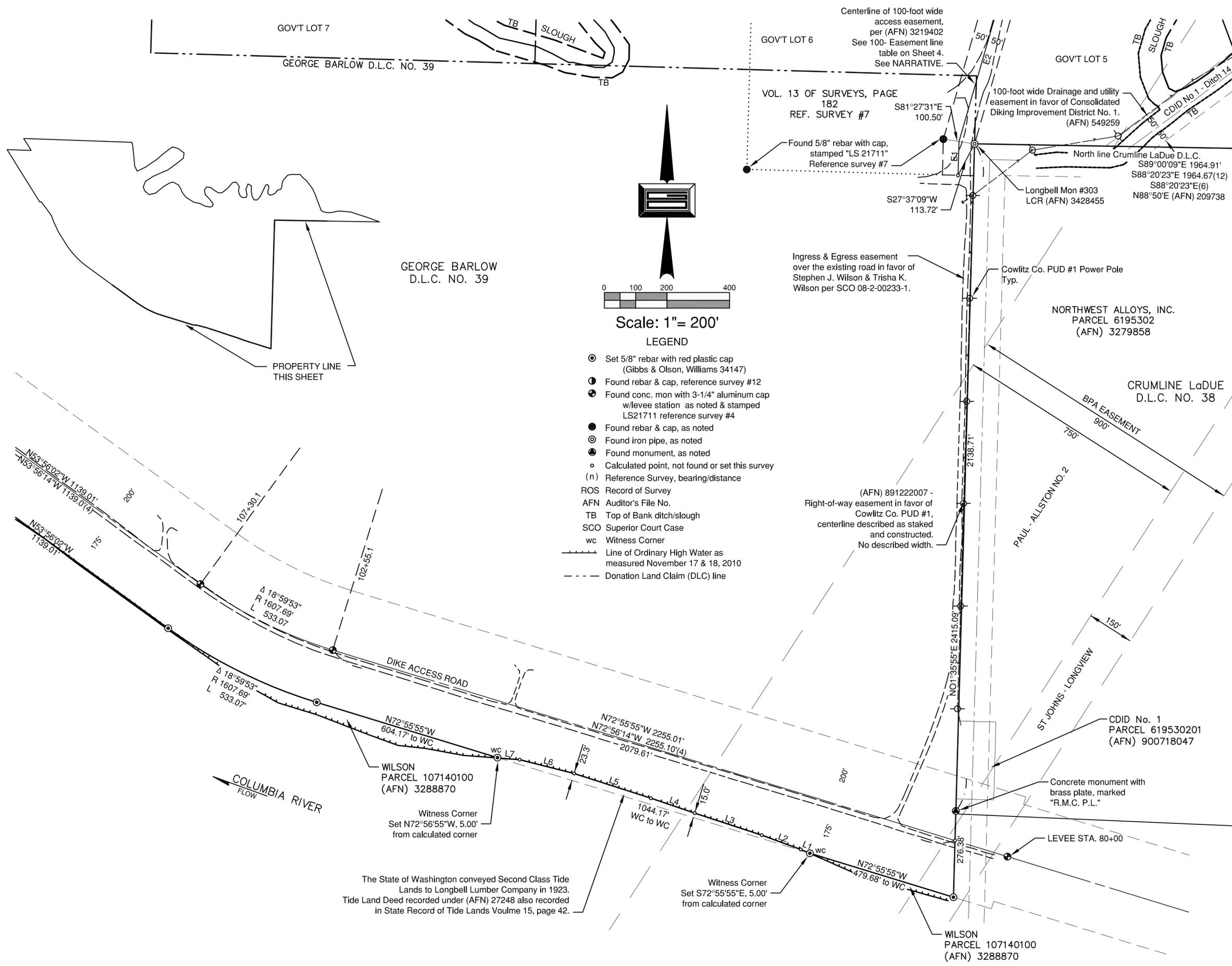
Survey for  
**PORT OF LONGVIEW**  
 PORTIONS OF SECTIONS 25, 26, 27 AND 35, ALSO  
 A PORTION OF THE GEORGE BARLOW DLC IN TWP 8 N, RGE 3 W, WM  
 COWLITZ COUNTY, WASHINGTON

SURVEYOR'S CERTIFICATE  
 AS SHOWN, THIS MAP REPRESENTS AN ACTUAL SURVEY MADE BY ME  
 OR UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS  
 OF THE SURVEY RECORDING ACT, IN DECEMBER, 2010  
 AT THE REQUEST OF PORT OF LONGVIEW  
 RICHARD J. WILLIAMS - LICENSE NO 34147

AUDITOR'S CERTIFICATE  
 FILED FOR THE RECORD THIS \_\_\_ DAY OF \_\_\_, 20\_\_  
 AT \_\_\_ M IN BOOK \_\_\_ OF SURVEY MAPS  
 ON PAGE \_\_\_ AT THE REQUEST OF GIBBS & OLSON, INC.,  
 AUDITOR DEPUTY AUDITOR

Xref .\stamps\survey - disclaimer.dwg

SHEET 1 OF 5



Scale: 1" = 200'

LEGEND

- ⊙ Set 5/8" rebar with red plastic cap (Gibbs & Olson, Williams 34147)
- ① Found rebar & cap, reference survey #12
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- Line of Ordinary High Water as measured November 17 & 18, 2010
- - - Donation Land Claim (DLC) line

N63°56'02"W 1139.01'  
N53°56'14"W 1139.0(4)  
200'

107+30.1  
102+55.1

N53°56'02"W 1139.01'  
175'

Δ 18°59'53"  
R 1607.69'  
L 533.07

DIKE ACCESS ROAD

Δ 18°59'53"  
R 1607.69'  
L 533.07

N72°55'55"W 604.17' to WC

WILSON PARCEL 107140100 (AFN) 3288870

Witness Corner Set N72°56'55"W, 5.00' from calculated corner

N72°55'55"W 2255.01'  
N72°56'14"W 2255.10(4)  
2079.61'

WC L7 L6 L5 L4 L3 L2 L1 WC

1044.17' WC to WC

15.0'

175'

N72°55'55"W 479.68' to WC

The State of Washington conveyed Second Class Tide Lands to Longbell Lumber Company in 1923. Tide Land Deed recorded under (AFN) 27248 also recorded in State Record of Tide Lands Volume 15, page 42.

Centerline of 100-foot wide access easement, per (AFN) 3219402 See 100- Easement line table on Sheet 4. See NARRATIVE.

GOVT LOT 6

VOL. 13 OF SURVEYS, PAGE 182 REF. SURVEY #7

S81°27'31"E 100.50'

Found 5/8" rebar with cap, stamped "LS 21711" Reference survey #7

S27°37'09"W 113.72'

100-foot wide Drainage and utility easement in favor of Consolidated Diking Improvement District No. 1. (AFN) 549259

North line Crumline LaDue D.L.C. S89°00'09"E 1964.91' S88°20'23"E 1964.67(12) S88°20'23"E(6) N88°50'E (AFN) 209738

Longbell Mon #303 LCR (AFN) 3428455

Ingress & Egress easement over the existing road in favor of Stephen J. Wilson & Trisha K. Wilson per SCO 08-2-00233-1.

Cowlitz Co. PUD #1 Power Pole Typ.

NORTHWEST ALLOYS, INC. PARCEL 6195302 (AFN) 3279858

(AFN) 891222007 - Right-of-way easement in favor of Cowlitz Co. PUD #1, centerline described as staked and constructed. No described width.

PAUL - ALLSTON NO. 2

ST JOHNS - LONGVIEW

CRUMLINE LaDUE D.L.C. NO. 38

BPA EASEMENT 900'

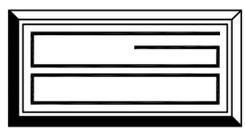
750'

CDID No. 1 PARCEL 619530201 (AFN) 900718047

Concrete monument with brass plate, marked "R.M.C. P.L."

LEVEE STA. 80+00

WILSON PARCEL 107140100 (AFN) 3288870

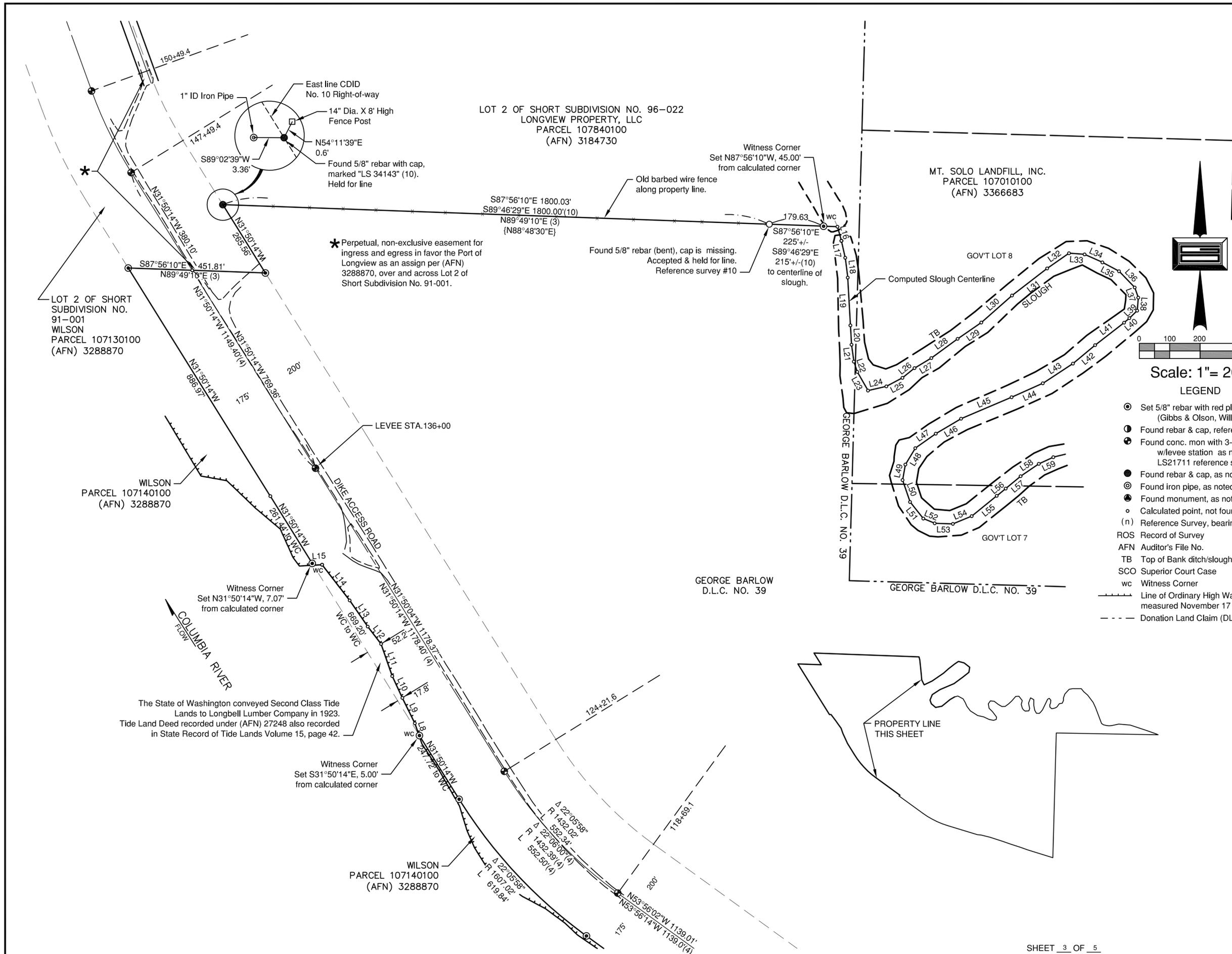


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LONGVIEW WASHINGTON

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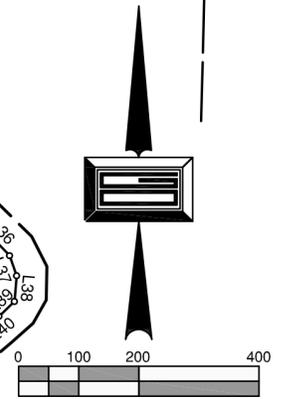
SURVEYOR'S CERTIFICATE  
AS SHOWN, THIS MAP REPRESENTS AN ACTUAL SURVEY MADE BY ME OR UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SURVEY RECORDING ACT, IN DECEMBER, 2010 AT THE REQUEST OF REQ\_BY1

RICHARD J. WILLIAMS - LICENSE NO 34147      0487.0805      1634  
FILE NO.      FIELDBOOK



\* Perpetual, non-exclusive easement for ingress and egress in favor of the Port of Longview as an assign per (AFN) 3288870, over and across Lot 2 of Short Subdivision No. 91-001.

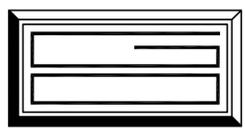
The State of Washington conveyed Second Class Tide Lands to Longbell Lumber Company in 1923. Tide Land Deed recorded under (AFN) 27248 also recorded in State Record of Tide Lands Volume 15, page 42.



Scale: 1" = 200'

LEGEND

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- - - - - Donation Land Claim (DLC) line



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**LONGVIEW WASHINGTON**

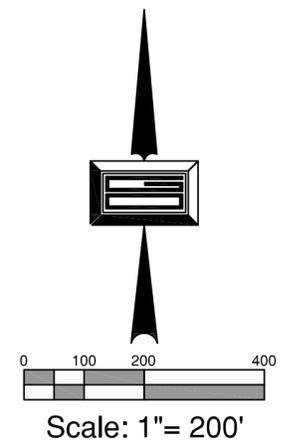
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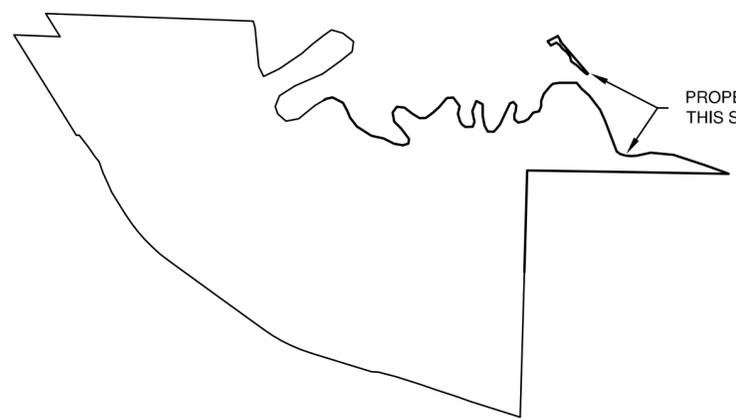
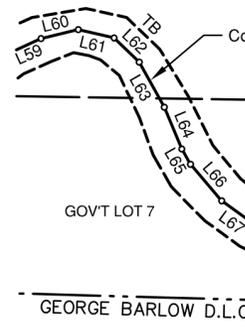
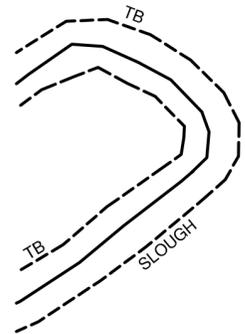
RICHARD J. WILLIAMS - LICENSE NO 34147      0487.0805      1634  
 FILE NO.      FIELDBOOK

GOVT LOT 9

LINE	BEARING	DISTANCE
E1	N01°36'09"E [N00°34'00"W]	108.64'
E2	N16°03'04"E [N13°52'55"E]	644.07'
E3	N32°11'16"W [N34°20'50"W]	198.00'
E4	N59°15'37"E [N57°06'03"E 500'+/-] [Per (AFN) 3219402]	530.14'



- LEGEND**
- ⊙ Set 5/8" rebar with red plastic cap (Gibbs & Olson, Williams 34147)
  - ⊕ Found rebar & cap, reference survey #12
  - ⊙ Found conc. mon with 3-1/4" aluminum cap w/levee station as noted & stamped LS21711 reference survey #4
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  - Calculated point, not found or set this survey
  - (n) Reference Survey, bearing/distance
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  - wc Witness Corner
  - Line of Ordinary High Water as measured November 17 & 18, 2010
  - - - Donation Land Claim (DLC) line



SW1/4, NE1/4 SECTION 26

MT. SOLO LANDFILL, INC. PARCEL 107010100 (AFN) 3366683

GOVT LOT 6

GEORGE BARLOW D.L.C. NO. 39

PROPERTY LINE THIS SHEET

Ingress & Egress easement over the existing road in favor of Stephen J. Wilson & Trisha K. Wilson per SCO 08-2-00233-1.

Cowlitz Co. PUD #1 Power Pole Typ.

Centerline of 80-foot wide Ditch 10 easement, per SCO 5362

80-foot wide non exclusive easement, over, above and under the existing roads which cross over Ditch 10, 40-feet each side existing centerline per (AFN) 3393501

MT. SOLO LANDFILL, INC. PARCEL 107040100 (AFN) 3366683

Ingress & Egress easement over the existing road (SR432 to dike access road) in favor of Stephen J. Wilson & Trisha K. Wilson per SCO 08-2-00233-1.

Centerline of 100-foot wide access easement, per (AFN) 3219402 See 100- Easement line table this page. See NARRATIVE

L126 VOL. 13 OF SURVEYS, PAGE 182 REF. SURVEY #7

Found 5/8" rebar with cap, stamped "LS 21711" Reference survey #7

VOL. 13 OF SURVEYS, PAGE 182 REF. SURVEY #7

VOL. 13 OF SURVEYS, PAGE 182 REF. SURVEY #7

Longbell Mon #303 LCR (AFN) 3428455

(AFN) 891222007 - Right-of-way easement in favor of Cowlitz Co. PUD #1, centerline described as staked and constructed. No described width.

CRUMLINE LaDUE D.L.C. NO. 38

BPA EASEMENT 900'

PAUL - ALLSTON NO. 2

100-foot wide Drainage and utility easement in favor of Consolidated Diking Improvement District No. 1. (AFN) 549259

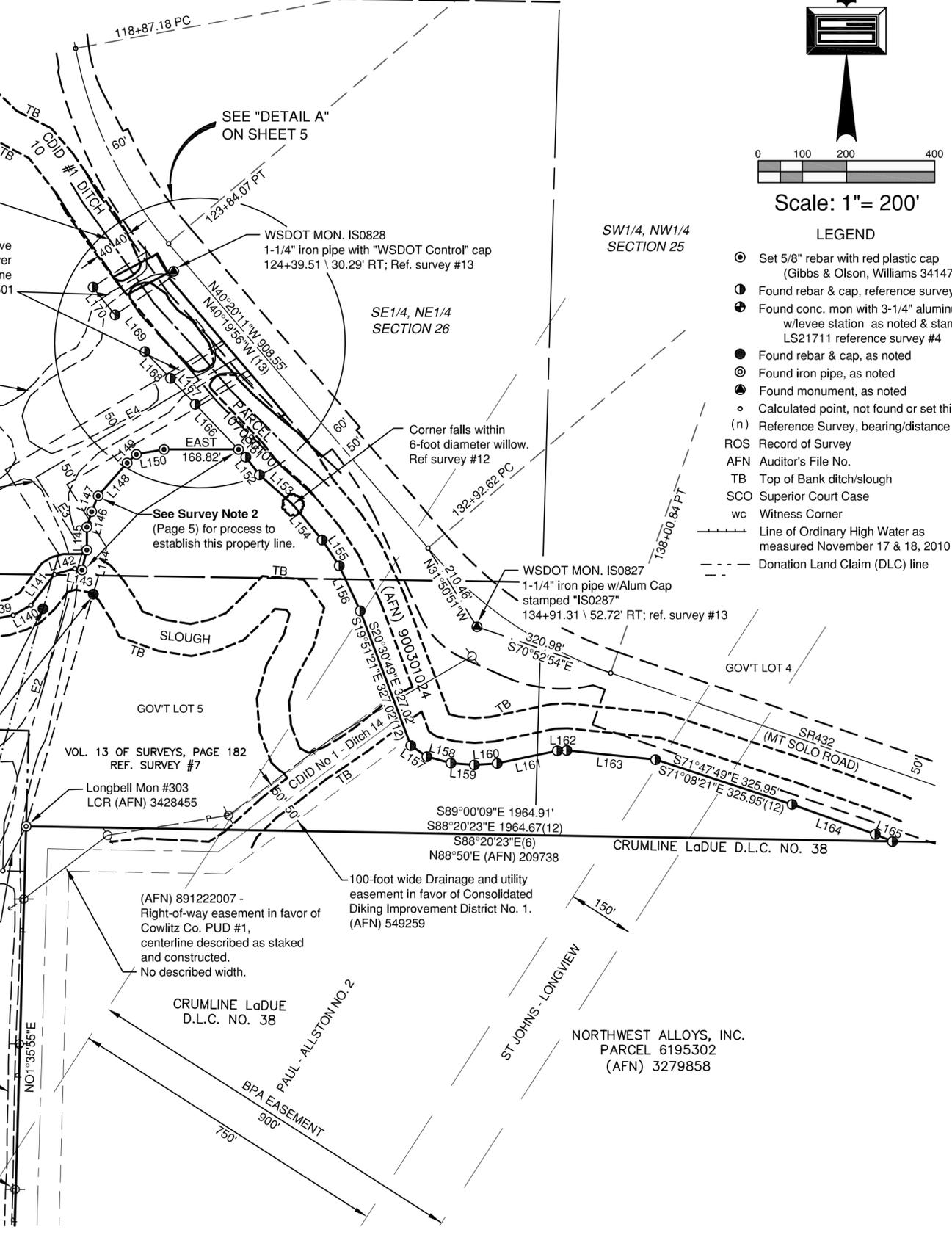
NORTHWEST ALLOYS, INC. PARCEL 6195302 (AFN) 3279858

SW1/4, NW1/4 SECTION 25

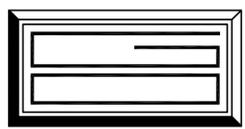
SE1/4, NE1/4 SECTION 26

GOVT LOT 4

CRUMLINE LaDUE D.L.C. NO. 38



SHEET 4 OF 5



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**LONGVIEW WASHINGTON**

Survey for  
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 PORTIONS OF SECTION 25, 26, 27 AND 35, ALSO  
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 AT THE REQUEST OF REQ\_BY1

RICHARD J. WILLIAMS - LICENSE NO 34147      0487.0805      1634  
 FILE NO.      FIELDBOOK

REFERENCE DOCUMENTS

- 1) STATUTORY WARRANTY DEED - ROBERSON TO McFARLING (AFN) 519094
- 2) QUIT CLAIM DEED - INTERNATIONAL PAPER CO. TO COWLITZ CO. (AFN) 519095
- 3) QUIT CLAIM DEED - COWLITZ COUNTY TO CDID NO. 1 (AFN) 860423007
- 4) QUIT CLAIM DEED - INTERNATIONAL PAPER CO. TO CDID NO. 1 (AFN) 900301024
- 5) QUIT CLAIM DEED - RADAKOVICH CONSTR. CO. TO WILSON (AFN) 3234069
- 6) STATUTORY WARRANTY DEED - TERRA FIRMA, INC & MT SOLO LANDFILL, INC TO WILSON (AFN) 3288870
- 7) TRUSTEE'S DEED - HABERTHUR TO PORT OF LONGVIEW (AFN) 3425616
- 8) STATUTORY WARRANTY DEED - TERRA FIRMA, INC. TO CDID NO. 1 (AFN) 3393501
- 9) SUPERIOR COURT ORDER 5362 (DITCH 10 EASEMENT- DIKE CENTERLINE)
- 10) FIRST AMERICAN TITLE INSURANCE CO. - POLICY NO. 5011400-0067021e - OCTOBER 27, 2010

LINE TABLE					
LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N66°14'14"W	26.66'	L76	N56°23'47"E	32.31'
L2	N69°48'30"W	132.79'	L77	N12°59'45"E	28.60'
L3	N71°45'01"W	225.59'	L78	N01°14'49"W	17.96'
L4	N71°07'32"W	148.07'	L79	N29°40'06"W	59.11'
L5	N72°07'17"W	257.63'	L80	N43°17'40"W	72.16'
L6	N75°43'07"W	179.29'	L81	N36°06'37"W	54.82'
L7	N85°37'08"W	66.43'	L82	N57°04'12"W	40.65'
L8	N19°01'54"W	38.37'	L83	N16°49'55"W	50.19'
L9	N26°07'58"W	93.31'	L84	N00°07'37"W	38.33'
L10	N24°46'53"W	79.47'	L85	N21°01'40"E	38.43'
L11	N19°05'43"W	112.18'	L86	N50°37'07"E	33.48'
L12	N37°25'13"W	72.30'	L87	N80°34'40"E	36.32'
L13	N34°33'09"W	104.89'	L88	S75°45'55"E	25.59'
L14	N37°35'15"W	148.82'	L89	S60°55'37"E	16.64'
L15	S86°43'01"W	28.82'	L90	S58°08'09"E	25.73'
L16	S15°40'04"E	48.44'	L91	S55°02'09"E	18.51'
L17	S12°40'32"E	57.37'	L92	S48°45'19"E	53.68'
L18	S07°11'54"E	65.93'	L93	S50°25'02"E	27.47'
L19	S03°11'50"E	157.99'	L94	S59°31'18"E	27.00'
L20	S03°21'55"E	64.00'	L95	S66°44'20"E	28.69'
L21	S07°41'40"E	56.32'	L96	N88°02'19"E	61.34'
L22	S18°33'17"E	35.99'	L97	N71°26'23"E	21.60'
L23	S29°43'08"E	70.82'	L98	N47°30'43"E	64.95'
L24	N77°09'33"E	62.12'	L99	N44°18'25"E	48.19'
L25	N62°00'40"E	59.94'	L100	N51°45'18"E	33.02'
L26	N50°59'03"E	51.14'	L101	N37°46'32"E	87.76'
L27	N59°06'29"E	64.56'	L102	N48°35'36"E	28.87'
L28	N53°41'00"E	107.23'	L103	N85°58'45"E	63.75'
L29	N55°21'41"E	94.86'	L104	S53°05'26"E	28.92'
L30	N48°33'01"E	134.70'	L105	S30°51'11"E	77.91'
L31	N52°18'30"E	146.45'	L106	S14°03'17"W	77.29'
L32	N55°07'43"E	87.60'	L107	S01°16'39"E	11.82'
L33	S85°52'04"E	51.51'	L108	S21°00'31"E	27.40'
L34	S65°41'30"E	64.22'	L109	S16°25'40"E	40.05'
L35	S61°52'00"E	62.12'	L110	S18°35'49"E(7)	
L36	S43°56'11"E	74.41'	L111	S35°22'23"E	35.06'
L37	S19°23'01"E	35.58'	L112	S37°32'32"E(7)	
L38	S04°55'48"W	43.16'	L113	S52°34'59"E	39.45'
L39	S45°58'48"W	35.61'	L114	S86°06'44"E	50.67'
L40	S49°06'46"W	22.95'	L115	S88°16'53"E(7)	
L41	S52°10'28"W	120.96'	L116	S88°16'53"E(7)	
L42	S50°06'17"W	95.00'	L117	N74°04'05"E	22.62'
L43	S56°44'55"W	118.63'	L118	N71°53'56"E(7)	
L44	S66°53'10"W	112.64'	L119	N20°04'18"E	49.64'
L45	S66°55'27"W	180.83'	L120	N17°54'09"E(7)	
L46	S59°17'19"W	96.77'	L121	N17°58'12"W	31.38'
L47	S54°39'25"W	82.91'	L122	N20°08'21"W(7)	
L48	S31°06'36"W	63.14'	L123	N09°06'11"W	76.60'
L49	S10°12'15"W	52.11'	L124	N11°16'20"W(7)	
L50	S18°49'12"E	76.43'	L125	N07°09'54"E	51.71'
L51	S38°34'49"E	70.03'	L126	N04°59'45"E(7)	
L52	S67°17'30"E	40.70'	L127	N34°02'09"E	58.80'
L53	S88°12'25"E	60.02'	L128	N31°52'00"E(7)	
L54	N67°34'37"E	66.97'	L129	S61°14'50"E	70.21'
L55	N50°52'59"E	106.21'	L130	S63°24'59"E(7)	
L56	N50°48'21"E	38.16'	L131	S07°38'32"E	58.39'
L57	N50°10'19"E	63.62'	L132	S09°48'41"E(7)	
L58	N55°46'22"E	72.73'	L133	S06°35'44"E	62.49'
L59	N65°15'54"E	52.50'	L134	S08°45'53"E(7)	
L60	N76°28'30"E	63.79'	L135	S18°39'29"E	24.03'
L61	S77°01'14"E	61.21'	L136	S20°49'38"E(7)	
L62	S45°56'58"E	58.13'	L137	S34°46'50"E	43.74'
L63	S29°04'38"E	86.11'	L138	S36°56'59"E(7)	
L64	S22°34'01"E	75.70'	L139	S67°47'40"E	25.01'
L65	S29°45'35"E	29.28'	L140	S69°57'49"E(7)	
L66	S40°21'09"E	80.03'	L141	N77°24'54"E	35.21'
L67	S54°03'24"E	75.51'	L142	N75°14'45"E(7)	
L68	S64°45'43"E	23.56'	L143	N43°49'13"E	37.78'
L69	S58°51'40"E	68.13'	L144	N41°39'04"E(7)	
L70	S77°07'09"E	122.86'	L145	N40°19'05"E	54.07'
L71	S65°25'24"E	52.18'	L146	N38°08'56"E(7)	
L72	S61°48'59"E	60.87'	L147		
L73	S89°42'10"E	13.57'	L148		
L74	S77°24'03"E	74.47'	L149		
L75	S88°46'48"E	26.77'	L150		
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			L174		
			L175		

REFERENCE SURVEYS

- 1) SHORT SUBDIVISION 91-001, VOLUME 6 OF SHORT PLATS, PAGE 83, FEBRUARY 4, 1991
- 2) ROS, VOLUME 7 OF SURVEYS, PAGE 240 "LS 21711", AUGUST 27, 1986
- 3) ROS, VOLUME 7 OF SURVEYS, PAGE 258 "LS 21711", NOVEMBER 6, 1986
- 4) ROS, VOLUME 8 OF SURVEYS, PAGE 140 "LS 21711", JANUARY 18, 1988
- 5) SHORT SUBDIVISION 96-022, VOLUME 9 OF SHORT PLATS, PAGE 89, MAY 22, 1996
- 6) ROS, VOLUME 12 OF SURVEYS, PAGE 55 "LS 21711", APRIL 1, 1993
- 7) ROS, VOLUME 13 OF SURVEYS, PAGE 182 "LS 21711", DECEMBER 23, 1994
- 8) ROS, VOLUME 21 OF SURVEYS, PAGE 200 "LS 10997", DECEMBER 15, 2000
- 9) ROS, VOLUME 22 OF SURVEYS, PAGE 61 "LS 10997", MARCH 21, 2001
- 10) ROS, VOLUME 24 OF SURVEYS, PAGE 71 "LS 34143", MARCH 26, 2003
- 11) ROS, VOLUME 25 OF SURVEYS, PAGE 89 "LS 23595", APRIL 8, 2004
- 12) ROS, VOLUME 30 OF SURVEYS, PAGE 67 "LS 34147", DECEMBER 8, 2008
- 13) WASHINGTON STATE DEPT. OF TRANSPORTATION (SR432 MP 0.00 TO MP 6.10 JCT SR4 TO JCT SR 433, APPROVED AUGUST 27, 1999) - SHEETS 10 ~ 13 OF 25 SHEETS
- 14) UNRECORDED EASEMENT MAP FOR CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, IN THE FILES OF GIBBS & OLSON, INC., LONGVIEW, WASHINGTON
- 15) BONNEVILLE POWER ADMINISTRATION - "PAUL-ALLSTON NO. 2" (SHORT MILE 45 & 46 OF 49 MILES FROM PAUL) & "ST JOHNS - LONGVIEW" (MILE 49 OF 50 MILES FROM ST JOHNS)

PARCEL "I" & "J" NOTE:

A mathematical model of Parcel I & J (AFN) 3425616, and Highway PH11 was calculated. The relationship between the two parcels as described and the highway do not agree. The location of Longbell Mon. 303 was held, which is a common reference point for both the highway and parcels. When the computes parcels were overlaid with the highway, The Point of Beginning, per Parcel "I" is located S75°31'E, 92 feet from the same point shown on the PH11 map. The 3/4" iron rod (AFN) 3234069 was held for a point on the northerly line of Parcel "I", the existing southwesterly right-of-way line of SR432 was held as the northeasterly boundary of both Parcel "I" & "J" since there is no evidence of intent to leave ownership gaps between Ditch 10 and SR432.

NARRATIVE:

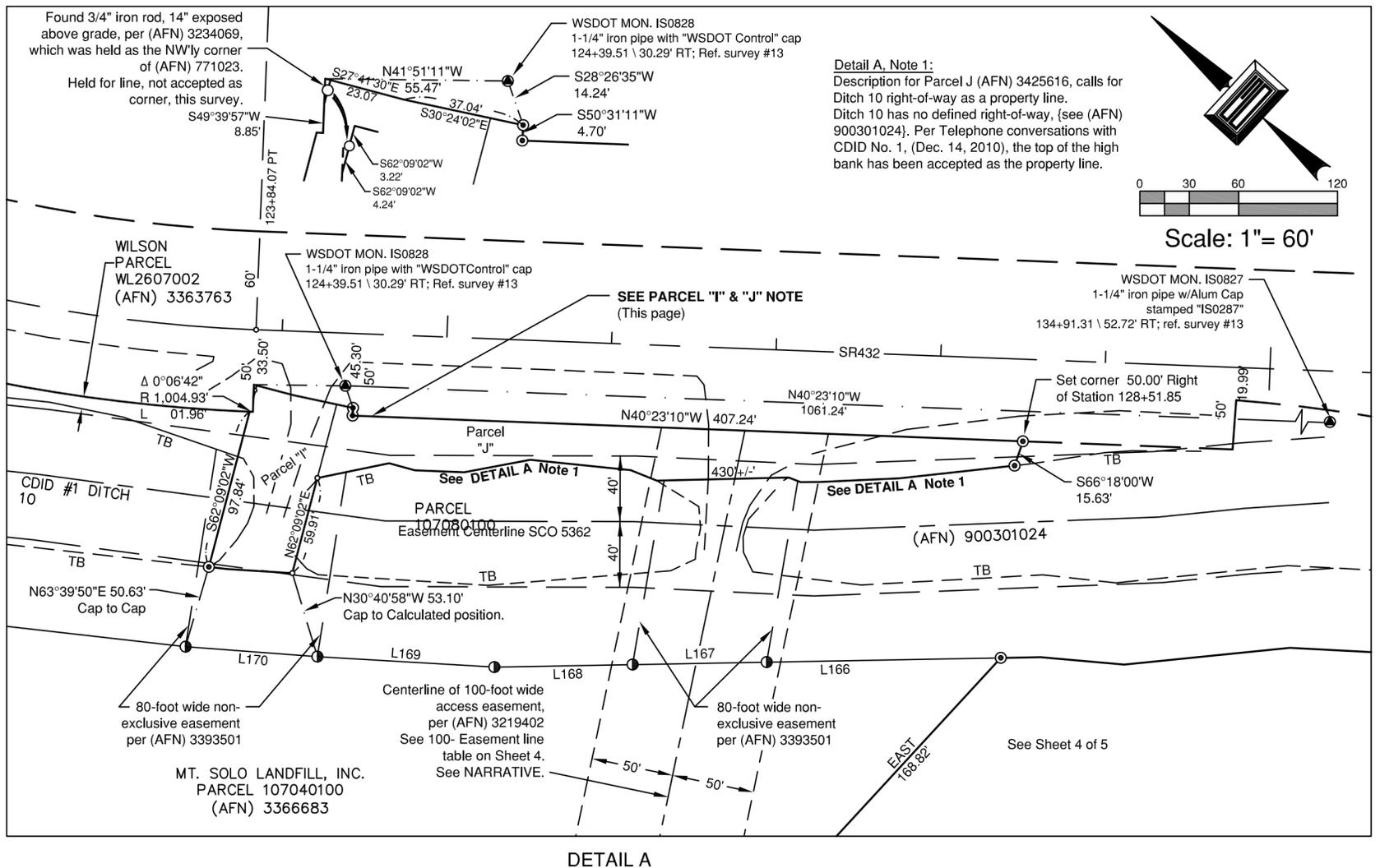
THE PURPOSE OF THIS SURVEY IS TO MONUMENT THE PERIMETER OF THE COMBINED PARCELS AS DESCRIBED AND RECORDED UNDER COWLITZ COUNTY AUDITORS FILE NO. (AFN) 3425616. SEVERAL OF THE PARCELS RECORDED UNDER (AFN) 3425616 ARE BOUNDED BY THE CENTERLINE OF VARIOUS SLOUGHS. TIES WERE MADE TO THE BANKS OF THE SLOUGHS AND THE EDGES OF WATER. THE BANKS ALONG THE SLOUGH VARY IN SLOPE. FOR THE PURPOSE OF THIS SURVEY THE CENTERLINE WAS DEFINED BY THE MORE CONSISTENT EDGES OF WATER.

100-FOOT WIDE EASEMENT

ACCESS FROM SR432 OVER PROPERTY OWNED BY TERRA FIRMA, INC., IS DESCRIBED IN A BOUNDARY LINE ADJUSTMENT BETWEEN PROPERTIES OWNED BY TERRA FIRMA, INC. DATED MARCH 30, 2004 AND RECORDED UNDER (AFN) 3219402. IN CONVERSATION BETWEEN THE GIBBS & OLSON, INC. SURVEY CREW AND ROBERT RADAKOVICH (PRESIDENT OF TERRA FIRMA, INC.) DECEMBER 2010, MR. RADAKOVICH INDICATED THAT THE 100-FOOT WIDE EASEMENT WAS FOR ACCESS TO PROPERTIES SOUTH OF THE EXISTING SLOUGH.

SURVEY NOTES

1. (AFN) 3425616 does not include tidelands, those areas where the line of ordinary high water lies easterly of the westerly right-of-way of the Consolidated Diking Improvement District No. 1 easement, are not included in this survey and are owned by others.
2. No evidence of the slough used as the property line for Parcel "K" in (AFN) 3425616, was found (the slough has been filled and graded). A topographic site map in the files of Gibbs & Olson, Inc. which included this slough was electronically scanned. The scanned image was then imported to AutoCAD drawing file, the image was then scaled and indexed using common monuments. The centerline of the slough was derived from the scanned location as the best evidence of the property line as described.



DETAIL A

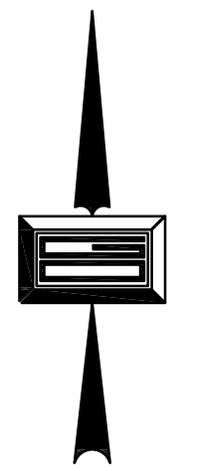
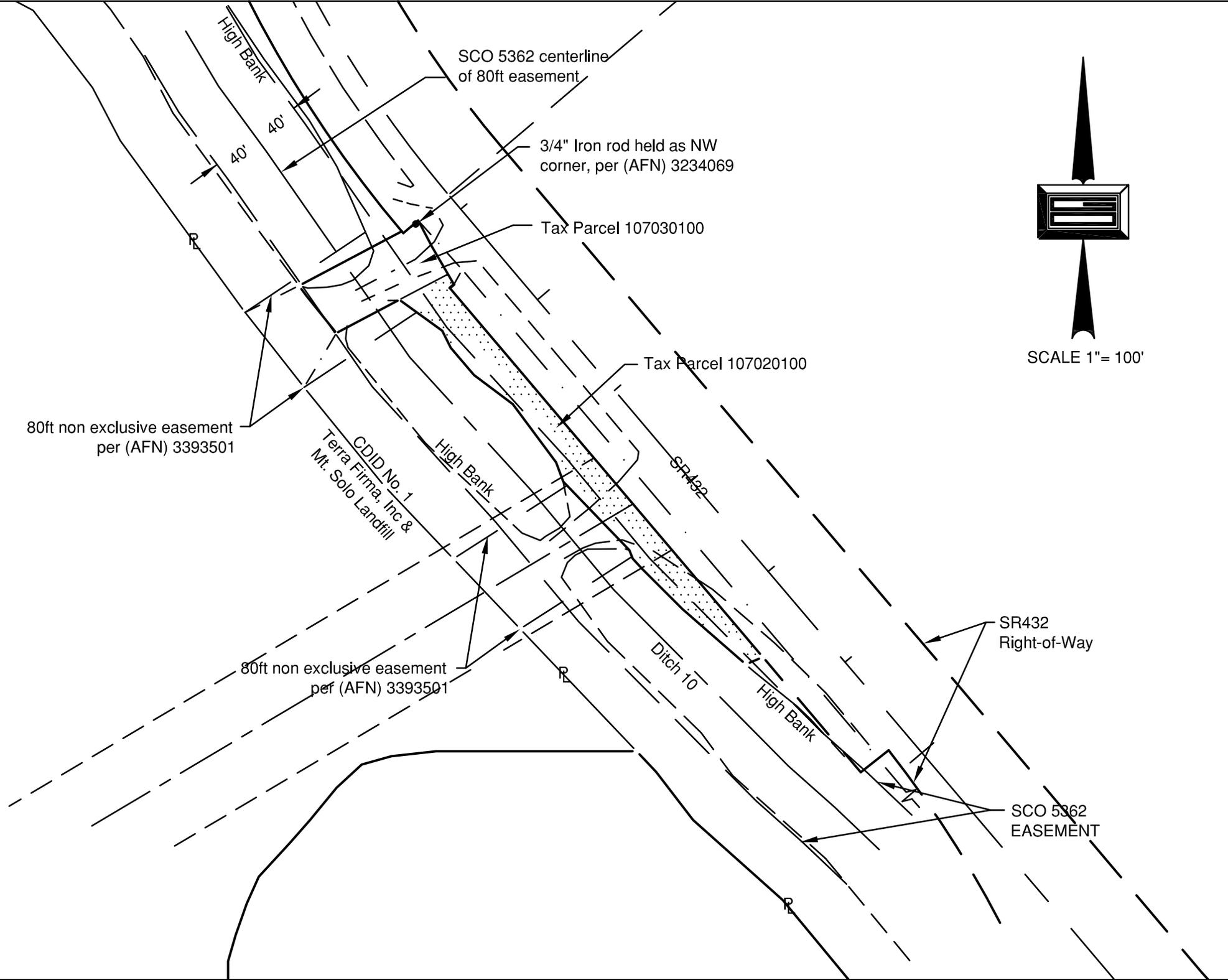


**GIBBS & OLSON INC.**  
 Engineers • Planners • Surveyors  
**LONGVIEW WASHINGTON**

Survey for  
**PORT OF LONGVIEW**  
 PORTIONS OF SECTION 25, 26, 27 AND 35, ALSO  
 A PORTION OF THE GEORGE BARLOW DLC IN TWP 8 N, RGE 3 W, WM  
 COWLITZ COUNTY, WASHINGTON

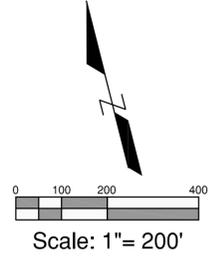
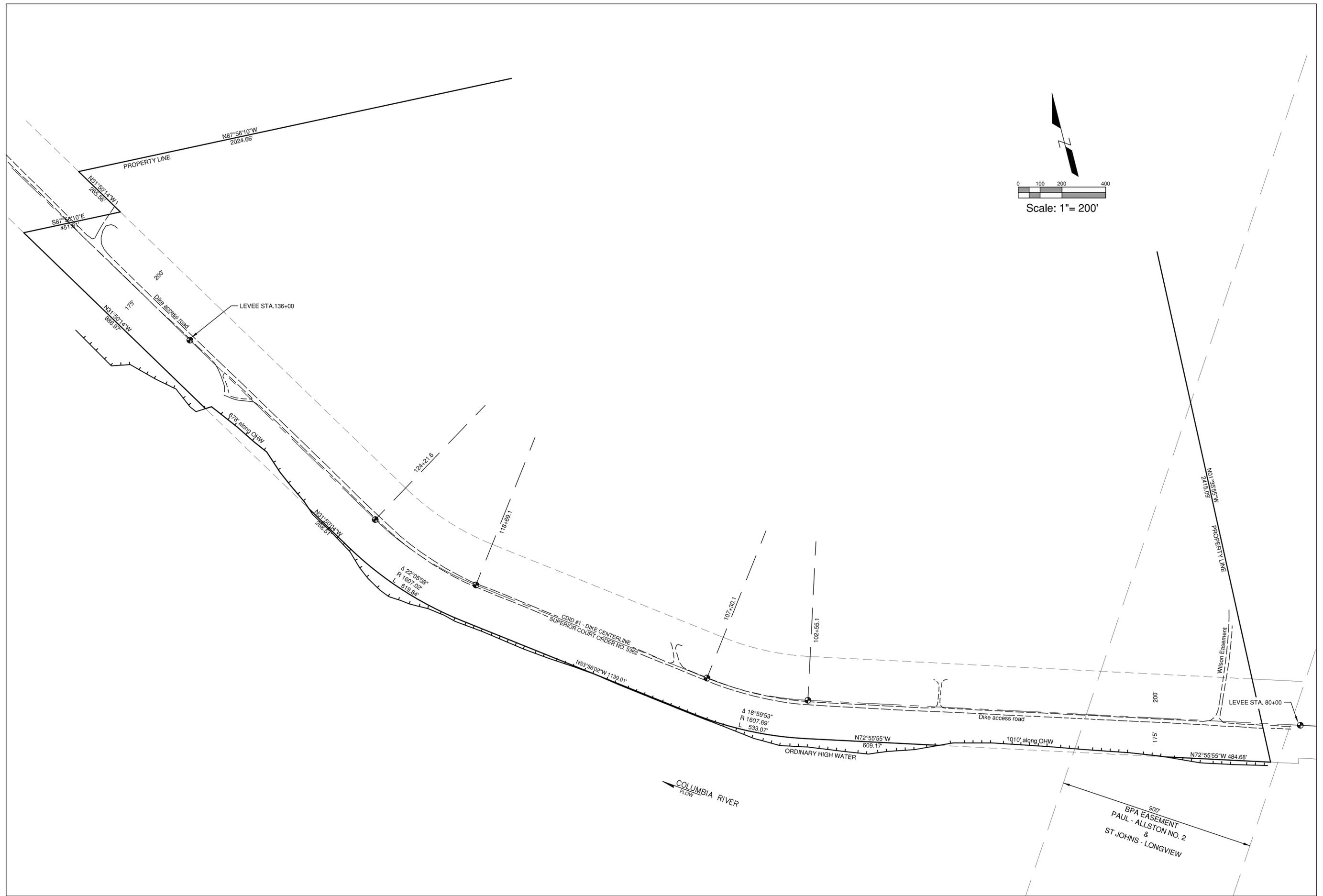
SURVEYOR'S CERTIFICATE  
 AS SHOWN, THIS MAP REPRESENTS AN ACTUAL SURVEY MADE BY ME  
 OR UNDER MY DIRECTION IN ACCORDANCE WITH THE REQUIREMENTS  
 OF THE SURVEY RECORDING ACT, IN DECEMBER, 2010  
 AT THE REQUEST OF REQ. BY1

RICHARD J. WILLIAMS - LICENSE NO 34147      0487.0805      1634  
 FILE NO.      FIELDBOOK



SCALE 1"= 100'

DRAWING: M:\2014\114180 BARLOW POINT PHASE 1\DRAWINGS\WORKING\4870805 ROS.DWG; LAYOUT TAB: WATERFRONT; PLOT DATE: 11/10/2015 4:59:46 PM; DRAWING SAVE DATE: 3/25/2014 1:47:35 PM; PLOTTED BY: EBECKWITH  
 PLOT DEVICE: CALDOCS\DOCUMENTS AND SETTINGS\SYSTEM32\APPLICATION DATA\AUTODESK\AUTOCAD\PLT PLOT; PLOT STYLE TABLE: GIBBS-OLSON STANDARD COLOR.CTB; PAPER SIZE: GIBBS & OLSON - PLANSHEET D SIZE (34.00 X 22.00 INCHES)



RIVER FRONT OF PROPERTY	
PORT OF LONGVIEW	
BARLOW POINT PROPERTY	
LONGVIEW, WASHINGTON	
H. Scale: _____ V. Scale: _____ Datum: _____ Drawn: _____ Checked: _____ Approved: _____ Date: 11/10/15	Designed: _____ Drawn: _____ Checked: _____ Approved: _____ Date: 11/10/15
<b>GIBBS &amp; OLSON INC</b> Engineers · Planners · Surveyors LONGVIEW · OLYMPIA WASHINGTON	
Job Number <b>0487.0805</b>	
Drawing Number	
Sheet Number 1 of 1	

900'  
 BPA EASEMENT  
 PAUL - ALLSTON NO. 2  
 &  
 ST JOHNS - LONGVIEW

3468308

11/27/2012 11:38:14 AM Pages: 14  
Boundary Line Agreement COWLITZ COUNTY TITLE COMPANY 85 00  
Cowlitz County Washington



**WASHINGTON STATE COUNTY AUDITOR/RECORDER'S INDEXING FORM**

16966500

Return Address: FRANK F. RANDOLPH PO Box 1549 Longview, WA 98632-7934
Document Title(s) (for transactions contained therein): BOUNDARY LINE AGREEMENT
Reference Number(s) of Documents assigned or released: (on page ___ of document(s))
Grantor(s)  BARLOW POINT LAND COMPANY, LLC  Additional Names on page ___ of document.
Grantee(s)  THE PORT OF LONGVIEW  Additional Names on page ___ of document.
Legal Description (abbreviated i.e. lot, block, plat or section, township, range) A PORTION OF PARCEL 107140100 Additional legal is on page 1 of document.
Assessor's Property Tax Parcel/Account Number: BLA BTWN PARCEL 107140100 AND 107190100
The Auditor/Recorder will rely on information provided on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

14/86

Received \$ 804.62 excise tax levied pursuant to Chap. 11, Laws Ex. 1951  
**123013** KATHY HANKS  
AFF. NO. COWLITZ COUNTY TREAS.  
Date NOV 27 2012 *[Signature]* Deputy

Grantor(s): Barlow Point Land Company, LLC  
Grantee(s): The Port of Longview  
Assessor's Property Tax Parcel Acct. Nos.: 107140100 and 107190100

**BOUNDARY LINE AGREEMENT**

1. **Parties.** This Boundary Line Agreement is entered into this 13<sup>th</sup> day of November, 2012 by and between BARLOW POINT LAND COMPANY, LLC, a Delaware Limited Liability Company ("BPLC"), and THE PORT OF LONGVIEW, a Washington municipal corporation ("PORT").
2. **Purpose.** BPLC is conveying to the Port a portion of Parcel 107140100, the adjacent second class tidelands and the accompanying access and utility easement from this land to Mt. Solo Road as created under Statutory Warranty Deed, recorded under Auditor's File Number 3288870, recorded on February 23, 2006, and as further defined in that certain judgment entered into the Cowlitz County Superior Court Cause Number 08-2-00233-1, dated August 23, 2010.
3. **Agreement.** This document is intended to be the written instrument required by the statute and should be read in conjunction with a Boundary Line Agreement, Record of Survey map recorded on November 27, 2012, under Cowlitz County Auditor's File Number 3468262. Grantor and Grantee agree that said Record of Survey map depicts a boundary line which they have mutually agreed to be the boundary on the ground, said Agreement being permanently located by Professional Land Surveyor, Daniel Adolph Renton, PLS #37535.
4. **Property.** That these parties hereto share a common property line. The parties agree that the correct description of their parcels is as follows:

(A) New Legal Description for Parcel 107190100 (Port)

All that portion of Consolidated Diking District No. 1 lying East of the Columbia River and West of Barlow Point Road and South of Willow Grove Road in the George Fisher Donation Land Claim and extending to the most Easterly line of George Barlow Donation Land Claim said dike being described by deed in Volume 121, Page 391, Auditor File No. 51256.

EXCEPT that portion if any conveyed to Consolidated Diking Improvement District #1 under Auditor File No. 3383457 and re-recorded under Auditor File No. 3393501.

Together with the following real property acquired in this Boundary Line Agreement,

(1) **PARCEL B-1 UPLANDS:**

A strip of land located in a portion of the George Barlow Donation Land Claim Number 39, in a portion of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 35, Township 8 North, Range 3 West, Willamette Meridian, City of Longview, Cowlitz County, Washington, described as follows:

**COMMENCING** at the Northwest corner of the Crumline La Due Donation Land Claim Number 38, said point also being on the East line of said George Barlow Donation Land Claim Number 39;

Thence South  $01^{\circ}36'10''$  West, along the common line between said George Barlow Donation Land Claim Number 39 and said Crumline La Due Donation Land Claim Number 38, for a distance of 2414.91 feet to the intersection of said common line and the riverward Right of Way line of the Consolidated Diking Improvement District Number 1 of Cowlitz County, Washington as acquired by decree entered November 16, 1923, in Cowlitz County, Washington Superior Court Case Number 5362, said point being the **TRUE POINT OF BEGINNING;**

Thence leaving said common line, North  $72^{\circ}55'59''$  West, along said Right of Way line, for a distance of 484.65 feet to the line of Ordinary High Water, as delineated in survey recorded under Volume 31 of Surveys, at Pages 168 to 172, records of said county;

Thence South  $66^{\circ}07'43''$  East, along said line of Ordinary High Water, for a distance of 164.56 feet;

Thence continuing along said line of Ordinary High Water, South  $72^{\circ}49'54''$  East, for a distance of 155.53 feet;

Thence continuing along said line of Ordinary High Water, South  $74^{\circ}14'49''$  East, for a distance of 170.16 feet to said common line between said George Barlow Donation Land Claim Number 39 and said Crumline La Due Donation Land Claim Number 38;

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///

Thence North 01°36'10" East, along said common line, for a distance of 16.47 feet to the **TRUE POINT OF BEGINNING**;

**CONTAINING:** 7643 square feet or 0.18 acres of land, more or less.

And,

**(2) PARCEL B-2 UPLANDS:**

A strip of land located in a portion of the George Barlow Donation Land Claim Number 39, in a portion of the Northwest Quarter, Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 26, Township 8 North, Range 3 West, Willamette Meridian, City of Longview, Cowlitz County, Washington, described as follows:

**COMMENCING** at the Northwest corner of the Crumline La Due Donation Land Claim Number 38, said point also being on the East line of said George Barlow Donation Land Claim Number 39;

Thence South 01°36'10" West, along the common line between said George Barlow Donation Land Claim Number 39 and said Crumline La Due Donation Land Claim Number 38, for a distance of 2414.91 feet to the intersection of said common line and the riverward Right of Way line of the Consolidated Diking Improvement District Number 1 of Cowlitz County, Washington as acquired by decree entered November 16, 1923, in Cowlitz County, Washington Superior Court Case Number 5362;

Thence leaving said common line, North 72°55'59" West, along said Right of Way line, for a distance of 484.65 feet to the line of Ordinary High Water, as delineated in survey recorded under Volume 31 of Surveys, at Pages 168 to 172, records of said county;

Thence along said line of Ordinary High Water the following courses and distances;

Thence North 66°14'18" West, for a distance of 26.66 feet;

Thence North 69°48'34" West, for a distance of 132.79 feet;

Thence North 71°45'05" West, for a distance of 225.59 feet;

Thence North 71°07'36" West, for a distance of 148.07 feet;

Thence North 72°07'21" West, for a distance of 257.63 feet;

Thence North 75°43'11" West, for a distance of 179.29 feet;

Thence North 85°37'12" West, for a distance of 66.44 feet to the intersection of said line of Ordinary High Water and the riverward Right of Way line of said Consolidated Diking Improvement District Number 1 of Cowlitz County, Washington as acquired by decree entered November 16, 1923, in Cowlitz County, Washington Superior Court Case Number 5362, said point being the **TRUE POINT OF BEGINNING;**

Thence leaving said line of Ordinary High Water, North 72°55'59" West, along said riverward Right of Way line, for a distance of 609.27 feet to the beginning of a 1607.39 foot radius tangent curve to the right;

Thence continuing along said riverward Right of Way line, along the arc of a 1607.39 foot radius tangent curve to the right, for an arc distance of 533.09 feet, through a central angle of 19°00'07", the radius of which bears North 17°04'01" East, the long chord of which bears North 63°25'55" West, for a chord distance of 530.65 feet;

Thence continuing along said riverward Right of Way Line, North 53°55'51" West, for a distance of 1138.89 feet to the beginning of a 1607.39 foot radius tangent curve to the right;

Thence continuing along said riverward Right of Way line, along the arc of a 1607.39 foot radius tangent curve to the right, for an arc distance of 339.75 feet, through a central angle of 12°06'37", the radius of which bears North 36°04'09" East, the long chord of which bears North 47°52'33" West, for a chord distance of 339.12 feet;

Thence leaving said riverward Right of Way line, South 48°10'46" West, for a distance of 60.29 feet to said line of Ordinary High Water;

Thence along said line of Ordinary High Water the following courses and distances;

Thence South  $57^{\circ}53'31''$  East, for a distance of 53.13 feet;

Thence South  $54^{\circ}45'18''$  East, for a distance of 49.96 feet;

Thence South  $61^{\circ}51'30''$  East, for a distance of 85.78 feet;

Thence South  $53^{\circ}27'43''$  East, for a distance of 78.76 feet;

Thence South  $46^{\circ}46'22''$  East, for a distance of 58.27 feet;

Thence South  $55^{\circ}26'21''$  East, for a distance of 133.31 feet;

Thence South  $52^{\circ}53'11''$  East, for a distance of 202.78 feet;

Thence South  $55^{\circ}27'49''$  East, for a distance of 112.98 feet;

Thence South  $57^{\circ}13'01''$  East, for a distance of 133.70 feet;

Thence South  $56^{\circ}06'32''$  East, for a distance of 99.31 feet;

Thence South  $52^{\circ}24'33''$  East, for a distance of 118.24 feet;

Thence South  $53^{\circ}48'43''$  East, for a distance of 170.73 feet;

Thence South  $53^{\circ}57'52''$  East, for a distance of 208.77 feet;

Thence South  $54^{\circ}58'13''$  East, for a distance of 146.79 feet;

Thence South 54°10'48" East, for a distance of 138.77 feet;

Thence South 60°26'11" East, for a distance of 124.90 feet;  
Thence South 72°50'53" East, for a distance of 129.15 feet;

Thence South 68°52'26" East, for a distance of 178.89 feet;

Thence South 69°50'48" East, for a distance of 99.04 feet;

Thence South 83°50'41" East, for a distance of 86.16 feet;

Thence South 79°36'18" East, for a distance of 125.25 feet;

Thence South 85°45'34" East, for a distance of 114.01 feet to the intersection of said line of Ordinary High Water and said riverward Right of Way line, said point also being the **TRUE POINT OF BEGINNING**

**CONTAINING:** 52845 square feet or 1.21 acres of land, more or less.

And

**(3) PARCEL-SECOND CLASS TIDELANDS**

A strip of land located in a portion of the George Barlow Donation Land Claim Number 39, in a portion of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 35 and in a portion of the Northwest Quarter, Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 26, Township 8 North, Range 3 West, Willamette Meridian, City of Longview, Cowlitz County, Washington, described as follows:

**COMMENCING** at the Northwest corner of the Crumline La Due Donation Land Claim Number 38, said point also being on the East line of said George Barlow Donation Land Claim Number 39;

Thence South 01°36'10" West, along the common line between said George Barlow Donation Land Claim Number 39 and said Crumline La Due Donation Land Claim Number 38, for a distance of 2414.91 feet to the intersection of said common line and the riverward Right of Way line of the Consolidated Diking Improvement District Number 1 of Cowlitz County, Washington as acquired by decree entered November 16, 1923, in Cowlitz County, Washington Superior Court Case Number 5362;

Thence continuing along said common line, South 01°36'10" West, for a distance of 16.47 feet to the intersection of said common line and the line of Ordinary High Water, as delineated in survey recorded under Volume 31 of Surveys, at Pages 168 to 172, records of said county, said point being the **TRUE POINT OF BEGINNING**;

Thence along said line of Ordinary High Water the following courses and distances:

Thence North 74°14'49" West, for a distance of 170.16 feet;

Thence North 72°49'54" West, for a distance of 155.53 feet;

Thence North 66°07'43" West, for a distance of 164.56 feet;

Thence North 66°14'18" West, for a distance of 26.66 feet;

Thence North 69°48'34" West, for a distance of 132.79 feet;

Thence North 71°45'05" West, for a distance of 225.59 feet;

Thence North 71°07'36" West, for a distance of 148.07 feet;

Thence North 72°07'21" West, for a distance of 257.63 feet;

Thence North 75°43'11" West, for a distance of 179.29 feet;

Thence North  $85^{\circ}37'12''$  West, for a distance of 66.44 feet;

Thence North  $85^{\circ}45'34''$  West, for a distance of 114.01 feet;

Thence North  $79^{\circ}36'18''$  West, for a distance of 125.25 feet;

Thence North  $83^{\circ}50'41''$  West, for a distance of 86.16 feet;

Thence North  $69^{\circ}50'48''$  West, for a distance of 99.04 feet;

Thence North  $68^{\circ}52'26''$  West, for a distance of 178.89 feet;

Thence North  $72^{\circ}50'53''$  West, for a distance of 129.15 feet;

Thence North  $60^{\circ}26'11''$  West, for a distance of 124.90 feet;

Thence North  $54^{\circ}10'48''$  West, for a distance of 138.77 feet;

Thence North  $54^{\circ}58'13''$  West, for a distance of 146.79 feet;

Thence North  $53^{\circ}57'52''$  West, for a distance of 208.77 feet;

Thence North  $53^{\circ}48'43''$  West, for a distance of 170.73 feet;

Thence North  $52^{\circ}24'33''$  West, for a distance of 118.24 feet;

Thence North  $56^{\circ}06'32''$  West, for a distance of 99.31 feet;

Thence North  $57^{\circ}13'01''$  West, for a distance of 133.70 feet;

Thence North 55°27'49" West, for a distance of 112.98 feet;

Thence North 52°53'11" West, for a distance of 202.78 feet;

Thence North 55°26'21" West, for a distance of 133.31 feet;

Thence North 46°46'22" West, for a distance of 58.27 feet;

Thence North 53°27'43" West, for a distance of 78.76 feet;

Thence North 61°51'30" West, for a distance of 85.78 feet;

Thence North 54°45'18" West, for a distance of 49.96 feet;

Thence North 57°53'31" West, for a distance of 53.13 feet;

Thence leaving said line of Ordinary High Water, South 45°46'10" West, for a distance of 129.16 feet to the line of Extreme Low Water (0.00 feet, Columbia River Datum) as delineated on January 31, 2012;

Thence along said line of Extreme Low Water the following courses and distances;

Thence South 44°13'50" East, for a distance of 237.31 feet;

Thence South 71°44'59" East, for a distance of 240.66 feet;

Thence South 66°33'35" East, for a distance of 151.43 feet;

Thence South 57°51'38" East, for a distance of 468.18 feet;

Thence South 52°40'14" East, for a distance of 404.53 feet;

Thence South 55°22'18" East, for a distance of 369.58 feet;

Thence South 61°49'37" East, for a distance of 222.64 feet;

Thence North 89°16'18" East, for a distance of 138.49 feet;

Thence South 64°26'52" East, for a distance of 243.90 feet;

Thence South 81°19'55" East, for a distance of 170.79 feet;

Thence North 89°09'54" East, for a distance of 119.17 feet;

Thence South 80°29'12" East, for a distance of 166.67 feet;

Thence South 73°56'00" East, for a distance of 197.52 feet;

Thence South 69°10'59" East, for a distance of 141.08 feet;

Thence South 75°14'23" East, for a distance of 138.64 feet;

Thence South 54°57'58" East, for a distance of 51.12 feet;

Thence South 84°08'41" East, for a distance of 55.26 feet;

Thence South 68°15'00" East, for a distance of 126.02 feet;

Thence South 39°21'36" East, for a distance of 24.47 feet;

Thence South 71°50'52" East, for a distance of 158.57 feet;

Thence South 61°47'51" East, for a distance of 42.89 feet;

Thence South 77°56'27" East, for a distance of 68.18 feet;

Thence South 71°07'31" East, for a distance of 71.99 feet;

Thence South 84°24'19" East, for a distance of 29.34 feet;

Thence South 59°45'58" East, for a distance of 47.87 feet;

Thence South 82°03'14" East, for a distance of 35.00 feet;

Thence South 72°24'34" East, for a distance of 84.06 feet;

Thence North 73°34'26" East, for a distance of 26.62 feet;

Thence South 59°24'57" East, for a distance of 14.04 feet;

Thence South 85°01'46" East, for a distance of 23.48 feet to the Southerly extension of said common line between said George Barlow Donation Land Claim Number 39 and said Crumline La Due Donation Land Claim Number 38

Thence North 01°36'10" East, along said common line, for a distance of 30.89 feet to the **TRUE POINT OF BEGINNING**

**CONTAINING:** 266203 square feet or 6.11 acres of land, more or less.

///

///

And a perpetual, non-exclusive road and utility easements, as created under Statutory Warranty Deed, recorded under Auditor File Number 3288870, recorded on February 23, 2006, and as further defined in that certain judgment entered into the Cowlitz County Superior Court Cause Number 08-2-00233-1, dated August 23, 2010.

**TOGETHER WITH AND SUBJECT TO:** easements, reservations, covenants and restrictions apparent or of record.

**BASIS OF BEARING:** NAD\_\_83 (CORS96) (EPOCH: 2002-0000), Washington State Plane Coordinate System, South Zone, US-Feet. All distances are Grid. To convert to Ground distances, divide the Grid distance by the mean combined scale factor of 0.999945967.

**NOW THEREFORE,** In consideration of mutual benefits to be derived by establishment of the common line between respective properties, it is hereby mutually covenanted and agreed between the parties as follows:

**FIRST:** Each party hereto accepts the above described legal description for the new Parcel 107190100 as established in paragraph 4(A)(1)-(3) above; which descriptions all of the parties hereto agree and accept. It is the intent of each of the parties hereto that these boundary lines shall remain constant and shall be applicable to any conveyances from the parties hereto to third parties from the date of recording of this Boundary Line Agreement.

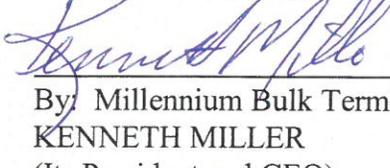
**SECOND:** The Grantor, BPLC, owner of Parcel 107140100, hereby grants, conveys, and quit claims to the Grantee, PORT, owner of Parcel 107190100, all of BPLC's rights, title, or interest, including after acquired title, in and to the real estate described in new Parcel 107190100, as described above in paragraph 4(A)(1)-(3) above.

EXECUTED this 16<sup>th</sup> day of November 2012.

PORT OF LONGVIEW

  
ROBERT BAGAASON,  
President

BARLOW POINT LAND COMPANY, LLC

 16 Nov 2012  
By: Millennium Bulk Terminals-Longview, LLC  
KENNETH MILLER  
(Its President and CEO)  
Its: Member

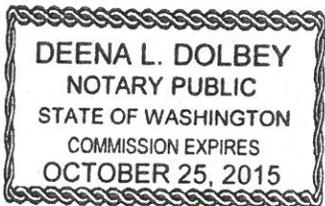
*Louis E. Johnson*

LOUIS E. JOHNSON,  
Secretary

STATE OF WASHINGTON )  
 ) ss.  
County of Cowlitz )

On this 16th day of November, 2012, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared KENNETH MILLER, the PRESIDENT AND CEO, of Millennium Bulk Terminals-Longview, LLC, to me known to be the Member of BARLOW POINT LAND COMPANY, LLC, and on oath verified that he was authorized to execute this document on behalf of the limited liability company for the uses and purposes therein mentioned.

WITNESS my hand and official seal affixed the day and year first above written.

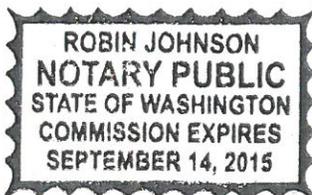


Signature *Deena L. Dolbey*  
Printed Name Deena L. Dolbey  
Notary Public for the State of Washington  
My appointment expires: 10/25/2015

STATE OF WASHINGTON )  
 ) ss.  
County of Cowlitz )

On this 13<sup>th</sup> day of November, 2012, before me, the undersigned, a Notary Public in and for the state of Washington, duly commissioned and sworn, personally appeared ROBERT BAGAASON and LOUIS E. JOHNSON, to me known to be respectfully the President and Secretary of the PORT OF LONGVIEW, and on oath verified that they were authorized to execute this document on behalf of the Washington municipal corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal affixed the day and year first above written.



Signature *Robin Johnson*  
Printed Name Robin Johnson  
Notary Public for the State of Washington  
My appointment expires: 9-14-15

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EXHIBIT 5:  
EASEMENTS TABLES

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## Easements at Barlow Point

Auditors File # (AFN)	Easement Grantee	Easement For	Description	Notes <sup>1</sup>
861110080	-	-	Access across Barlow Point Rd.	See Exception #14
546259	Cowlitz county	CDID #1 <sup>2</sup>	Access to drainage ditch #14, pump house (for Reynolds lift station), discharge line & electric power supply line	See Exception #15
10990	North Coast Power Co. <sup>3</sup>	PUD	ROW for electric transmission line	See Exception #18
15467	North Coast Power Co. <sup>3</sup>	PUD	ROW for electric transmission line	See Exception #19
224123	USA	BPA <sup>4</sup>	ROW	See Exception #20
224212	USA	BPA	ROW	See Exception #21
230025	USA	BPA	Transmission Line easement	See Exception #22
549259	Cowlitz county	CDID #1	Reservation of rights	See Exception #23
646809	US Dept. of the Interior	BPA	ROW and Electric Power Transmission Road	See Exception #24
688411	USA	BPA	Easement for Transmission Lines & Access Road	See Exception #25
655938	USA	BPA	Easement for Transmission Lines & Access Use Restrictions	See Exception #26
723227	USA	BPA	Easement for Transmission Lines & Access Use Restrictions	See Exception #27
861106019	-	-	Survey to establish north line for parcel #107110100	See Exception #28
558347	USA	BPA	Transmission Line easement	See Exception #29
891222007	PUD #1 <sup>5</sup> Cowlitz County	-	ROW Easement for electric power	See Exception #30
-	-	-	Any change in the boundary due to the shifting course of the slough	See Exception #31
617246	-	CDID#1	Roadway easement	See Exception #32
605229; 758813	-	-	Drainage ditch	See Exception #33
840619005	PUD #1 Cowlitz County	-	ROW for electric power	See Exception #35
605229	-	International Paper Co.	50 ft. roadway easement	See Exception #36
3288870	-	-	Road and utility easement to access property from both Mt. Solo Rd. and Barlow Point Rd.	See Exception #39
3219402	-	Terra Firma	100 ft. access easement from from SR432	
3393501	-	Terra Firma	Two non-exclusive access easements from SR432	

<sup>1</sup>The legal easement information and exceptions were gathered by Cowlitz County Title Company and are located in the Limited Liability Certificate Order No. 00164955.

<sup>2</sup>Consolidated Diking Improvement District

<sup>3</sup>PUD is the successor to North Coast Power Co.

<sup>4</sup>Bonneville Power Administration

<sup>5</sup>Public Utility District

## Easements Based on Court Cases

Court Case #	Parcel #	Easement Grantee	Easement For	Description	Notes <sup>1</sup>
SCO #5362 <sup>2</sup>	06970100; 106980100; 106990100; 107000100; 107020100	Cowlitz County	CDID #1 <sup>3</sup> (property now owned by the Port)	Easement and ROW for dike centerline and drainage ditch #10	See Exception #6
SCO #08-2-00233-1	107140100		Wilson (property now owned by Barlow Point Land Co. LLC)	Ingress/egress easement over the existing road (SR 432 to dike access road)	See Exception #40

<sup>1</sup>The legal easement information and exceptions were gathered by Cowlitz County Title Company and are located in the Limited Liability Certificate Order No. 00164955.

<sup>2</sup>Superior Court Case

<sup>3</sup>Consolidated Diking Improvement District

### Easement Exceptions

#### **Exception #6**

(Superior Court Case #5362)

Easement and right-of-way for dike and drainage acquired by Cowlitz County for the benefit of Consolidated Diking Improvement District No. 1 by decree entered November 16, 1923 in Cowlitz County.

#### **Exception #14**

(Auditor's File No. 861110080)

Reservation for a perpetual, non-exclusive, assignable, divisible easement for the passage of vehicles, men, machinery and equipment across the existing Barlow Point Road, for the purpose of access to lands now owned by, or hereafter acquired by Grantor. Said easement shall insure to the benefit of any future Grantees of the Grantor.

#### **Exception #15**

(Auditor's File No. 546259)

Easement and the terms of conditions thereof:

Grantee: Cowlitz County, WA. Grantee acting for and on behalf of Consolidated Diking Improvement District No. 1  
 Purpose: Drainage ditch, pump house, discharge line and electrical power supply line  
 Dated: Not disclosed  
 Recorded: May 28, 1962

#### **Exception #18**

(Auditor's File No. 10990)

Easement and the terms of conditions thereof:

Grantee: North Coast Power Company  
 Purpose: Right-of-way for electric transmission of distribution line  
 Dated: Not disclosed  
 Recorded: April 24, 1924

**Exception #19**

(Auditor's File No. 15467)

Easement and the terms of conditions thereof:

Grantee: North Coast Power Company  
Purpose: Right-of-way for electric transmission and distributing line of one or more wires  
Dated: Not disclosed  
Recorded: May 22, 1919

**Exception #20**

(Auditor's File No. 224123)

Easement and the terms of conditions thereof:

Grantee: United States of America  
Purpose: Right-of-way  
Dated: Not disclosed  
Recorded: March 21, 1942

**Exception #21**

(Auditor's File No. 224212)

Easement and the terms of conditions thereof:

Grantee: United States of America  
Purpose: Right-of-way  
Dated: Not disclosed  
Recorded: March 21, 1942

**Exception #22**

(Auditor's File No. 230025)

Easement and the terms of conditions thereof:

Grantee: United States of America  
Purpose: Transmission line easement  
Dated: Not disclosed  
Recorded: April 10, 1942

**Exception #23**

(Auditor's File No. 549259)

Grantee: Cowlitz County, WA. Grantee acting for and on behalf of Consolidated Diking Improvement District No. 1  
Purpose: Drainage ditch, pump house, discharge line and electrical power supply line  
Dated: Not disclosed  
Recorded: May 28, 1962

Easement established in 1962 and held by Cowlitz County for CDID #1 for the drainage ditch and lift station. CDID #1 has the right to access the easement at all times for the upkeep of the ditch and lift station. The main access road to the lift station is through the parcel to the east, but portions of the ditch will require access through the Port property.

**Exception #24**

(Auditor's File No. 646809)

Grantee: United States of America, Dept. of the Interior acting by and through the Bonneville Power Administrator  
Purpose: Right-of-way for the construction, operation and maintenance for one or more electric power transmission lines over the bed of the Columbia River in front of a portion of the George Barlow DLC No. 39  
Dated: Not disclosed  
Recorded: February 24, 1967

Easement established in 1967 and held by BPA for the power transmission lines. This original easement was only 500 feet wide (see exception #25). Owners of land have all rights to cross the easement.

**Exception #25**

(Auditor's File No. 688411)

Grantee: United States of America  
Purpose: A perpetual easement and right to enter and erect, maintain, repair, rebuild, operate and patrol one line of electric transmission structures, wires, cables and appurtenances as are necessary.  
Dated: Not disclosed  
Recorded: May 26, 1969

Easement established in 1969 and held by BPA for the power transmission lines. This exception appears to expand the easement to 900 feet wide. Owner has rights to cross easement with railroads, truck roads and all other ways and means customary in transporting forest products; also the right to freely pass over and across said strips of land by all necessary means and for any purpose incidental to the ownership of adjoining lands. In the exercise of such reserved rights, no buildings, other structures or trees shall be permitted on said land. BPA has the right to 14 foot wide roads (or as wide as needed) to access the easement. BPA has the right to erect or maintain fences across such roads, provided adequate gates of not less than 16 feet in width are installed.

**Exception #26**

(Auditor's File No. 655938)

Easement and the terms of conditions thereof:

Grantee: United States of America  
Purpose: A perpetual easement and right to enter and erect, maintain, repair, rebuild, operate and patrol one or more lines of electric power transmission structures and appurtenant signal lines, including the right to erect such poles, transmission structures, wires, cables and appurtenances as are necessary.  
Dated: Not disclosed  
Recorded: August 2, 1966

**Exception #27**

(Auditor's File No. 723227)

Grantee: United States of America  
Purpose: A perpetual easement and right to enter and erect, maintain, repair, rebuild, operate and patrol one line of electric power signal lines, including the right to erect such poles, transmission structures, wires, cables and appurtenances as are necessary.  
Dated: Not disclosed  
Recorded: January 18, 1972

Easement established in 1972 and held by BPA for power transmission lines.

"...no buildings or other structures shall be constructed on said land within said ROW, nor shall said ROW or portion thereof be used for parking lots for motor vehicles."

**Exception #28**

(Auditor's File No. 861106019)

Recorded: November 6, 1986  
Discloses: Establishes a portion of the north line of the said premises

Survey to establish the northern most parcel #107110100.

**Exception #29**

(Auditor's File No.558347)

Easement and the terms of conditions thereof:

Grantee: United States of America  
Purpose: Transmission line easement  
Dated: Not disclosed  
Recorded: November 30, 1942

**Exception #30**

(Auditor's File No. 891222007)

Grantee: Public Utility District No. 1 of Cowlitz County  
Purpose: For the transmission of electric energy  
Dated: June 28, 1989  
Recorded: December 22, 1989  
Area affected: The easterly 100.0 feet of the George Barlow DLC in Section 26, Township 8 North, Range 3 West of the W.M., and partially on that portion of government lot 5 (fractional northeast quarter of the southeast quarter) in said Section 26, lying southwesterly of ditch No. 10 of CDID No. 1.

Easement established in 1989 and held by Public Utility District (PUD) #1 of Cowlitz County. This easement is for the overhead power lines that feeds the CDID #1 lift station from SR432.

"...no building will be erected or activity indulged in on the above described easement area which will interfere with the rights granted herein."

**Exception #31**

Any change in the boundary or legal description of the real property, or title to the estate insured, that may arise to the shifting and changing in the course of the slough.

**Exception #32**

(Auditor's File No. 617246)

Recorded: October 27, 1965

Easement established in 1965 to access Ditch #10 along Mt. Solo Road.

"Easement 50 feet in width along the easterly line and bordering ditch No. 10 for road purposes..."

**Exception #33**

Disclosed by: Instrument recorded under Recording Nos. 605229 and 758813

Purpose: Drainage ditch

**Exception #35**

(Auditor's File No. 840619005)

Grantee: Public Utility District No. 1 of Cowlitz County

Purpose: Right-of-way for electric power

Dated: November 9, 1981

Recorded: June 19, 1984

**Exception #36**

(Auditor's File No. 605229)

Easement for road purposes 50 feet in width along the north easterly line reserved by International Paper Company in instrument.

Recorded: April 21, 1965

**Exception #39**

(Auditor's File No. 3288870)

Purpose: Perpetual, non-exclusive road and utility easement over, under and across adjoining land retained by Grantor such that Grantee and his successors and assigns have access to the premises from both Mt. Solo Road and Barlow Point Road.

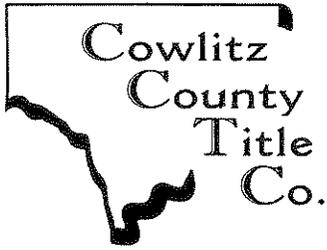
The Port finalized the transfer of a portion of Parcel 107140100, previously owned by Barlow Point Land Company, which is a portion of the tidelands between the levee and the Columbia River. This transfer included the road and utility easement recorded under AFN 328870.

**Exception #40**

(Superior Court Case #08-2-00233-1)

Purpose: Ingress and egress

Area affected: Such entry shall be directly from Mt. Solo Road and through the western gate and shall follow the single path as described in the July 1, 2009 findings of facts and conclusions of law.



1159 14th Avenue • Longview, WA 98632 • (360) 423-5330 • E-mail: team@cowlitztitle.com  
Title Dept. Fax: (360) 423-5932 • Escrow Dept. Fax: (360) 425-0942  
Toll Free: (877) 423-5330 • www.cowlitztitle.com

*“Service is the Difference”*

**Limited Liability Certificate**

Order No. 00164955

Prepared for:

**WALSTEAD LAW OFFICE  
P.O. BOX 1549  
LONGVIEW, WA 98632**

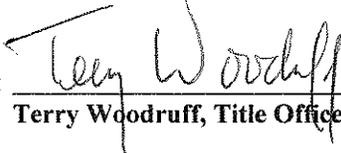
**Attn: FRANK RANDOLPH**

THIS IS A REPORT AS OF **09/13/2010**, COVERING THE PROPERTY HEREINAFTER DESCRIBED. THE INFORMATION CONTAINED HEREIN IS MADE SOLELY FOR THE PURPOSE OF DETERMINING THE STATUS OF THE PROPERTY DESCRIBED HEREIN, IS RESTRICTED TO THE USE OF THE ADDRESSEE, AND IS NOT TO BE USED AS A BASIS FOR CLOSING ANY TRANSACTION AFFECTING TITLE TO SAID PROPERTY.

VESTED IN:

**TERRA FIRMA, INC., A WASHINGTON CORPORATION**

**COWLITZ COUNTY TITLE COMPANY**

By:   
\_\_\_\_\_  
**Terry Woodruff, Title Officer**

## LEGAL DESCRIPTION

### PARCEL B:

THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING EASTERLY OF THE EAST RIGHT OF WAY LINE OF THE CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 DIKE AS DELINEATED ON SURVEY RECORDED NOVEMBER 6, 1986 UNDER AUDITOR'S FILE NO. 861106019, IN VOLUME 7 OF SURVEYS, PAGE 258:

A TRACT OF LAND IN THE GEORGE BARLOW D.L.C. AND SECTIONS 26 AND 27, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., COWLITZ COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT A MONUMENT MARKING THE SECTION CORNER COMMON TO SECTIONS 23, 24, 26 AND 27 OF TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.;

THENCE SOUTH 1765.70 FEET, ALONG THE SECTION LINE COMMON TO SECTIONS 26 AND 27 TO A POINT THAT IS 774.1 FEET SOUTH OF A MONUMENT SET TO MARK THE INTERSECTION OF SAID SECTION LINE WITH THE NORTH LINE OF THE GEORGE BARLOW D.L.C., TO A POINT IN THE SOUTH LINE OF THAT TRACT OF LAND DESCRIBED IN AUDITOR'S FILE NO. 519094, AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

THENCE NORTH 88° 48' 30" EAST ALONG SAID SOUTHERLY LINE 1280 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE CENTER LINE OF A SLOUGH;

THENCE SOUTHEASTERLY ALONG SAID CENTER LINE OF SLOUGH TO A POINT IN A LINE THAT IS PARALLEL WITH AND SOUTHERLY 60.00 FEET FROM THE SOUTH LINE OF SAID AUDITOR'S FILE NO. 519094;

THENCE SOUTH 88° 48' 30" WEST PARALLEL WITH AND 60.00 FEET FROM SAID SOUTH LINE 1700 FEET TO A POINT THAT IS SOUTH 1827.12 FEET AND WEST 389.30 FEET FROM THE SECTION CORNER COMMON TO SECTIONS 22, 23, 26 AND 27;

THENCE SOUTH 01° 11' 30" EAST 100.00 FEET;

THENCE SOUTH 88° 48' 30" WEST 910 FEET, MORE OR LESS, TO THE EAST BANK OF THE COLUMBIA RIVER;

THENCE NORTHERLY ALONG SAID EAST BANK 928 FEET, MORE OR LESS, TO A POINT IN THE SOUTHERLY LINE OF THAT CERTAIN TRACT OF LAND AS DESCRIBED UNDER AUDITOR'S FILE NO. 860512005, AS RECORDED IN THE AUDITOR'S OFFICE, COWLITZ COUNTY, WASHINGTON;

THENCE NORTH 66° 54' 50" EAST ALONG SAID SOUTHERLY LINE (CALLED NORTH 67° 55' 30" EAST IN AUDITOR'S FILE NO. 860512005) A DISTANCE OF 450 FEET TO THE SOUTHEAST CORNER THEREOF; SAID SOUTHEAST CORNER ALSO BEING IN THE WESTERLY RIGHT OF WAY LINE OF BARLOW POINT ROAD AS SHOWN IN THE 1959 COWLITZ COUNTY ROAD ENGINEERS MAP OF BARLOW POINT ROAD;

THENCE SOUTHERLY ALONG THE WESTERLY RIGHT OF WAY LINE AS SHOWN ON THE COWLITZ COUNTY ROAD MAP AND AS DESCRIBED IN AUDITOR'S FILE NO. 515095 A DISTANCE OF 921.4 FEET TO A POINT IN A LINE THAT IS SOUTH 88° 48' 30" WEST FROM THE TRUE POINT OF BEGINNING;

THENCE NORTH 88° 48' 30" EAST 785.25 FEET TO THE TRUE POINT OF BEGINNING;

TOGETHER WITH ALL TIDE LANDS OF THE SECOND CLASS, SITUATED IN FRONT OF, ADJACENT TO OR ABUTTING THE ABOVE DESCRIBED UPLANDS; AND AS COVERED IN PARCEL "J" OF SAID DEED, VOLUME 977, PAGE 242 (FEE NO. 840924042);

EXCEPT SHORT PLAT RECORDED UNDER AUDITOR'S FILE NO. 910204032.

**PARCEL C:**

ALL THAT PORTION OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 LYING EAST OF THE COLUMBIA RIVER AND WEST OF BARLOW POINT ROAD AND SOUTH OF WILLOW GROVE ROAD IN THE GEORGE FISHER DLC AND EXTENDING TO THE MOST EASTERLY LINE OF GEORGE BARLOW DLC, SAID DIKE BEING DESCRIBED BY DEED IN VOLUME 121, PAGE 391, AUDITOR'S FILE NO. 51256;

**EXCEPTING THEREFROM** THAT PORTION LYING NORTHERLY OF A LINE THAT IS PARALLEL TO AND 1765.70 FEET SOUTH OF THE SOUTH LINE OF SECTION 22, TOWNSHIP 8 NORTH RANGE 3 WEST OF THE W.M.

**PARCEL E:**

A PARCEL OF LAND, BEING A PORTION OF THE NORTHWEST QUARTER AND A PORTION OF GOVERNMENT LOT 4 IN SECTION 25, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., DESCRIBED AS FOLLOWS:

ALL THAT PORTION OF THE NORTHWEST QUARTER AND OF GOVERNMENT LOT 4 OF SAID SECTION 25, LYING SOUTHERLY OF THE EXISTING 60 FOOT RIGHT OF WAY OF MT. SOLO COUNTY ROAD (FORMERLY KNOWN AS PERMANENT HIGHWAY NO. 11) AS SURVEYED IN 1925 AND OF RECORD IN FIELD BOOK 28-1925 AT THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS FOR COWLITZ COUNTY;

**EXCEPT** PORTION LYING NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT ENGINEERS STATION 11+46.60 OF MT. SOLO COUNTY ROAD AS SURVEYED IN 1982 AND OF RECORD IN FIELD BOOK 5-1981 AT THE OFFICE OF THE DIRECTOR OF PUBLIC WORKS FOR COWLITZ COUNTY, SAID ENGINEER'S STATION 11+46.60 BEING LOCATED NORTH 88° 50' EAST 2493.30 FEET FROM LONG-BELL MONUMENT NO. 303 SET TO MARK THE NORTHWEST CORNER OF THE CRUMLINE LA DUE D.L.C. FROM ENGINEER'S STATION 11+46.60 SOUTH 16° 49' 59" EAST 150.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS LINE DESCRIPTION;  
THENCE NORTH 73° 10' 01" WEST 1320.57 FEET TO THE TERMINUS OF THIS LINE DESCRIPTION.

**ALSO EXCEPT** THAT PORTION CONVEYED TO CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 BY DEED RECORDED UNDER AUDITOR'S FILE NO. 3393501, RECORDS OF COWLITZ COUNTY, WASHINGTON.

**PARCEL F:**

THAT PORTION OF GOVERNMENT LOT 5, SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., LYING SOUTHWESTERLY OF THE SOUTHWESTERLY LINE OF PERMANENT HIGHWAY NO. 11, IN VOLUME 118, PAGE 339.

**EXCEPT** THAT PORTION CONVEYED TO CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 BY DEED RECORDED UNDER AUDITOR'S FILE NO. 3393501, RECORDS OF COWLITZ COUNTY, WASHINGTON.

**PARCEL G:**

ALL THAT PORTION OF GOVERNMENT LOTS 6 AND 7, AND THAT PORTION OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., LYING SOUTH OF THE SOUTH LINE OF THOSE TRACTS DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 617246.

**PARCEL H:**

ALL THAT PORTION OF GOVERNMENT LOT 8, SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., LYING SOUTHERLY AND WESTERLY OF THE SOUTHERLY AND WESTERLY LINES OF THOSE TRACTS DESCRIBED IN DEED RECORDED UNDER AUDITOR'S FILE NO. 617246.

**PARCEL I:**

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, SAID POINT BEING SOUTH 3480.74 FEET AND EAST 431.95 FEET FROM MONUMENT SET TO MARK THE CORNER COMMON TO SECTIONS 22, 23, 26 AND 27, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.; THENCE SOUTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, A DISTANCE OF 200.00 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE NORTH 53° 37' EAST 1126.85 FEET TO THE SOUTHWESTERLY CORNER OF GOVERNMENT LOT 7 OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.; THENCE EAST 2643.8 FEET TO THE NORTHEASTERLY CORNER OF THE GEORGE BARLOW D.L.C. AND MARKED BY A CONCRETE MONUMENT INSCRIBED "LB 372"; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF THE GEORGE BARLOW D.L.C. 2200.00 FEET, MORE OR LESS, TO A POINT ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF SAID COLUMBIA RIVER DIKE 4000.0 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

**PARCEL J:**

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, SAID POINT BEING SOUTH 3480.74 FEET AND EAST 431.95 FEET FROM A MONUMENT SET TO MARK THE CORNER COMMON TO SECTIONS 22, 23, 26 AND 27 OF TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.; THENCE SOUTHERLY ALONG THE EASTERLY RIGHT OF WAY LINE OF SAID COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 A DISTANCE OF 200.00 FEET; THENCE NORTH 53° 37' EAST 1126.85 FEET TO THE SOUTHWESTERLY CORNER OF GOVERNMENT LOT 7 OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.; THENCE CONTINUING NORTH 53° 37' EAST 315.00 FEET; THENCE NORTH 08° 37' EAST 70.00 FEET TO A POINT ON THE CENTER LINE OF A SLOUGH (SAID POINT BEING SOUTH 2721.94 FEET AND EAST 1715.29 FEET FROM SECTION CORNER AFOREMENTIONED); THENCE IN A GENERAL NORTHERLY DIRECTION ALONG THE CENTER LINE OF SAID SLOUGH TO A POINT THAT IS SOUTH 2134.88 FEET AND EAST 1347.30 FEET FROM SECTION

CORNER AFORESAID; (SAID POINT BEING THE POINT OF INTERSECTION OF THE CENTER LINE OF SAID SLOUGH AND THE CENTER LINE OF A DRAINAGE DITCH);  
THENCE ALONG THE CENTER LINE OF SAID DRAINAGE DITCH SOUTH 35° 06' WEST 733.00 FEET;  
THENCE CONTINUING ALONG THE CENTER OF SAID DRAINAGE DITCH SOUTH 33° 30' WEST 894.80 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1;  
THENCE SOUTHERLY ALONG SAID EASTERLY LINE TO THE TRUE POINT OF BEGINNING.

**PARCEL K:**

BEGINNING AT A MONUMENT MARKING THE SECTION CORNER COMMON TO SECTIONS 22, 23, 26 AND 27 OF TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M.;  
THENCE SOUTH 1765.70 FEET ALONG THE SECTION LINE COMMON TO SECTIONS 26 AND 27 TO A POINT THAT IS 774.1 FEET SOUTH OF A MONUMENT SET TO MARK THE INTERSECTION OF SAID SECTION LINE WITH THE NORTH LINE OF THE GEORGE BARLOW D.L.C.;  
THENCE NORTH 88° 48' 30" EAST 1522.00 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE CENTER LINE OF A SLOUGH;  
THENCE ALONG THE CENTER LINE OF SAID SLOUGH IN A GENERAL SOUTHERLY DIRECTION TO A POINT THAT IS SOUTH 2134.88 FEET AND EAST 1347.30 FEET FROM SAID CORNER COMMON TO SECTIONS 22, 23, 26 AND 27, AFOREMENTIONED, (SAID POINT BEING THE INTERSECTION OF SAID CENTER LINE OF SLOUGH AND THE CENTER LINE OF A DRAINAGE DITCH);  
THENCE ALONG THE CENTER LINE OF SAID DRAINAGE DITCH SOUTH 35° 06' WEST 733.00 FEET;  
THENCE CONTINUING ALONG THE CENTER LINE OF SAID DRAINAGE DITCH SOUTH 33° 30' WEST 894.8 FEET, MORE OR LESS, TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1;  
THENCE NORTHERLY ALONG THE SAID EASTERLY RIGHT OF WAY LINE OF COLUMBIA RIVER DIKE OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 TO A POINT ON A LINE THAT IS PARALLEL TO AND 1765.70 FEET SOUTH OF THE SOUTH LINE OF SECTION 22;  
THENCE NORTH 88° 48' 30" EAST 496.00 FEET ALONG SAID PARALLEL LINE TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;

**EXCEPT THAT PORTION CONVEYED TO I. P. PROPERTY INVESTMENT RECORDED UNDER AUDITOR'S FILE NO. 910213007.**

**PARCEL O:**

A TRACT OF LAND IN SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST, W.M., DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 1811.05 FEET AND EAST 716.37 FEET FROM LONG-BELL MONUMENT NO. 303, SET TO MARK THE NORTHWEST CORNER OF THE CRUMLINE LADUE DLC IN COWLITZ COUNTY, WASHINGTON, RUNNING THENCE SOUTH 66° 18' WEST 630 FEET TO CENTER OF PERMANENT HIGHWAY NO. 11;  
THENCE ALONG CENTERLINE SOUTH 29° 48.5' EAST 272.2 FEET;  
THENCE SOUTH 60° 11.5' WEST 30 FEET TO THE SOUTH RIGHT OF WAY LINE OF PERMANENT HIGHWAY NO. 11 AND THE TRUE POINT OF BEGINNING;  
THENCE SOUTH 29° 48.5' EAST 8.97 FEET;  
THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 388.1 FEET, THRU AN ANGLE OF 6° 04', AN ARC DISTANCE OF 41.09 FEET;

THENCE SOUTH 60° 11.5' WEST 70 FEET, MORE OR LESS, TO THE SOUTHWESTERLY RIGHT OF WAY LINE OF DRAINAGE DITCH NO. 10;  
THENCE ALONG SAID SOUTHWESTERLY RIGHT OF WAY OF SAID DITCH NORTH 39° 06' WEST 50.65 FEET;  
THENCE NORTH 60° 11.5' EAST 70 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

PARCEL P:

A TRACT OF LAND IN SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHICH IS NORTH 1,811.05 FEET AND EAST 716.37 FEET FROM THE LONG-BELL MONUMENT NO. 303 SET TO MARK THE NORTHWEST CORNER OF THE CRUMLINE LA DUE DONATION LAND CLAIM IN COWLITZ COUNTY, WASHINGTON;  
RUNNING THENCE SOUTH 66° 18' WEST 602 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT OF WAY LINE OF PERMANENT HIGHWAY NO. 11;  
THENCE EASTERLY ALONG THE NORTHERLY RIGHT OF WAY OF PERMANENT HIGHWAY NO. 11 A DISTANCE OF 773.73 FEET;  
THENCE SOUTH 66° 18' WEST TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY LINE OF PERMANENT HIGHWAY NO. 11 AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;  
THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY RIGHT OF WAY OF SAID PERMANENT HIGHWAY NO. 11 TO THE SOUTHEAST CORNER OF THE PARCEL OF LAND CONVEYED UNDER AUDITOR'S FILE NO. 621924;  
THENCE SOUTH 60° 11.5' WEST ALONG THE SOUTHERLY LINE OF SAID PARCEL 70 FEET, MORE OR LESS, TO THE NORTHEASTERLY RIGHT OF WAY LINE OF DRAINAGE DITCH NO. 10;  
THENCE SOUTHEASTERLY ALONG THE NORTHEASTERLY RIGHT OF WAY LINE OF DRAINAGE DITCH NO. 10 TO A POINT THAT BEARS SOUTH 66° 18' WEST OF THE TRUE POINT OF BEGINNING;  
THENCE NORTH 66° 18' EAST TO THE TRUE POINT OF BEGINNING.

PARCEL Q:

ALL THAT PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN THAT IS SOUTHWESTERLY OF DITCH NO. 10 AND EASTERLY OF LARGE SLOUGH AND SOUTHERLY OF THE SOUTH LINE OF THAT CERTAIN TRACT OF LAND DEEDED BY INTERNATIONAL PAPER COMPANY TO D. T. EASTMAN AND BARBARA J. EASTMAN, HIS WIFE, AND DESCRIBED IN INSTRUMENT RECORDED OCTOBER 27, 1965, IN VOLUME 722, PAGE 1043, UNDER AUDITOR'S FILE NO. 617246, DEED RECORDS OF COWLITZ COUNTY, WASHINGTON.

EXCEPT THAT PORTION CONVEYED TO CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 BY DEED RECORDED UNDER AUDITOR'S FILE NO. 3393501, RECORDS OF COWLITZ COUNTY, WASHINGTON.

SITUATE IN COWLITZ COUNTY, STATE OF WASHINGTON

**EXCEPTIONS:**

**I. GENERAL TAXES AND ASSESSMENTS, IF ANY, NOT INCLUDING INTEREST AND PENALTY AFTER DELINQUENCY:**

YEAR	AMOUNT	PAID	OWING
2010	\$1,326.50	\$0.00	\$1,326.50
2009	\$1,249.08	\$0.00	\$1,249.08

PARCEL NO. 1-0711-0100                      TAX CODE 400                      PARCEL B

YEAR	AMOUNT	PAID	OWING
2010	\$11,778.20	\$0.00	\$11,778.20
2009	\$11,090.66	\$0.00	\$11,090.66

PARCEL NO. 1-0719-0100                      TAX CODE 400                      PARCEL C

YEAR	AMOUNT	PAID	OWING
2010	\$124.06	\$0.00	\$124.06
2009	\$153.34	\$0.00	\$153.34

PARCEL NO. 1-0697-0100                      TAX CODE 400                      PARCEL E

YEAR	AMOUNT	PAID	OWING
2010	\$155.62	\$0.00	\$155.62
2009	\$175.04	\$0.00	\$175.04

PARCEL NO. 1-0698-0100                      TAX CODE 400                      PORTION OF PARCEL F

YEAR	AMOUNT	PAID	OWING
2010	\$1,982.36	\$0.00	\$1,982.36
2009	\$1,867.72	\$0.00	\$1,867.72

PARCEL NO. 1-0699-0100                      TAX CODE 400                      PORTION OF PARCEL F; PARCELS G & H

YEAR	AMOUNT	PAID	OWING
2010	\$37,524.60	\$0.00	\$37,524.60
2009	\$35,336.38	\$0.00	\$35,336.38

PARCEL NO. 1-0717-0100                      TAX CODE 400                      PORTION OF PARCEL I

YEAR	AMOUNT	PAID	OWING
2010	\$4,184.70	\$0.00	\$4,184.70
2009	\$3,940.44	\$0.00	\$3,940.44

PARCEL NO. 1-0718-0100                      TAX CODE 400                      PORTION OF PARCEL I

(PARAGRAPH 1 CONTINUED NEXT PAGE)

YEAR	AMOUNT	PAID	OWING
2010	\$5,253.98	\$0.00	\$5,253.98
2009	\$4,948.36	\$0.00	\$4,948.36

PARCEL NO. 1-0716-0100 TAX CODE 400 PORTION OF PARCEL J

YEAR	AMOUNT	PAID	OWING
2010	\$355.18	\$0.00	\$355.18
2009	\$335.52	\$0.00	\$335.52

PARCEL NO. 1-0705-0100 TAX CODE 400 PORTION OF PARCEL J

YEAR	AMOUNT	PAID	OWING
2010	\$13,608.04	\$0.00	\$13,608.04
2009	\$12,813.72	\$0.00	\$12,813.72

PARCEL NO. 1-0715-0100 TAX CODE 400 PARCEL K

YEAR	AMOUNT	PAID	OWING
2010	\$3.42	\$0.00	\$3.42

PARCEL NO. 1-0703-0100 TAX CODE 400 PARCEL O

YEAR	AMOUNT	PAID	OWING
2010	\$16.00	\$0.00	\$16.00
2009	\$15.10	\$0.00	\$15.10

PARCEL NO. 1-0702-0100 TAX CODE 400 PARCEL P

YEAR	AMOUNT	PAID	OWING
2010	\$926.36	\$0.00	\$926.36
2009	\$1,023.00	\$0.00	\$1,023.00

PARCEL NO. 1-0700-0100 TAX CODE 400 PARCEL Q

FIRST HALF OF GENERAL TAXES BECOME DELINQUENT ON MAY 1. SECOND HALF OF GENERAL TAXES BECOME DELINQUENT ON NOVEMBER 1.

2. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:

GRANTOR: TERRA FIRMA, INC.  
 TRUSTEE: THOMAS S. MOORE  
 BENEFICIARY: EXCELSIOR MANAGEMENT GROUP, LLC  
 AMOUNT: \$1,500,000.00  
 DATED: SEPTEMBER 21, 2007  
 RECORDED: SEPTEMBER 27, 2007  
 AUDITOR'S NO: 3348219  
 AREA AFFECTED: A PORTION AND OTHER PROPERTY

(PARAGRAPH 2 CONTINUED NEXT PAGE)

**ASSIGNMENT OF SAID DEED OF TRUST:**

**ASSIGNEE:** EXCELSIOR MORTGAGE EQUITY FUND II, LLC, AN OREGON LIMITED LIABILITY COMPANY  
**ADDRESS:** 6000 SW MEADOWS ROAD, SUITE 530, LAKE OSWEGO, OR 97035  
**DATED:** OCTOBER 17, 2007  
**RECORDED:** OCTOBER 26, 2007  
**AUDITOR'S NO.:** 3350827

**MODIFICATION OF DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:**

**DATED:** SEPTEMBER 16, 2008  
**RECORDED:** SEPTEMBER 17, 2008  
**AUDITOR'S NO.:** 3376887

SAID DEED OF TRUST WAS PARTIALLY RECONVEYED AS TO OTHER PROPERTY BY INSTRUMENT DATED JULY 24, 2009, AND RECORDED ON SEPTEMBER 1, 2009, UNDER AUDITOR'S FILE NO. 3401343.

**3. DEED OF TRUST AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTOR:** ROBERT P. RADAKOVICH, SR., AS THE SOLE SHAREHOLDER OF TERRA FIRMA, INC., A WASHINGTON CORPORATION  
**TRUSTEE:** COWLITZ COUNTY TITLE COMPANY  
**BENEFICIARY:** ROBERT R. RADAKOVICH, JR.  
**AMOUNT:** \$5,000,000.00  
**DATED:** NOVEMBER 9, 2009  
**RECORDED:** NOVEMBER 30, 2009  
**AUDITOR'S NO.:** 3406366  
**AREA AFFECTED:** PARCELS C, E, F, G, H, I, J AND K AND INCLUDES OTHER PROPERTY

**4. LIEN CLAIMED BY THE STATE OF WASHINGTON:**

**DEPARTMENT OF:** REVENUE  
**AGAINST:** TERRA FIRMA INC.  
**AMOUNT:** \$105,423.62  
**RECORDED:** FEBRUARY 11, 2010  
**AUDITOR'S NO.:** 3410278  
**IDENTIFYING NO.:** 602 286 471  
**AREA AFFECTED:** PARCELS C, E, F, I AND J AND INCLUDES OTHER PROPERTY

**5. STATE TAX WARRANT:**

**JUDGMENT NO.:** 10-9-00606-7  
**AGAINST:** TERRA FIRMA INC.  
**IN FAVOR OF:** DEPARTMENT OF REVENUE  
**AMOUNT:** \$112,746.41  
**ENTERED:** MARCH 22, 2010  
**S.C. CAUSE NO.:** 10-2-00468-9  
**IDENTIFYING NO.:** 125918A

**6. EASEMENT AND RIGHT OF WAY FOR DIKE AND DRAINAGE ACQUIRED BY COWLITZ COUNTY FOR THE BENEFIT OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1, BY DECREE ENTERED NOVEMBER 16, 1923 IN COWLITZ COUNTY, SUPERIOR COURT CAUSE NO. 5362.**

7. RESERVATION CONTAINED IN DEED FROM THE STATE OF WASHINGTON RECORDED UNDER AUDITOR'S FILE NO. 27248, RESERVING TO THE GRANTOR ALL OIL, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING THE SAME, AND PROVIDING THAT SUCH RIGHTS SHALL NOT BE EXERCISED UNTIL PROVISION HAS BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY.

RIGHT OF THE STATE OF WASHINGTON OR ITS SUCCESSORS, SUBJECT TO PAYMENT OF COMPENSATION THEREFORE, TO ACQUIRE RIGHTS-OF-WAY FOR PRIVATE RAILROADS, SKID ROADS, FLUMES, CANALS, WATER COURSES OR OTHER EASEMENTS FOR TRANSPORTING AND MOVING TIMBER, STONE, MINERALS AND OTHER PRODUCTS FROM THIS AND OTHER PROPERTY, AS RESERVED IN DEED REFERRED TO ABOVE.

8. RIGHT OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1 TO EASEMENTS FOR EXISTING DITCHES AND SLOUGHS.
9. ANY CHANGE IN THE BOUNDARY OR LEGAL DESCRIPTION OF THE REAL PROPERTY, OR TITLE TO THE ESTATE INSURED, THAT MAY ARISE DUE TO THE SHIFTING AND CHANGING IN THE COURSE OF COLUMBIA RIVER.
10. RIGHT OF STATE OF WASHINGTON IN AND TO THAT PORTION, IF ANY, OF THE PROPERTY HEREIN DESCRIBED WHICH LIES BELOW THE LINE OF ORDINARY HIGH WATER OF THE COLUMBIA RIVER.
11. ANY PROHIBITION OF OR LIMITATION OF USE, OCCUPANCY OR IMPROVEMENT OF THE LAND RESULTING FROM THE RIGHTS OF THE PUBLIC OR RIPARIAN OWNERS TO USE ANY PORTION WHICH IS NOW, OR HAS FORMERLY BEEN, COVERED BY WATER.
12. ANY ADVERSE CLAIM BASED UPON THE ASSERTION THAT:
  - A. SOME PORTION OF SAID LAND IS TIDE OR SUBMERGED LAND, OR HAS BEEN CREATED BY ARTIFICIAL MEANS OR HAS ACCREDIT TO SUCH PORTION SO CREATED.
  - B. SOME PORTION OF SAID LAND HAS BEEN BROUGHT WITHIN THE BOUNDARIES THEREOF BY AN AVULSIVE MOVEMENT OF THE COLUMBIA RIVER HAS BEEN FORMED BY ACCRETION TO ANY SUCH PORTION.
13. RIGHTS AND EASEMENTS OF THE PUBLIC FOR COMMERCE, NAVIGATION, RECREATION AND FISHERIES.
14. RESERVATION FOR A PERPETUAL, NON-EXCLUSIVE, ASSIGNABLE, DIVISIBLE EASEMENT FOR THE PASSAGE OF VEHICLES, MEN, MACHINERY AND EQUIPMENT ACROSS THE EXISTING BARLOW POINT ROAD, FOR THE PURPOSE OF ACCESS TO LANDS NOW OWNED BY, OR HEREAFTER ACQUIRED BY GRANTOR. SAID EASEMENT SHALL INSURE TO THE BENEFIT OF ANY FUTURE GRANTEEES OF THE GRANTOR HEREIN AS RECORDED UNDER AUDITOR'S FILE NO. 861110080.

**15. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** COWLITZ COUNTY, WASHINGTON, GRANTEE, ACTING FOR AND ON BEHALF OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1  
**PURPOSE:** DRAINAGE DITCH, PUMPHOUSE, DISCHARGE LINE AND ELECTRICAL POWER SUPPLY LINE  
**DATED:** NOT DISCLOSED  
**RECORDED:** MAY 28, 1962  
**AUDITOR'S NO.:** 546259

**16. EXCEPTIONS AND RESERVATIONS CONTAINED IN DEED FROM THE STATE OF WASHINGTON, WHEREBY SAID GRANTOR EXCEPTS AND RESERVES ALL OILS, GASES, COAL, ORES, MINERALS, FOSSILS, ETC., AND THE RIGHT OF ENTRY FOR OPENING, DEVELOPING AND WORKING MINES, ETC., PROVIDED THAT NO RIGHTS SHALL BE EXERCISED UNTIL PROVISIONS HAVE BEEN MADE FOR FULL PAYMENT OF ALL DAMAGES SUSTAINED BY REASON OF SUCH ENTRY; AUDITOR'S FILE NO. 27013.**

**17. QUESTIONS OF LOCATION OF LATERAL BOUNDARIES OF SAID SECOND CLASS TIDELANDS.**

**18. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** NORTH COAST POWER COMPANY  
**PURPOSE:** RIGHT OF WAY FOR ELECTRIC TRANSMISSION OF DISTRIBUTION LINE  
**DATED:** NOT DISCLOSED  
**RECORDED:** APRIL 24, 1917  
**AUDITOR'S NO.:** 10990      **VOLUME:** 72      **PAGE:** 120  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**19. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** NORTH COAST POWER COMPANY, A CORPORATION  
**PURPOSE:** RIGHT OF WAY FOR AN ELECTRIC TRANSMISSION AND DISTRIBUTING LINE OF ONE OR MORE WIRES  
**DATED:** NOT DISCLOSED  
**RECORDED:** MAY 22, 1919  
**AUDITOR'S NO.:** 15467      **VOLUME:** 79      **PAGE:** 75  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**20. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** RIGHT OF WAY  
**DATED:** NOT DISCLOSED  
**RECORDED:** MARCH 21, 1942  
**AUDITOR'S NO.:** 224123  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**21. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** RIGHT OF WAY  
**DATED:** NOT DISCLOSED  
**RECORDED:** MARCH 24, 1942  
**AUDITOR'S NO.:** 224212  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**22. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** TRANSMISSION LINE EASEMENT  
**DATED:** NOT DISCLOSED  
**RECORDED:** APRIL 10, 1942  
**AUDITOR'S NO.:** 230025  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**23. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** COWLITZ COUNTY, WASHINGTON, GRANTEE, ACTING FOR AND ON BEHALF OF CONSOLIDATED DIKING IMPROVEMENT DISTRICT NO. 1  
**PURPOSE:** DRAINAGE DITCH, PUMPHOUSE, DISCHARGE LINE AND ELECTRICAL POWER SUPPLY LINE  
**DATED:** NOT DISCLOSED  
**RECORDED:** MAY 28, 1962  
**AUDITOR'S NO.:** 549259  
**AREA AFFECTED:** A PORTION OF SAID PREMISES

**24. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR, ACTING BY AND THROUGH THE BONNEVILLE POWER ADMINISTRATOR  
**PURPOSE:** RIGHT OF WAY FOR THE CONSTRUCTION, OPERATION AND MAINTENANCE FOR ONE OR MORE ELECTRIC POWER TRANSMISSION LINES OVER THE BED OF THE COLUMBIA RIVER IN FRONT OF A PORTION OF THE GEORGE BARLOW D.L.C. NO. 39  
**DATED:** NOT DISCLOSED  
**RECORDED:** FEBRUARY 24, 1967  
**AUDITOR'S NO.:** 646809  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**25. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** A PERPETUAL EASEMENT AND RIGHT TO ENTER AND ERECT, MAINTAIN, REPAIR, REBUILD, OPERATE AND PATROL ONE LINE OF ELECTRIC TRANSMISSION STRUCTURES, WIRES, CABLES AND APPURTENANCES AS ARE NECESSARY  
**DATED:** NOT DISCLOSED  
**RECORDED:** MAY 26, 1969  
**AUDITOR'S NO.:** 688411

**26. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** A PERPETUAL EASEMENT AND RIGHT TO ENTER AND ERECT, MAINTAIN, REPAIR, REBUILD, OPERATE AND PATROL ONE OR MORE LINES OF ELECTRIC POWER TRANSMISSION STRUCTURES AND APPURTENANT SIGNAL LINES, INCLUDING THE RIGHT TO ERECT SUCH POLES, TRANSMISSION STRUCTURES, WIRES, CABLES AND APPURTENANCES AS ARE NECESSARY  
**DATED:** NOT DISCLOSED  
**RECORDED:** AUGUST 2, 1966  
**AUDITOR'S NO.:** 655938  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**27. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** UNITED STATES OF AMERICA  
**PURPOSE:** A PERPETUAL EASEMENT AND RIGHT TO ENTER AND ERECT, MAINTAIN, REPAIR, REBUILD, OPERATE AND PATROL ONE LINE OF ELECTRIC POWER SIGNAL LINES, INCLUDING THE RIGHT TO ERECT SUCH POLES, TRANSMISSION STRUCTURES, WIRES, CABLES AND APPURTENANCES AS ARE NECESSARY THERETO  
**DATED:** NOT DISCLOSED  
**RECORDED:** JANUARY 18, 1972  
**AUDITOR'S NO.:** 723227  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**28. MATTERS SET FORTH BY SURVEY:**

**RECORDED:** NOVEMBER 6, 1986  
**AUDITOR'S NO.:** 861106019      **VOLUME:** 7      **PAGE:** 258  
**DISCLOSES:** ESTABLISHES A PORTION OF THE NORTH LINE OF SAID PREMISES

**29. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** THE UNITED STATES OF AMERICA  
**PURPOSE:** TRANSMISSION LINE EASEMENT  
**DATED:** NOT DISCLOSED  
**RECORDED:** NOVEMBER 30, 1962  
**AUDITOR'S NO.:** 558347      **VOLUME:** 689      **PAGE:** 425  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**30. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY  
**PURPOSE:** FOR THE TRANSMISSION OF ELECTRIC ENERGY  
**DATED:** JUNE 28, 1989  
**RECORDED:** DECEMBER 22, 1989  
**AUDITOR'S NO.:** 891222007      **VOLUME:** 1069      **PAGE:** 010  
**AREA AFFECTED:** THE EASTERLY 100.0 FEET OF THE GEORGE BARLOW D.L.C. IN SECTION 26, TOWNSHIP 8 NORTH, RANGE 3 WEST OF THE W.M., AND PARTIALLY ON THAT PORTION OF GOVERNMENT LOT 5 (FRACTIONAL NORTHEAST QUARTER OF THE SOUTHEAST QUARTER) IN SAID SECTION 26, LYING SOUTHWESTERLY OF DITCH NO. 10 OF SAID C.D.I.D. NO. 1.

**31. ANY CHANGE IN THE BOUNDARY OR LEGAL DESCRIPTION OF THE REAL PROPERTY, OR TITLE TO THE ESTATE INSURED, THAT MAY ARISE DUE TO THE SHIFTING AND CHANGING IN THE COURSE OF THE SLOUGH.**

**32. EASEMENT 50 FEET IN WIDTH ALONG THE EASTERLY LINE AND BORDERING DITCH NO. 10 FOR ROAD PURPOSES AS IN DEED RECORDED OCTOBER 27, 1965 UNDER AUDITOR'S FILE NO. 617246.**

**33. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**DISCLOSED BY:** INSTRUMENT RECORDED UNDER RECORDING NOS. 605229 AND 758813  
**PURPOSE:** DRAINAGE DITCH  
**AREA AFFECTED:** SAID PROPERTY

**34. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**BETWEEN:** D. T. EASTMAN AND BARBARA EASTMAN, HUSBAND AND WIFE  
**AND:** J. F. BAICHTAL AND BESSIE M. BAICHTAL, HUSBAND AND WIFE  
**DATED:** AUGUST 1955  
**RECORDED:** NOVEMBER 3, 1967  
**AUDITOR'S NO.:** 661812  
**REGARDING:** BRIDGE AND CONSTRUCTION AGREEMENT

**35. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**GRANTEE:** PUBLIC UTILITY DISTRICT NO. 1 OF COWLITZ COUNTY  
**PURPOSE:** RIGHT OF WAY FOR ELECTRIC POWER  
**DATED:** NOVEMBER 9, 1981  
**RECORDED:** JUNE 19, 1984  
**AUDITOR'S NO.:** 840619005  
**AREA AFFECTED:** INCLUDES THIS AND OTHER PROPERTY

**36. EASEMENT FOR ROAD PURPOSES 50 FEET IN WIDTH ALONG THE NORTH EASTERLY LINE RESERVED BY INTERNATIONAL PAPER COMPANY IN INSTRUMENT RECORDED APRIL 21, 1965 UNDER AUDITOR'S FILE NO. 605229.**

**37. AGREEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**BETWEEN:** TERRA FIRMA, INC.  
**AND:** TERRA FIRMA, INC.  
**DATED:** MARCH 30, 2004  
**RECORDED:** MARCH 30, 2004  
**AUDITOR'S NO.:** 3219402  
**REGARDING:** BOUNDARY LINE AGREEMENT

**38. MATTERS SET FORTH BY SURVEY:**

**RECORDED:** DECEMBER 8, 2008  
**AUDITOR'S NO.:** 3382245      **VOLUME:** 30      **PAGE:** 67  
**DISCLOSES:** EASTERLY BOUNDARY LINE OF PARCELS E, F AND Q

**39. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**DISCLOSED BY:** INSTRUMENT RECORDED UNDER AUDITOR'S FILE NO. 3288870  
**PURPOSE:** PERPETUAL, NON-EXCLUSIVE ROAD AND UTILITY EASEMENT  
**AREA AFFECTED:** OVER, UNDER AND ACROSS ADJOINING LAND RETAINED BY GRANTOR SUCH THAT GRANTEE AND HIS SUCCESSORS AND ASSIGNS HAVE ACCESS TO THE PREMISES FROM BOTH MT. SOLO ROAD AND BARLOW POINT ROAD

**40. EASEMENT AND THE TERMS AND CONDITIONS THEREOF:**

**DISCLOSED BY:** SUPERIOR COURT CASE NO. 08-2-00233-1  
**PURPOSE:** INGRESS AND EGRESS  
**AREA AFFECTED:** SUCH ENTRY SHALL BE DIRECTLY FROM MOUNT SOLO ROAD AND THROUGH THE WESTERN GATE AND SHALL FOLLOW THE SINGLE PATH AS DESCRIBED IN THE JULY 1, 2009, FINDINGS OF FACTS AND CONCLUSIONS OF LAW AND AS DEPICTED ON THE MAP ATTACHED THERETO (EXHIBIT C)

**NOTES:**

- A. LIABILITY IS LIMITED TO THE CHARGE MADE FOR THIS CERTIFICATE.**
- B. ALL PARTIES TO THIS TRANSACTION MUST VERIFY THAT THE LAND COVERED BY THIS COMMITMENT IS THE LAND INTENDED TO BE CONVEYED OR ENCUMBERED. THE DESCRIPTION OF THE LAND MAY BE INCORRECT IF THE APPLICATION FOR TITLE INSURANCE CONTAINED INCOMPLETE OR INACCURATE INFORMATION, OR IF IT INCLUDED AN ADDRESS OR TAX PARCEL NUMBER IN LIEU OF A LEGAL DESCRIPTION. NOTIFY THE COMPANY PRIOR TO CLOSING IF CHANGES ARE NECESSARY. THE CLOSING INSTRUCTIONS TO BE SIGNED BY ALL PARTIES WILL STATE THAT THE LEGAL DESCRIPTION HAS BEEN REVIEWED AND APPROVED.**
- C. ACCORDING TO THE COWLITZ COUNTY ASSESSOR'S ROLLS, COMMERCIAL PROPERTY IS LOCATED AT: , LONGVIEW, WA 98632**  
  
**AND THE ABBREVIATED LEGAL DESCRIPTION IS: LVOL  
600,607,586,587,588,605,606,604,594,603,592,591,589 IN BARLOW DLC / 26-8-3W / 25-8-3W**
- D. INVESTIGATION SHOULD BE MADE TO DETERMINE IF THERE ARE ANY SERVICE, INSTALLATION, MAINTENANCE OR CONSTRUCTION CHARGES FOR SEWER, WATER OR ELECTRICITY. IN THE EVENT THIS TRANSACTION FAILS TO CLOSE, A CANCELLATION FEE WILL BE CHARGED FOR SERVICES RENDERED IN ACCORDANCE WITH OUR RATE SCHEDULE.**

TW:jah

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EXHIBIT 6:

FUTURE EASEMENT(S) MAPS (MULTIPLE)

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**LEGEND:**

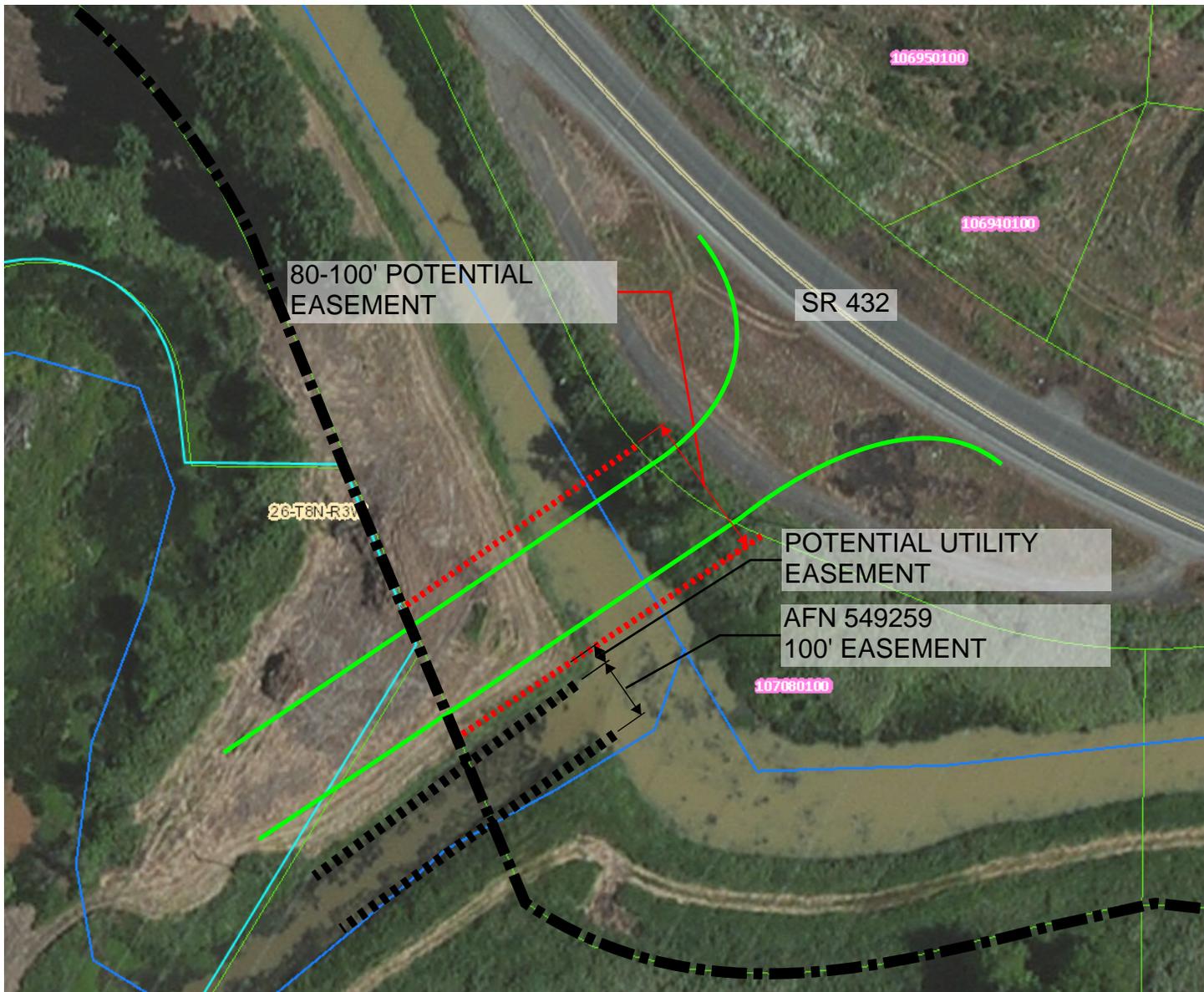
- ▬▬▬▬ PROPERTY LIMITS
- ⋯⋯⋯ POTENTIAL EASEMENT



NOT TO SCALE



BARLOW POINT  
 PORT OF LONGVIEW  
 EXHIBIT 6  
 BARLOW POINT  
 ROAD EASEMENT



**LEGEND:**

- ▬▬▬▬ PROPERTY LIMITS
- MAIN SITE ENTRANCE
- ⋯⋯⋯ POTENTIAL EASEMENT



NOT TO SCALE

**PORT OF LONGVIEW**

**kpff**  
Consulting  
Engineers

BARLOW POINT  
PORT OF LONGVIEW  
EXHIBIT 6 - MAIN SITE  
ENTRANCE



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