

**AFTER RECORDING RETURN TO:**

Davis Wright Tremaine LLP  
Attn: Warren Koons  
777 – 108<sup>th</sup> Ave. NE, Suite 2300  
Bellevue, WA 98004-5149

Name of Document: ACCESS EASEMENT

Grantor: FISHER CREEK CAMPUS LLC

Grantee: EIFORD PROPERTIES LLC

Abbreviated Legal Description:

Fisher Property: #1 #5 SUB DIV PAYNE ESTATES IN 5-1-3E, WM

Eiford Property: #4 LOT 5 SUB DIV PAYNE ESTATES IN NW 1/4 OF  
5-1-3E, WM

Full legal description of Fisher Property on attached Exhibit A

Full legal description of Eiford Property on attached Exhibit B

Assessor's Property Tax Parcel Account No. of Fisher Property: 126246-000

Assessor's Property Tax Parcel Account No. of Eiford Property: 126256-000, 126258-000, 126043-000,  
177489-000, 126255-000, and 126257-000

Related Documents: Not applicable

## ACCESS EASEMENT

This Access Easement (this "**Easement**") is executed as of JUNE 26 27<sup>th</sup> 2008, by FISHER CREEK CAMPUS LLC, a Washington limited liability company ("**Fisher**") and EIFORD PROPERTIES LLC, a Washington limited liability company ("**Eiford**"). DZE

### Recitals

A. Concurrently with the execution of this Easement, Fisher is purchasing from Eiford and acquiring title to that certain real property located in Clark County, Washington, bearing Clark County Tax Parcel Account No. 126246-000, and legally described on Exhibit A attached hereto and incorporated herein by this reference ("**Fisher Property**").

B. Eiford is the fee owner of those certain parcels of real property located in Clark County, Washington, bearing Clark County Tax Parcel Account Nos. 126043-000, 177489-000, 126255-000, and 126257-000, and legally described on Exhibit B attached hereto and incorporated herein by this reference ("**North Eiford Property**").

C. Eiford is the fee owner of that certain real property located in Clark County, Washington, bearing Clark County Tax Parcel Account No. 126256-000 and 126258-000, and legally described on Exhibit C attached hereto and incorporated herein by this reference ("**South Eiford Property**"). The North Eiford Property and South Eiford Property are herein collectively called the "**Eiford Property**".

D. The Fisher Property lies adjacent to and south of the North Eiford Property and is adjacent to and north of the South Eiford Property.

E. As a condition to the closing of the sale to Fisher of the Fisher Property, Fisher is required to execute, acknowledge and deliver this Easement for the benefit of the Eiford Property.

Fisher and Eiford hereby agree as follows:

1. Grant of Easement. Fisher hereby grants and conveys to Eiford, for the benefit of the Eiford Property, a twenty (20) foot wide non-exclusive vehicular access easement over, under and across that portion of the Fisher Property legally described on the attached Exhibit D (the "**Easement Area**"). A drawing of the Easement Area is attached hereto as Exhibit E. During the term of this Easement, Eiford shall have the right, at its sole cost and expense, to clear and grade the Easement Area and construct, maintain and repair a roadway thereon, provided that all such activities are conducted in a lien-free manner. Eiford shall exercise its rights under this Easement in a reasonable manner and in compliance with all applicable laws, regulations, permit requirements and ordinances. Eiford shall defend, indemnify and hold Fisher harmless from any injuries, claims, liens, and damages arising from Eiford's use of the Easement Area or occurring in connection with its exercise of its rights under this Easement.

2. Termination. This Easement shall automatically terminate at such time as (i) neither the North Eiford Property nor any legally subdivisible portion thereof is any longer owned by an Eiford Entity or Eiford Person or (ii) neither the South Eiford Property nor any legally subdivisible portion thereof is any longer owned by an Eiford Entity or Eiford Person or (iii) as a result of any transfer or transfers of any portion of the North Eiford Property or the South Eiford Property to a non-Eiford Person or non-Eiford Entity, the remaining portions of either the North Eiford Property or the South Eiford Property no longer have any access or right of access to the Easement Area. As used herein, (i) the term "Eiford Entity" means any entity that is at least 50% owned or controlled by one or more Eiford Person or Eiford Entity, and (ii) the term "Eiford Person" means a child, grandchild or other lineal descendant of Lloyd V. Eiford and Alice M. Eiford or any trust established for the benefit of any of them. If ownership of a parcel of Eiford Property is conveyed to an entity or person that is not an Eiford Entity or Eiford Person, such parcel shall thereupon cease to be benefited and/or burdened by this Easement.

3. Maintenance and Repair. Eiford shall be obligated, at its sole expense, to maintain and repair the Easement Area as reasonably required for Eiford's exercise of its easement rights thereto.

4. Recordation. This Easement shall be recorded in the real property records of Clark County, Washington.

5. Runs with Land; No Dedication. The benefits and burdens of this Easement are intended to attach to and run with the land and that the terms and conditions hereof are binding upon and inure to the benefit of the parties and their respective successors and assigns. Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Fisher Property to the general public or for any public purposes whatsoever.

6. Reservation of Rights. Fisher reserves to itself the right to use any and all of the Easement Area for all lawful uses not inconsistent with Eiford's rights under this Easement.

7. Miscellaneous. This Easement shall be construed and enforced in accordance with the laws of the State of Washington. In the event of a breach of any of the covenants or agreements set forth in this Easement, the injured party shall be entitled to any and all remedies available at law or in equity, including but not limited to the equitable remedies of specific performance or mandatory or prohibitory injunction issued by a court of competent jurisdiction. In any suit, action, or appeal therefrom to enforce any provision hereof or to interpret this Easement, the substantially prevailing party shall be entitled to recover its costs and expenses incurred therein, including reasonable attorneys' fees. This Easement may be executed and acknowledged in multiple counterparts, which together shall constitute one agreement, and a party may detach the original signature and acknowledgement pages from the other party's counterpart hereof and reattach them to the counterpart executed by such party in order to assemble them into one document for recording.

IN WITNESS WHEREOF, THIS ACCESS EASEMENT has been made and signed by the parties hereto as of the date first above written.

EIFORD PROPERTIES LLC,  
a Washington limited liability company

By: Dwayne L. Eiford

Dwayne L. Eiford, President

FISHER CREEK CAMPUS LLC, a  
Washington limited liability company

By: KT 15h

Title: PRESIDENT

EXHIBITS:

- A - Description of Fisher Property
- B - Description of North Eiford Property
- C - Description of South Eiford Property
- D - Description of Easement Area
- E - Drawing of Easement Area

Acknowledgements attached

STATE OF WASHINGTON

)

)

SS.

County of Clark

)

I certify that I know or have satisfactory evidence that Dwayne Eiford is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as President of Eiford Properties LLC, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Name (typed or printed): \_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington  
Residing at \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

State of California

)

) SS.

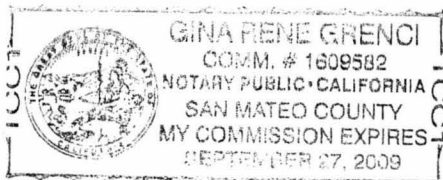
County of San Mateo

)

On 6/20/08, before me, the undersigned, a Notary Public, personally appeared KENNETH L FISHER, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) as PRESIDENT, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Gina Rene Grenci

Name (typed or printed):  
NOTARY PUBLIC, State of California

**EXHIBIT A**

**Description of Fisher Property**

That certain real property located in the State of Washington, County of Clark, described as follows:

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT 'A'

DESCRIPTION:

ORDER NO: K158008

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road, thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 South 00°48'45" West 705.02 feet a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" and the True Point of Beginning; thence along the west line of Auditor's File No. 4289775 South 00°48'45" West 1780.16 feet to a point; thence along a line parallel to and 610 feet northerly of the John Knight Donation Land Claim North 89°24'54" West 1443.21 feet to a point on the east line of Tract 'A' of "Awbrey Glen At Fisher's Landing"; thence along the east line of said Tract 'A' North 01°14'41" East 882.83 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the southeast corner of Lot 16 of said plat; thence North 58°39'25" East 1696.82 feet to the True Point of Beginning.

The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.

**EXHIBIT B**

Description of North Eiford Property



**ENGINEERING PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE  
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**EXHIBIT A**  
Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 2835.08 feet to the True Point of Beginning; thence along the west line of Auditor's File No. 3779583 and 9103010003 South 00°48'45" West 450.02 feet to the southwest corner of Auditor's File No. 9103010003; thence along the south line of Auditor's File No. 9103010003 South 88°42'49" East 300.01 feet to the southeast corner thereof; thence along the west line of said Auditor's File No. 4289775 South 00°48'45" West 255.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" at the southwest corner thereof; thence South 58°39'25" West 1696.82 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the southeast corner of Lot 16 of "Awbrey Glen At Fisher's Landing"; thence along the east line of said plat and the east line of Exhibit C of the Eiford Tracts described in Auditor's File No. 3181188 North 01°14'41" East 855.29 feet to a point; thence South 88°42'49" East 900.12 feet to a point; thence North 00°48'45" East 764.66 feet to a point on the north line of section 5; thence along said section line South 88°42'49" East 40.00 feet to a point on the west line of Auditor's File No. 4231425; thence leaving said section line along the west line of said Auditor's File No. 4231425 and Auditor's File No. 3761666 South 00°48'45" West 450.02 feet to the southwest corner of Auditor's File No. 3761666; thence along the south line of said Auditor's File No. 3761666 South 88°42'49" East 150.01 feet to the southeast corner thereof; thence along the east line of said Auditor's File No. 3761666 and Auditor's File No. 4231425 North 00°48'45" East 450.02 feet to the north line of section 5; thence along said section line South 88°42'49" East 40.00 feet to the True Point of Beginning.

The above described tract of land contains 17.71 acres, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



CHICAGO TITLE INSURANCE COMPANY

EXHIBIT 'A'

DESCRIPTION:

ORDER NO: K159040

**PARCEL NO. 126257-000:**

That portion of the "Eiford Properties LLC tract", as described under Clark County Auditor's File No. 3181188, Exhibit "D", located in the Northeast quarter and the Northwest quarter of Section 5, Township 1 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

BEGINNING at a brass cap at the Northeast corner of Section 5, as shown in Book 58 of Surveys, page 131, Clark County Auditor's Records; thence North 88° 42' 55" West, along the North line of said Section 5, for a distance of 2835.08 feet to the Northwest corner of the "MAKI tract", as described under Clark County Auditor's File No. 3779583 and the TRUE POINT OF BEGINNING; thence South 0° 48' 05" West, along the West line of said "MAKI tract" and the West line of the "Donner tract", as described under Clark County Auditor's File No. 9103010003, for a distance of 450.00 feet to the Southwest corner of said "Donner tract"; thence South 88° 42' 55" East, along the South line of said "Donner tract", for a distance of 300.00 feet to the West line of the "Grass Valley Holdings LLC tract", as described under Clark County Auditor's File No. 4419078 and the Southeast corner of said "Donner tract"; thence South 0° 48' 05" West, along the West line of said "Grass Valley Holdings tract", for a distance of 255.00 feet to a 5/8 inch iron rod at the Southwest corner of said "Grass Valley Holdings LLC tract", as shown in Book 58 of Surveys, page 131; thence South 58° 39' 06" West, along the North line of Parcel No. 126246-000, for a distance of 1696.73 feet to a 1/2 iron rod at the Southeast corner of Lot 16 of "Awbrey Glen at Fisher's Landing", recorded under Book 311 of Plats, page 52, Clark County Auditor's Records and shown in Book 58 of Surveys, page 131; thence North 01° 14' 21" East, along the East line of said "Awbrey Glen at Fisher's Landing" (311-52) and the East line of Exhibit "C" of the "Eiford tract", as described under Clark County Auditor's File No. 3181188, for a distance of 855.29 feet; thence South 88° 42' 55" East, 900.07 feet; thence North 0° 48' 05" East, parallel with and 40.00 feet West of, when measured at right angles to the West of the "Batten tract", as described under Clark County Auditor's File No. 3761666 and the "APC Sunrise Summit LLC tract", as described under Clark County Auditor's File No. 4231425, for a distance of 764.69 feet to the North line of Section 5; thence South 88° 42' 55" East, along the North line of Section 5, for a distance of 40.00 feet to the Northwest corner of said "APC Sunrise Summit LLC tract"; thence South 00° 48' 05" West, along the West line of said "APC Sunrise Summit LLC tract" and the West line of said "Batten tract", for a distance of 450.00 feet to the Southwest corner thereof; thence South 88° 42' 55" East, for a distance of 150.00 feet to the Southeast corner of said "Batten tract"; thence North 0° 48' 05" East, along the East line of said "Batten tract" and the

East line of said "APC Sunrise Summit tract", for a distance of 450.00 feet to the North line of said Section 5; thence South  $88^{\circ} 42' 55''$  East, along the North line of said Section 5, for a distance of 40.00 feet to the TRUE POINT OF BEGINNING.

The basis of bearing is the North line of Section 5, as shown in Book 58 of Surveys, page 131, Clark County Auditor's Records.

**EXHIBIT C**

**Description of South Eiford Property**

LEGAL DESCRIPTION FOR

PARCEL 177489-000

(TO BE SUPPLIED BY SELLER)

**ENGINEERING    PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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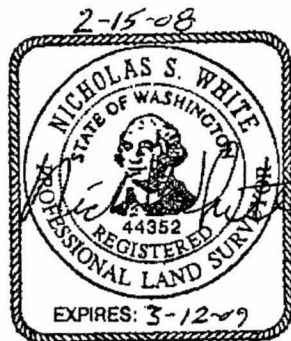
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**EXHIBIT A**  
Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 2485.17 feet to the True Point of Beginning; thence continuing along said west line South 00°48'45" West 610.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to a point; thence leaving said line North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 1086.16 feet to the True Point of Beginning.

The above described tract of land contains 15.24 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



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FORESTRY**

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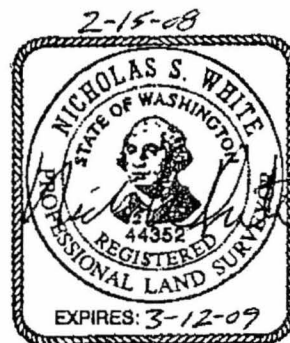
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**EXHIBIT A**  
Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 3095.17 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to the True Point of Beginning; thence continuing along said projection North 89°24'54" West 357.05 feet to a point on the northerly east line of Auditor's File No. 4018471 from which a 1-1/2 inch iron pipe bears South 89°24'54" East 9.32 feet; thence along said northerly east line and the east line of Tract 'A' of "Awbrey Glen at Fisher's Landing" North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 357.05 feet to a point; thence South 01°14'41" West 610.04 feet to the True Point of Beginning.

The above described tract of land contains 5.00 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT D**

**Description of Easement Area**



**ENGINEERING      PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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**EXHIBIT A**

**Legal Description of Easement**

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point from which a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" bears South 00°48'45" West 30.00 feet; thence along the west line of Auditor's File No. 4289774 South 00°48'45" West 705.02 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" at the southwest corner thereof; thence South 58°39'25" West 1673.09 feet to the True Point of Beginning; thence along a line parallel to and 20 feet easterly from the east line of Tract 'A' of "Awbrey Glen At Fisher's Landing" South 01°14'41" West 895.38 feet to a point; thence along a line parallel to and 610 feet northerly of the north line of the John Knight Donation Land Claim North 89°24'54" West 20.00 feet to the a point on the east line of the plat "Awbrey Glen At Fisher's Landing"; thence along the east line of said plat North 01°14'41" East 882.83 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the southeast corner of Lot 16 of "Awbrey Glen At Fisher's Landing"; thence North 58°39'25" East 23.74 to the True Point of Beginning.

The above described tract of land contains 17,782 square feet, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT E**

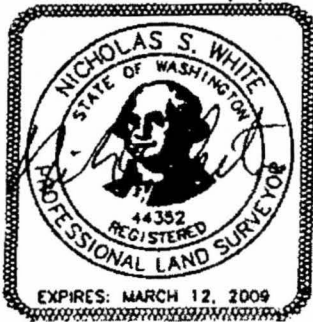
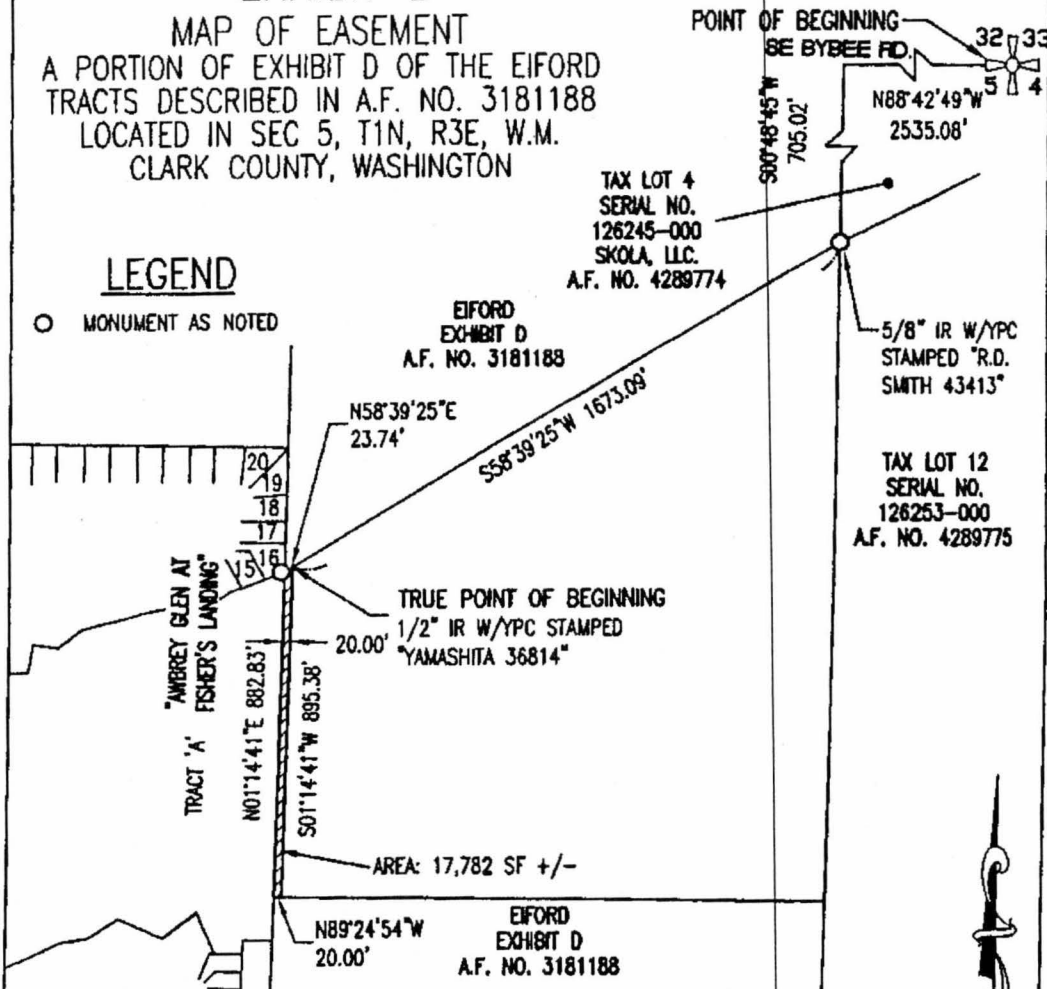
**Drawing of Easement Area**

# EXHIBIT B

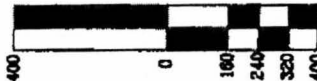
MAP OF EASEMENT  
A PORTION OF EXHIBIT D OF THE EIFORD  
TRACTS DESCRIBED IN A.F. NO. 3181188  
LOCATED IN SEC 5, T1N, R3E, W.M.  
CLARK COUNTY, WASHINGTON

## LEGEND

○ MONUMENT AS NOTED



SCALE 1" = 400 FEET



BASIS OF BEARINGS IS PER THE  
PLAT "AWBREY GLEN AT FISHER'S  
LANDING", BK 311 PG 53 CLARK  
COUNTY RECORDS.

JOB NAME:	EIFORD SEC.
JOB #:	1958
DRW BY:	JJB
CKD BY:	NSW
DWG #:	1958BLA-3

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PHONE: (360) 882-0419  
FAX: (360) 882-0426

**LEGAL DESCRIPTION FOR**

**PARCEL 126043-000**

**(TO BE SUPPLIED BY SELLER)**

ENGINEERING      PLANNING  
FORESTRY

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Sherwood, Oregon 97140  
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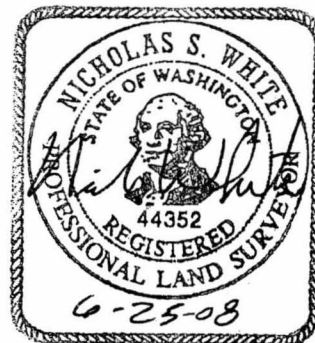
**EXHIBIT A**

Legal Description of a Portion of "Exhibit C" AF#3181188

A tract of land located in the Southwest One-Quarter of Section 32, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington, being more particularly described as follows:

Beginning at a 3 inch brass disk at the southwest corner of Section 32; thence along the south line of said section South 88°42'49" East 697.30 feet to the east line of the tract described as "Easterly Parcel" per auditor's file number 4304611 and the **True Point of Beginning**; thence along the east boundary of said "Easterly Parcel" North 29°08'35" East 20.63 feet to a point; thence North 31°10'00" East 52.27 feet to a point; thence North 30°50'14" East 45.42 feet to a point; thence North 30°39'57" East 48.25 feet to a point; thence North 38°13'25" East 60.33 feet to a point; thence North 29°41'49" East 171.18 feet to a point; thence North 30°34'25" East 52.97 feet to a point; thence North 28°58'46" East 49.31 feet to a point; thence North 32°49'08" East 49.62 feet to a point; thence North 31°02'45" East 53.01 feet to a point; thence North 30°57'31" East 52.02 feet to a point; thence North 30°21'33" East 50.67 feet to a point; thence North 31°47'48" East 101.42 feet to a point; thence North 31°23'36" East 49.24 feet to a point; thence North 32°12'03" East 49.77 feet to a point; thence North 31°12'53" East 50.00 feet to a point; thence North 30°22'46" East 53.63 feet to a point; thence North 31°28'56" East 51.79 feet to a point; thence North 30°27'36" East 98.05 feet to a point on the south right-of-way line of SE Bybee Road (30.00 feet from centerline); thence along said south right-of-way line South 72°02'02" East 37.15 feet to a 1/2 inch iron pipe at the northeast corner of the tract described as "Exhibit C" per auditor's file number 3181188; thence along the east line of said "Exhibit C" South 00°44'26" West 994.17 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 13935" on the south line of section 32; thence along the south line of said section North 88°42'49" West 622.59 feet to the **True Point of Beginning**.

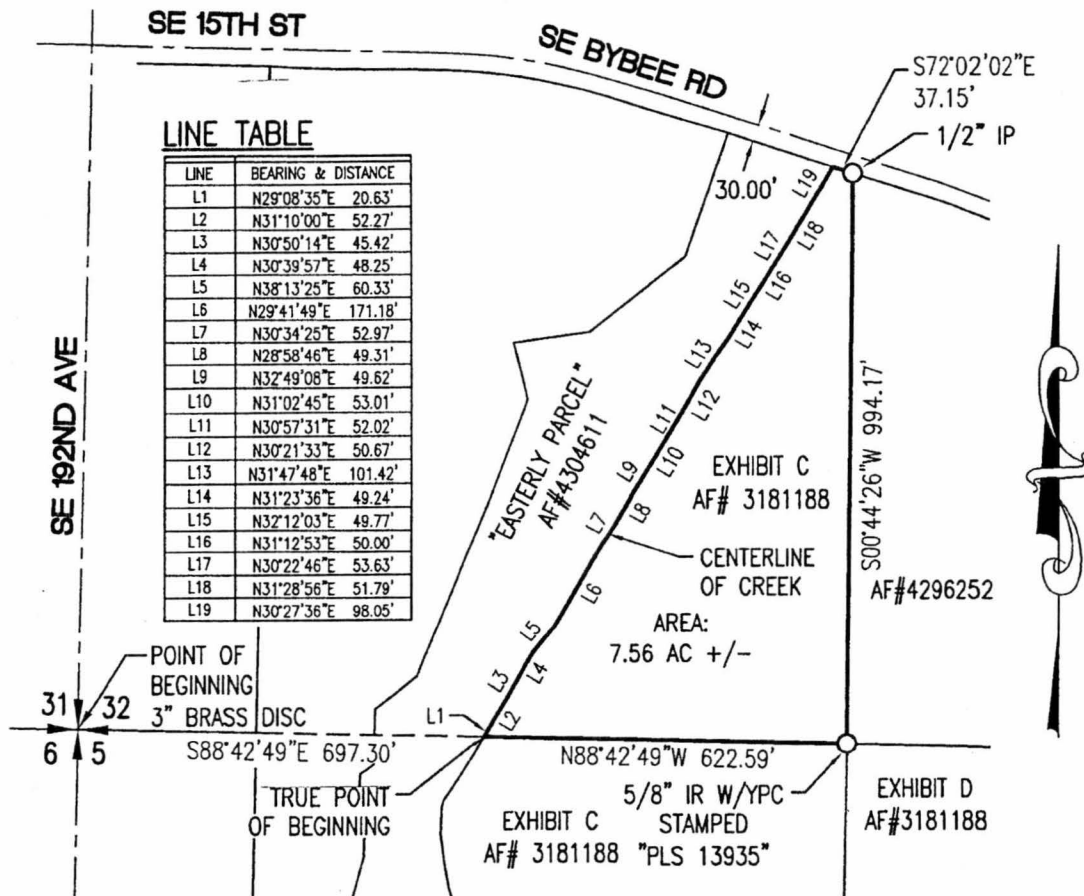
The above described tract of land contains 7.56 acres, more or less. The basis of bearings for the above described tract is Book 51 Page 100, Clark County Survey Records.



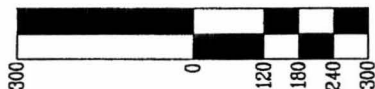
# EXHIBIT B

MAP OF PORTION OF AF#3181188

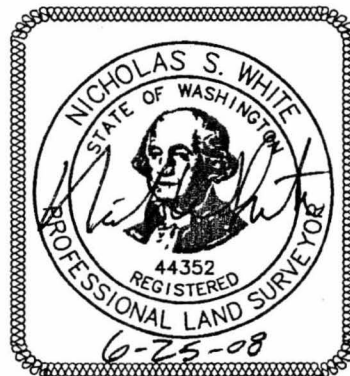
LOCATED IN THE SW 1/4 OF SECTION 32, T2N, R3E, W.M. CITY  
OF CAMAS, CLARK COUNTY, WASHINGTON



SCALE 1" = 300 FEET



BEARINGS BASED ON SURVEY BOOK 51,  
PAGE 100, CLARK COUNTY SURVEY RECORDS



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Fax: (503) 925-8969



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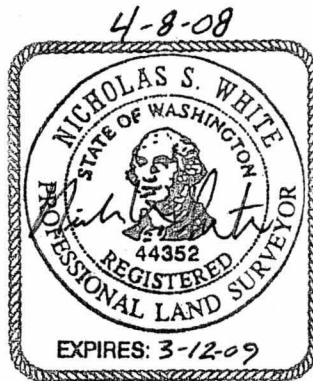
126 255-000

**EXHIBIT A**  
Legal Description

A part of the Tracts described in Auditor's File No. 3181188 located in Section 5, T. 5N, R. 12E, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 3065.08 feet to the True Point of Beginning; thence South 00°48'45" West 764.66 feet to a point; thence North 88°42'49" West 900.12 feet to a point on the easterly line of Exhibit C of the Eiford Tracts described in Auditor's File No. 3181188; thence along said line North 01°14'41" East 764.64 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 13935" on the north line of said section 5; thence along said north line South 88°42'49" East 894.35 feet to the True Point of Beginning.

The above described tract of land contains 15.75 acres, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



## CHICAGO TITLE INSURANCE COMPANY

## EXHIBIT 'A'

DESCRIPTION:

ORDER NO: K159040

**PARCEL NO. 126257-000:**

That portion of the "Eiford Properties LLC tract", as described under Clark County Auditor's File No. 3181188, Exhibit "D", located in the Northeast quarter and the Northwest quarter of Section 5, Township 1 North, Range 3 East, Willamette Meridian, Clark County, Washington, more particularly described as follows:

BEGINNING at a brass cap at the Northeast corner of Section 5, as shown in Book 58 of Surveys, page 131, Clark County Auditor's Records; thence North 88° 42' 55" West, along the North line of said Section 5, for a distance of 2835.08 feet to the Northwest corner of the "MAKI tract", as described under Clark County Auditor's File No. 3779583 and the TRUE POINT OF BEGINNING; thence South 0° 48' 05" West, along the West line of said "MAKI tract" and the West line of the "Donner tract", as described under Clark County Auditor's File No. 9103010003, for a distance of 450.00 feet to the Southwest corner of said "Donner tract"; thence South 88° 42' 55" East, along the South line of said "Donner tract", for a distance of 300.00 feet to the West line of the "Grass Valley Holdings LLC tract", as described under Clark County Auditor's File No. 4419078 and the Southeast corner of said "Donner tract"; thence South 0° 48' 05" West, along the West line of said "Grass Valley Holdings tract", for a distance of 255.00 feet to a 5/8 inch iron rod at the Southwest corner of said "Grass Valley Holdings LLC tract", as shown in Book 58 of Surveys, page 131; thence South 58° 39' 06" West, along the North line of Parcel No. 126246-000, for a distance of 1696.73 feet to a 1/2 iron rod at the Southeast corner of Lot 16 of "Awbrey Glen at Fisher's Landing", recorded under Book 311 of Plats, page 52, Clark County Auditor's Records and shown in Book 58 of Surveys, page 131; thence North 01° 14' 21" East, along the East line of said "Awbrey Glen at Fisher's Landing" (311-52) and the East line of Exhibit "C" of the "Eiford tract", as described under Clark County Auditor's File No. 3181188, for a distance of 855.29 feet; thence South 88° 42' 55" East, 900.07 feet; thence North 0° 48' 05" East, parallel with and 40.00 feet West of, when measured at right angles to the West of the "Batten tract", as described under Clark County Auditor's File No. 3761666 and the "APC Sunrise Summit LLC tract", as described under Clark County Auditor's File No. 4231425, for a distance of 764.69 feet to the North line of Section 5; thence South 88° 42' 55" East, along the North line of Section 5, for a distance of 40.00 feet to the Northwest corner of said "APC Sunrise Summit LLC tract"; thence South 00° 48' 05" West, along the West line of said "APC Sunrise Summit LLC tract" and the West line of said "Batten tract", for a distance of 450.00 feet to the Southwest corner thereof; thence South 88° 42' 55" East, for a distance of 150.00 feet to the Southeast corner of said "Batten tract"; thence North 0° 48' 05" East, along the East line of said "Batten tract" and the



East line of said "APC Sunrise Summit tract", for a distance of 450.00 feet to the North line of said Section 5; thence South  $88^{\circ} 42' 55''$  East, along the North line of said Section 5, for a distance of 40.00 feet to the TRUE POINT OF BEGINNING.

The basis of bearing is the North line of Section 5, as shown in Book 58 of Surveys, page 131, Clark County Auditor's Records.

**EXHIBIT C**

**Description of South Eiford Property**

**ENGINEERING      PLANNING  
FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE  
SURVEYING**

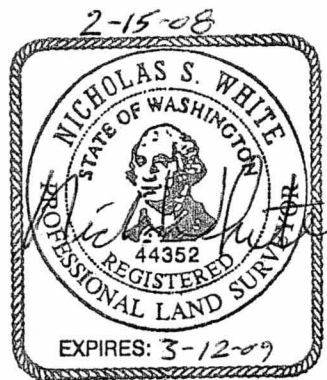
Offices Located In:  
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VANCOUVER, WASHINGTON  
[www.aks-eng.com](http://www.aks-eng.com)

**EXHIBIT A**  
Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 2485.17 feet to the True Point of Beginning; thence continuing along said west line South 00°48'45" West 610.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to a point; thence leaving said line North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 1086.16 feet to the True Point of Beginning.

The above described tract of land contains 15.24 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



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FORESTRY**

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Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



**LANDSCAPE ARCHITECTURE  
SURVEYING**

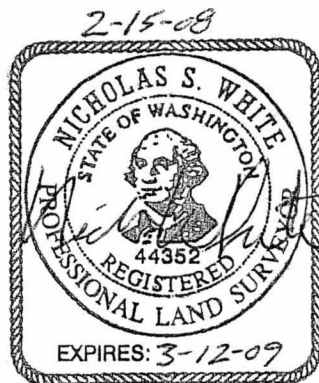
Offices Located In:  
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REDMOND, OREGON  
VANCOUVER, WASHINGTON  
[www.aks-eng.com](http://www.aks-eng.com)

**EXHIBIT A**  
Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 3095.17 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to the True Point of Beginning; thence continuing along said projection North 89°24'54" West 357.05 feet to a point on the northerly east line of Auditor's File No. 4018471 from which a 1-1/2 inch iron pipe bears South 89°24'54" East 9.32 feet; thence along said northerly east line and the east line of Tract 'A' of "Awbrey Glen at Fisher's Landing" North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 357.05 feet to a point; thence South 01°14'41" West 610.04 feet to the True Point of Beginning.

The above described tract of land contains 5.00 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT D**

**Description of Easement Area**

**ENGINEERING    PLANNING  
FORESTRY**

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Fax: (503) 925-8969



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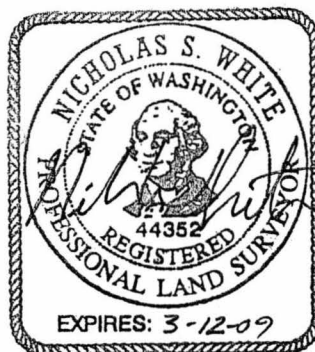
**EXHIBIT A**

**Legal Description of Easement**

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point from which a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" bears South 00°48'45" West 30.00 feet; thence along the west line of Auditor's File No. 4289774 South 00°48'45" West 705.02 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" at the southwest corner thereof; thence South 58°39'25" West 1673.09 feet to the True Point of Beginning; thence along a line parallel to and 20 feet easterly from the east line of Tract 'A' of "Awbrey Glen At Fisher's Landing" South 01°14'41" West 895.38 feet to a point; thence along a line parallel to and 610 feet northerly of the north line of the John Knight Donation Land Claim North 89°24'54" West 20.00 feet to the a point on the east line of the plat "Awbrey Glen At Fisher's Landing"; thence along the east line of said plat North 01°14'41" East 882.83 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the southeast corner of Lot 16 of "Awbrey Glen At Fisher's Landing"; thence North 58°39'25" East 23.74 to the True Point of Beginning.

The above described tract of land contains 17,782 square feet, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT E**

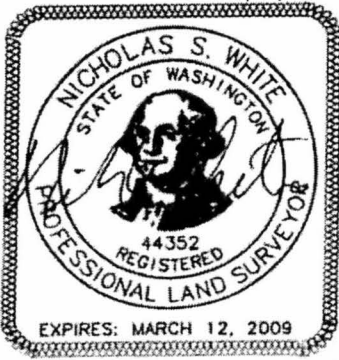
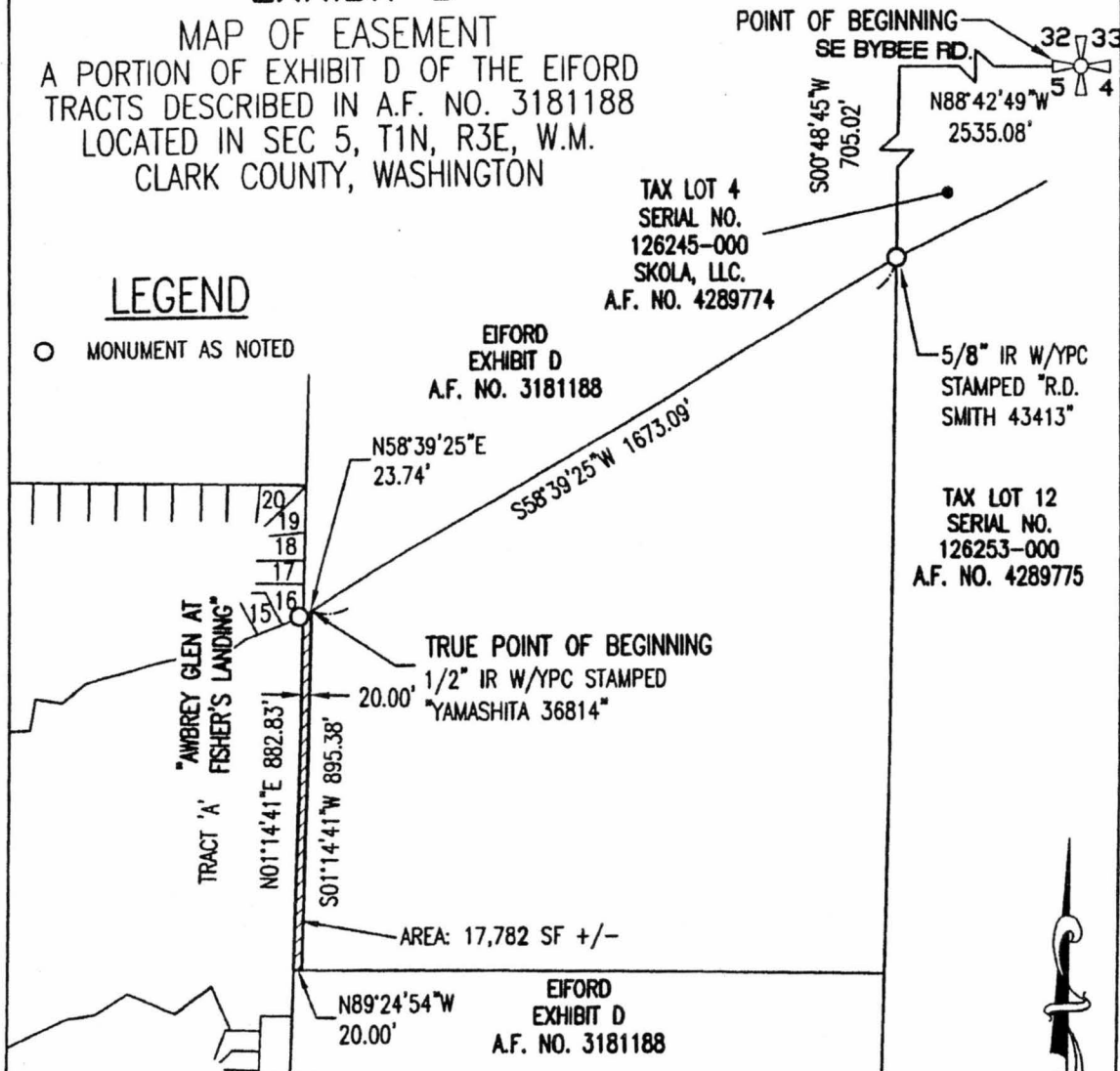
**Drawing of Easement Area**

# EXHIBIT B

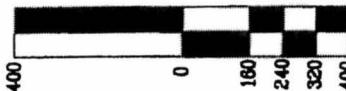
MAP OF EASEMENT  
A PORTION OF EXHIBIT D OF THE EIFORD  
TRACTS DESCRIBED IN A.F. NO. 3181188  
LOCATED IN SEC 5, T1N, R3E, W.M.  
CLARK COUNTY, WASHINGTON

## LEGEND

○ MONUMENT AS NOTED



SCALE 1" = 400 FEET



BASIS OF BEARINGS IS PER THE  
PLAT "AWBREY GLEN AT FISHER'S  
LANDING", BK 311 PG 53 CLARK  
COUNTY RECORDS.

JOB NAME:	EIFORD SEG.
JOB #:	1958
DRW BY:	JJB
CKD BY:	NSW
DWG #:	1958BLA-3

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PHONE: (360) 882-0419  
FAX: (360) 882-0426



9  
4517632 EAS

RecFee - \$115.00 Pages: 24 - CHICAGO TITLE INSURANCE  
Clark County, WA 12/19/2008 03:49

WHEN RECORDED RETURN TO:

Davis Wright Tremaine LLP  
Attn: Warren Koons  
777-108<sup>th</sup> Avenue NE, Suite 2300  
Bellevue, Wa 98004-5149

Real Estate Excise Tax  
Ch. 11 Rev. Laws 1951

Affd. # EXEMPT Date 12-19-08  
For details of tax paid see

Affd. # 8  
By Doug Lasher  
Clark County Treasurer  
Deputy

 **Chicago Title Insurance Company**

ORDER NO.:K159040BLM

**DOCUMENT TITLE(s)**

1. Access Easement over Additional Property

2.  
3.  
4.

**REFERENCE NUMBER(s) OF DOCUMENTS ASSIGNED OR RELEASED:**

☐ Additional reference numbers on page z \_\_\_\_\_ of document

1.  
2.  
3.

**GRANTOR(s): (last name, then first name and initials)**

1. Fisher Creek Campus LLC

2.  
3.

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

**GRANTEE(s): (last name, then first name and initials)**

1. Eiford Properties LLC

2.  
3.

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

**TRUSTEE:**

1.

**LEGAL DESCRIPTION (abbreviated: ie Lot, Block, Plat or Section, Township, Range)**

Fisher Property: #4 of Lot 5 Sub-Div Payne Estates in S5—T1N—R3E, WM

Eiford Property: ##2, 3, 5 and 6 of Lot 5 in S5—T1N—R3E, WM and #62 in S32—T2N—R3E, WM

☐ Additional legal description is on page \_\_\_\_\_ of document

**ASSESSOR'S PROPERTY TAX PARCEL ACCOUNT NUMBER(s):**

1. Fisher Property 126257-000

2. Eiford Property: 126256-000, 126258-000, 126043-000, 126255-000, 177489-000

3.

☐ Additional legal description is on page \_\_\_\_\_ of document

I am requesting an emergency non-standard recording for an additional fee as provided in RCW 36.18.010. I understand that the recording processing requirements may cover up or otherwise obscure some part of the text of the original document.

  
Signature of Requesting Party

**AFTER RECORDING RETURN TO:**

Davis Wright Tremaine LLP  
Attn: Warren Koons  
777 – 108<sup>th</sup> Ave. NE, Suite 2300  
Bellevue, WA 98004-5149

Name of Document:           ACCESS EASEMENT OVER ADDITIONAL PROPERTY  
  
Grantor:                   FISHER CREEK CAMPUS LLC  
  
Grantee:                   EIFORD PROPERTIES LLC

**Abbreviated Legal Description:**

Fisher Property: #4 of Lot 5 Sub-Div Payne Estates in S5--T1N--R3E, WM

Eiford Property: ## 2, 3, 5 and 6 of Lot 5 in S5 –T1N – R3E, WM and  
#62 in S32—T2N—R3E, WM

Full legal description of Fisher Property on attached Exhibit A

Full legal description of Eiford Property on attached Exhibits B and C

Assessor's Property Tax Parcel Account No. of Fisher Property: 126257-000

Assessor's Property Tax Parcel Account No. of Eiford Property: 126256-000, 126258-000, 126043-000,  
126255-000 and 177489-000

Related Documents: Not applicable

## ACCESS EASEMENT OVER ADDITIONAL PROPERTY

This Access Easement Over Additional Property (this "**Easement**") is executed as of December 19, 2008, by FISHER CREEK CAMPUS LLC, a Washington limited liability company ("**Fisher**") and EIFORD PROPERTIES LLC, a Washington limited liability company ("**Eiford**").

### Recitals

A. Concurrently with the execution of this Easement, Fisher is purchasing from Eiford and acquiring title to that certain real property located in Clark County, Washington, bearing Clark County Tax Parcel Account No. 126257-000, and legally described on Exhibit A attached hereto and incorporated herein by this reference ("**Fisher Property**").

B. Eiford is the fee owner of those certain parcels of real property located in Clark County, Washington, bearing Clark County Tax Parcel Account Nos. 126043-000, 177489-000, and 126255-000, and legally described on Exhibit B attached hereto and incorporated herein by this reference ("**North Eiford Property**").

C. Eiford is the fee owner of that certain real property located in Clark County, Washington, bearing Clark County Tax Parcel Account No. 126256-000 and 126258-000, and legally described on Exhibit C attached hereto and incorporated herein by this reference ("**South Eiford Property**"). The North Eiford Property and South Eiford Property are herein collectively called the "**Eiford Property**".

D. The Fisher Property lies adjacent to and east and south of the North Eiford Property and lies north of the South Eiford Property.

E. As a condition to the closing of the sale to Fisher of the Fisher Property, Fisher is required to execute, acknowledge and deliver this Easement for the benefit of the Eiford Property.

Fisher and Eiford hereby agree as follows:

1. Grant of Easement. Fisher hereby grants and conveys to Eiford, for the benefit of the Eiford Property, a twenty (20) foot wide non-exclusive vehicular access easement over, under and across that portion of the Fisher Property legally described on the attached Exhibit D (the "**Easement Area**"). A drawing of the Easement Area is attached hereto as Exhibit E. During the term of this Easement, Eiford shall have the right, at its sole cost and expense, to clear and grade the Easement Area and construct, maintain and repair a roadway thereon, provided that all such activities are conducted in a lien-free manner. Eiford shall exercise its rights under this Easement in a reasonable manner and in compliance with all applicable laws, regulations, permit requirements and ordinances. Eiford shall defend, indemnify and hold Fisher harmless from any injuries, claims, liens, and damages arising from Eiford's use of the Easement Area or occurring in connection with its exercise of its rights under this Easement.

2. Termination. This Easement shall automatically terminate at such time as (i) neither the North Eiford Property nor any legally subdivisible portion thereof is any longer owned by an Eiford Entity or Eiford Person or (ii) neither the South Eiford Property nor any legally subdivisible portion thereof is any longer owned by an Eiford Entity or Eiford Person or (iii) as a result of any transfer or transfers of any portion of the North Eiford Property or the South Eiford Property to a non-Eiford Person or non-Eiford Entity, the remaining portions of either the North Eiford Property or the South Eiford Property no longer have any access or right of access to the Easement Area. As used herein, (i) the term "Eiford Entity" means any entity that is at least 50% owned or controlled by one or more Eiford Person or Eiford Entity, and (ii) the term "Eiford Person" means a child, grandchild or other lineal descendant of Lloyd V. Eiford and Alice M. Eiford or any trust established for the benefit of any of them. If ownership of a parcel of Eiford Property is conveyed to an entity or person that is not an Eiford Entity or Eiford Person, such parcel shall thereupon cease to be benefited and/or burdened by this Easement.

3. Maintenance and Repair. Eiford shall be obligated, at its sole expense, to maintain and repair the Easement Area as reasonably required for Eiford's exercise of its easement rights thereto.

4. Recordation. This Easement shall be recorded in the real property records of Clark County, Washington.

5. Runs with Land; No Dedication. The benefits and burdens of this Easement are intended to attach to and run with the land and that the terms and conditions hereof are binding upon and inure to the benefit of the parties and their respective successors and assigns. Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Fisher Property to the general public or for any public purposes whatsoever.

6. Reservation of Rights. Fisher reserves to itself the right to use any and all of the Easement Area for all lawful uses not inconsistent with Eiford's rights under this Easement.

7. Miscellaneous. This Easement shall be construed and enforced in accordance with the laws of the State of Washington. In the event of a breach of any of the covenants or agreements set forth in this Easement, the injured party shall be entitled to any and all remedies available at law or in equity, including but not limited to the equitable remedies of specific performance or mandatory or prohibitory injunction issued by a court of competent jurisdiction. In any suit, action, or appeal therefrom to enforce any provision hereof or to interpret this Easement, the substantially prevailing party shall be entitled to recover its costs and expenses incurred therein, including reasonable attorneys' fees. This Easement may be executed and acknowledged in multiple counterparts, which together shall constitute one agreement, and a party may detach the original signature and acknowledgement pages from the other party's counterpart hereof and reattach them to the counterpart executed by such party in order to assemble them into one document for recording.

IN WITNESS WHEREOF, THIS ACCESS EASEMENT OVER ADDITIONAL PROPERTY has been made and signed by the parties hereto as of the date first above written.

EIFORD PROPERTIES LLC,  
a Washington limited liability company

By: \_\_\_\_\_  
Dwayne L. Eiford, President

FISHER CREEK CAMPUS LLC, a  
Washington limited liability company

By: KT 7/8  
Title: PRESIDENT

EXHIBITS:

- A - Description of Fisher Property
- B - Description of North Eiford Property
- C - Description of South Eiford Property
- D - Description of Easement Area
- E - Drawing of Easement Area

Acknowledgements attached

STATE OF WASHINGTON

)  
) SS.  
)

County of Clark

I certify that I know or have satisfactory evidence that Dwayne Eiford is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as President of Eiford Properties LLC, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

DATED: \_\_\_\_\_

\_\_\_\_\_  
Name (typed or printed): \_\_\_\_\_  
NOTARY PUBLIC in and for the State of Washington  
Residing at \_\_\_\_\_  
My appointment expires: \_\_\_\_\_

State of California )

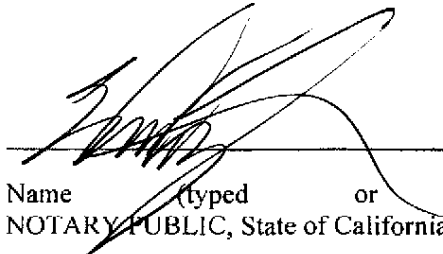
) SS.

County of San Mateo )

On Dec. 16, 2008, before me, the undersigned, a Notary Public, personally appeared Kenneth L. Fisher, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) as CEO & President, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

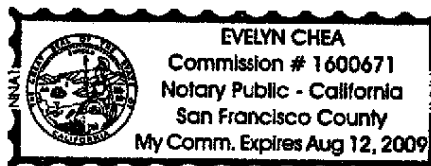
I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Name (typed or printed): \_\_\_\_\_  
NOTARY PUBLIC, State of California

DWT 4404569v10 0069965-000001

5



# CALIFORNIA ALL-PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of San Mateo

On Dec. 16, 2008 before me, Evelyn Chea, Notary Public  
(Please insert name and title of the officer)

personally appeared Kenneth L. Fisher, CEO President

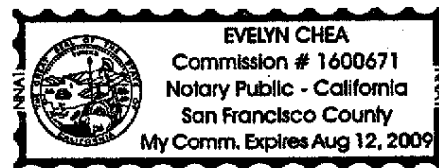
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

[Signature]  
Signature of Notary Public

(Notary Seal)



## ADDITIONAL OPTIONAL INFORMATION

### DESCRIPTION OF THE ATTACHED DOCUMENT

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages \_\_\_\_\_ Document Date \_\_\_\_\_

(Additional information)

### CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)  
☐ Corporate Officer

(Title)

- ☐ Partner(s)  
☐ Attorney-in-Fact  
☐ Trustee(s)  
☐ Other \_\_\_\_\_

### INSTRUCTIONS FOR COMPLETING THIS FORM

Any acknowledgment completed in California must contain verbiage exactly as appears above in the notary section or a separate acknowledgment form must be properly completed and attached to that document. The only exception is if a document is to be recorded outside of California. In such instances, any alternative acknowledgment verbiage as may be printed on such a document so long as the verbiage does not require the notary to do something that is illegal for a notary in California (i.e. certifying the authorized capacity of the signer). Please check the document carefully for proper notarial wording and attach this form if required.

- State and County information must be the State and County where the document signer(s) personally appeared before the notary public for acknowledgment.
- Date of notarization must be the date that the signer(s) personally appeared which must also be the same date the acknowledgment is completed.
- The notary public must print his or her name as it appears within his or her commission followed by a comma and then your title (notary public).
- Print the name(s) of document signer(s) who personally appear at the time of notarization.
- Indicate the correct singular or plural forms by crossing off incorrect forms (i.e. he/she/they- is /are ) or circling the correct forms. Failure to correctly indicate this information may lead to rejection of document recording.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different acknowledgment form.
- Signature of the notary public must match the signature on file with the office of the county clerk.
  - Additional information is not required but could help to ensure this acknowledgment is not misused or attached to a different document.
  - Indicate title or type of attached document, number of pages and date.
  - Indicate the capacity claimed by the signer. If the claimed capacity is a corporate officer, indicate the title (i.e. CEO, CFO, Secretary).
- Securely attach this document to the signed document

IN WITNESS WHEREOF, THIS ACCESS EASEMENT OVER ADDITIONAL PROPERTY has been made and signed by the parties hereto as of the date first above written.

EIFORD PROPERTIES LLC,  
a Washington limited liability company

By: Dwayne L. Eiford  
Dwayne L. Eiford, President

FISHER CREEK CAMPUS LLC, a  
Washington limited liability company

By: \_\_\_\_\_

Title: \_\_\_\_\_

EXHIBITS:

- A - Description of Fisher Property
- B - Description of North Eiford Property
- C - Description of South Eiford Property
- D - Description of Easement Area
- E - Drawing of Easement Area

Acknowledgements attached



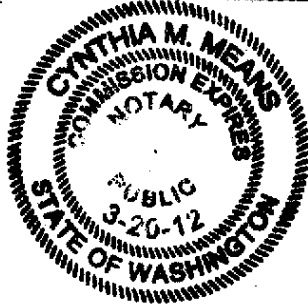
STATE OF WASHINGTON

County of Pierce

)  
) SS.  
)

I certify that I know or have satisfactory evidence that Dwayne Eiford is the person who appeared before me, and said person acknowledged that he signed this instrument, on oath stated that he was authorized to execute the instrument and acknowledged it as President of Eiford Properties LLC, to be the free and voluntary act of such limited liability company for the uses and purposes mentioned in the instrument.

DATED: December 17, 2008



Cynthia M. Means  
Name (typed or printed): Cynthia M. Means  
NOTARY PUBLIC in and for the State of Washington  
Residing at Tacoma, Wa.  
My appointment expires: 03/20/2012

State of California )

) SS.

County of San Mateo )

On \_\_\_\_\_, before me, the undersigned, a Notary Public, personally appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies) as \_\_\_\_\_, and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY of PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Name (typed or printed):  
NOTARY PUBLIC, State of California

**EXHIBIT A**

**Description of Fisher Property**

That certain real property located in the State of Washington, County of Clark, described as follows:

DWT 4404569v10 0069965-000001

CHICAGO TITLE INSURANCE COMPANY

EXHIBIT 'A'

DESCRIPTION:

ORDER NO: K159040

A portion of the "Eiford Properties, LLC" parcel described under Auditor's File No. 3182988, Exhibit "A", records of the Clark County Auditor, lying in Northeast quarter and the Northwest quarter of Section 5, Township 1 North, Range 3 East of the Willamette Meridian, City of Camas, Clark County Washington, described as follows:

Commencing at the Northeast corner of said Section 5;

THENCE North 88° 42' 51" West, along the North line of said Section 5, a distance of 2874.83 feet to the TRUE POINT OF BEGINNING, said point being the Northeast corner of the "Fisher Creek Campus, LLC" parcel as described under Auditor's File No. 4489529 D, records said Auditor;

THENCE South 88° 42' 51" East, along the North line of said Section 5, a distance of 39.95 feet to the Northwest corner of the "Maki" Parcel as described under Auditor's File No. 3779583, records of said Auditor;

THENCE South 00° 48' 09" West, along the West line of said "Maki" parcel, a distance of 300.00 feet to the Southwest corner thereof, said point also being a point on the North line of the "Doner" parcel as described under Auditor's File No. 9103010003, records of said Auditor;

THENCE North 88° 42' 51" West, along the North line of said "Doner" parcel, a distance of 0.18 feet to the Northwest corner thereof;

THENCE South 00° 48' 09" West, along the West line of said "Doner" parcel, a distance of 150.00 feet to the Southwest corner thereof;

THENCE South 88° 42' 51" East, along the South line of said "Doner" parcel, a distance of 300.00 feet to the Southeast corner thereof, said point also being a point on the West line of the "Fisher Creek Campus, LLC" parcel as described under Auditor's File No. 4469721 D, records of said Auditor;

THENCE South 00° 48' 09" West, along said West line, a distance of 255.00 feet to the Southwest corner thereof, said point also being the Northeast corner of the "Fisher Creek Campus, LLC" parcel as described under Auditor's File No. 4470106 D, records of said Auditor;

THENCE South 58° 39' 16" West, along the North line of said "Fisher Creek Campus, LLC" parcel as described under Auditor's File No. 4470106 D, a distance of 1696.72 feet to the Northwest corner thereof, said point being the Southeast corner of Lot 16 of "Awbrey Glen at Fisher's Landing", as shown in Book 311 of Plats, at Page 52, records of said Auditor;

THENCE North 01° 14' 27" East, along the East line of said "Awbrey Glen at Fisher's Landing" and the West line of the fractional Northeast quarter of the Northwest quarter of said Section 5, a distance of 855.24 feet;

THENCE South 88° 42' 51" East, a distance of 900.31 feet to a point 40.00 feet West of, when measured perpendicular to, the Southerly projection of the West line of said "Fisher Creek Campus, LLC" parcel as described under Auditor's File No. 4489529 D and the Southerly projection of the West line of the "Batten" parcel as described under Auditor's File No. 3761666, records of said Auditor;

THENCE North 00° 48' 09" East, parallel with and 40.00 feet West of, the West line of said "Batten" parcel and the West line of said "Fisher Creek Campus, LLC" parcel, a distance of 764.69 feet to the North line of said Section 5;

THENCE South 88° 42' 51" East, along said North line of Section 5, a distance of 40.00 feet to the Northwest corner of said "Fisher Creek Campus, LLC" parcel;

THENCE South 00° 48' 09" West, along the West line of said "Fisher Creek Campus, LLC" parcel and West line of said "Batten" parcel, a distance of 450.00 feet to the Southwest corner of said "Batten" parcel;

THENCE South 88° 42' 51" East, along the South line of said "Batten" parcel, a distance of 150.00 feet to the Southeast corner thereof;

THENCE North 00° 48' 09" East, along the East line of said "Batten" parcel and the East line of said "Fisher Creek Campus, LLC" parcel, a distance of 450.00 feet to the TRUE POINT OF BEGINNING.

**EXHIBIT B**

Description of North Eiford Property

DWT 4404569v10 0069965-000001

126043

ENGINEERING PLANNING  
FORESTRY  
13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
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## EXHIBIT B-1

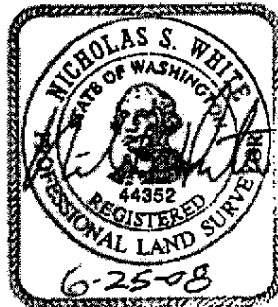
### Legal Description of a Portion of "Exhibit C" AF#3181188

A tract of land located in the Northwest One-Quarter of Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington, being more particularly described as follows:

Beginning at a 3 inch brass disk at the northwest corner of section 5; thence along the north line of said section South 88°42'49" East 697.30 feet to the east line of the tract described as "Easterly Parcel" per auditor's file number 4304611 and the **True Point of Beginning**; thence continuing along the north line of said section South 88°42'49" East 622.59 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 13935" on the east line of the property described as "Exhibit C" per auditor's file number 3181188; thence along the east line of said "Exhibit C" South 01°14'41" West 1295.73 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the northeast corner of the plat "Awbrey Glen at Fisher's Landing"; thence along the north boundary of said plat North 84°43'46" West 39.16 feet to a point; thence North 88°57'18" West 915.21 feet to a point on the east boundary of the tract described as "Easterly Parcel" per auditor's file number 4304611; thence along the east boundary of said "Easterly Parcel" North 42°58'19" East 11.75 feet to a point; thence North 60°33'17" East 20.58 feet to a point; thence North 44°47'35" East 48.92 feet to a point; thence North 43°12'08" East 45.08 feet to a point; thence North 48°10'01" East 50.92 feet to a point; thence North 48°06'10" East 43.98 feet to a point; thence North 48°31'46" East 25.99 feet to a point; thence North 50°45'09" East 51.57 feet to a point; thence North 07°12'28" East 72.69 feet to a point; thence North 36°58'21" West 36.05 feet to a point; thence North 56°40'36" West 19.64 feet to a point; thence North 06°44'30" West 3.98 feet to a point; thence North 01°48'13" West 53.86 feet to a point; thence North 07°19'14" East 51.46 feet to a point; thence North 10°12'41" East 29.08 feet to a point; thence North 22°46'08" East 16.28 feet to a point; thence North 17°48'38" East 47.95 feet to a point; thence North 29°18'00" East 47.55 feet to a point; thence North 57°15'48" East 60.88 feet to a point; thence North 38°10'32" East 52.36 feet to a point; thence North 45°13'42" East 51.44 feet to a point; thence North 05°28'36" West 50.45 feet to a point; thence North 05°46'00" East 47.10 feet to a point; thence North 04°56'47" West 49.99 feet to a point; thence North 07°01'29" West 50.71 feet to a point; thence North 07°33'18" West 53.32 feet to a point; thence North 19°42'01" West 23.52 feet to a point; thence North 29°34'01" West 51.19 feet to a point; thence North 20°56'47" West 27.81 feet to a point; thence North 17°36'25" West 22.56 feet to a point; thence North 10°14'37" West 45.53 feet to a point; thence North 07°12'44" West 49.35 feet to a point; thence North 02°26'22" East 47.75 feet to a point; thence North 19°24'29" East 11.12 feet to a point;

thence North 33°24'37" East 50.01 feet to a point; thence North 32°04'59" East 51.01 feet to a point; thence North 29°08'35" East 30.81 feet to the **True Point of Beginning**.

The above described tract of land contains 21.00 acres, more or less. The basis of bearings for the above described tract is Book 51 Page 100, Clark County Survey Records.



177489

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FORESTRY

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Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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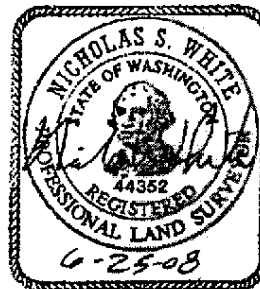
EXHIBIT B-2

Legal Description of a Portion of "Exhibit C" AF#3181188

A tract of land located in the Southwest One-Quarter of Section 32, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington, being more particularly described as follows:

Beginning at a 3 inch brass disk at the southwest corner of Section 32; thence along the south line of said section South 88°42'49" East 697.30 feet to the east line of the tract described as "Easterly Parcel" per auditor's file number 4304611 and the True Point of Beginning; thence along the east boundary of said "Easterly Parcel" North 29°08'35" East 20.63 feet to a point; thence North 31°10'00" East 52.27 feet to a point; thence North 30°50'14" East 45.42 feet to a point; thence North 30°39'57" East 48.25 feet to a point; thence North 38°13'25" East 60.33 feet to a point; thence North 29°41'49" East 171.18 feet to a point; thence North 30°34'25" East 52.97 feet to a point; thence North 28°58'46" East 49.31 feet to a point; thence North 32°49'08" East 49.62 feet to a point; thence North 31°02'45" East 53.01 feet to a point; thence North 30°57'31" East 52.02 feet to a point; thence North 30°21'33" East 50.67 feet to a point; thence North 31°47'48" East 101.42 feet to a point; thence North 31°23'36" East 49.24 feet to a point; thence North 32°12'03" East 49.77 feet to a point; thence North 31°12'53" East 50.00 feet to a point; thence North 30°22'46" East 53.63 feet to a point; thence North 31°28'56" East 51.79 feet to a point; thence North 30°27'36" East 98.05 feet to a point on the south right-of-way line of SE Bybee Road (30.00 feet from centerline); thence along said south right-of-way line South 72°02'02" East 37.15 feet to a 1/2 inch iron pipe at the northeast corner of the tract described as "Exhibit C" per auditor's file number 3181188; thence along the east line of said "Exhibit C" South 00°44'26" West 994.17 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 13935" on the south line of section 32; thence along the south line of said section North 88°42'49" West 622.59 feet to the True Point of Beginning.

The above described tract of land contains 7.56 acres, more or less. The basis of bearings for the above described tract is Book 51 Page 100, Clark County Survey Records.





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FORESTRY

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Sherwood, Oregon 97140  
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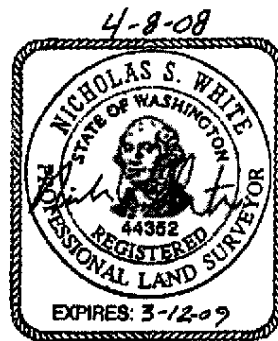
EXHIBIT B-3

Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 3065.08 feet to the True Point of Beginning; thence South 00°48'45" West 764.66 feet to a point; thence North 88°42'49" West 900.12 feet to a point on the easterly line of Exhibit C of the Eiford Tracts described in Auditor's File No. 3181188; thence along said line North 01°14'41" East 764.64 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "PLS 13935" on the north line of said section 5; thence along said north line South 88°42'49" East 894.35 feet to the True Point of Beginning.

The above described tract of land contains 15.75 acres, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT C**

**Description of South Eiford Property**

DWT 4404569v10 0069965-000001

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Phone: (503) 925-8799  
Fax: (503) 925-8969



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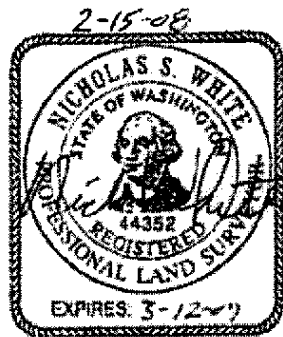
EXHIBIT C-1

Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road, thence along the north line of said section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 2485.17 feet to the True Point of Beginning; thence continuing along said west line South 00°48'45" West 610.00 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to a point; thence leaving said line North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 1086.16 feet to the True Point of Beginning.

The above described tract of land contains 15.24 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



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Sherwood, Oregon 97140  
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Fax: (503) 925-8969



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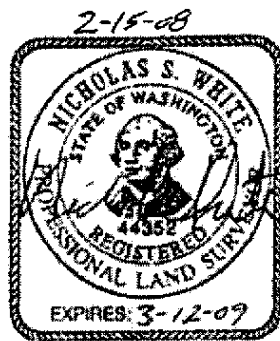
## EXHIBIT C-2

### Legal Description

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 Located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of section 5 in the centerline of SE Bybee Road, thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 and Auditor's File No. 4289775 South 00°48'45" West 3095.17 feet to a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413" on the north line of the Joel Knight Donation Land Claim; thence along said north line and the westerly projection thereof North 89°24'54" West 1090.76 feet to the True Point of Beginning; thence continuing along said projection North 89°24'54" West 357.05 feet to a point on the northerly east line of Auditor's File No. 4018471 from which a 1-1/2 inch iron pipe bears South 89°24'54" East 9.32 feet; thence along said northerly east line and the east line of Tract 'A' of "Awbrey Glen at Fisher's Landing" North 01°14'41" East 610.04 feet to a point; thence along a line parallel to and 610 feet northerly of the Joel Knight Donation Land Claim South 89°24'54" East 357.05 feet to a point; thence South 01°14'41" West 610.04 feet to the True Point of Beginning.

The above described tract of land contains 5.00 acres, more or less. The basis of bearings is per the plat "Awbre Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT D**

**Description of Easement Area**

DWT 4404569v10 0069965-000001

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FORESTRY**

13910 S.W. Galbreath Dr., Suite 100  
Sherwood, Oregon 97140  
Phone: (503) 925-8799  
Fax: (503) 925-8969



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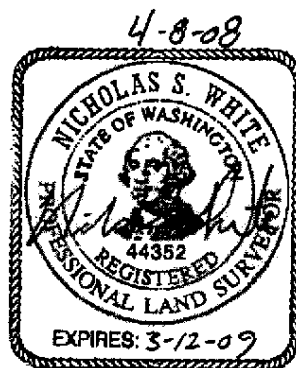
**EXHIBIT D**

**Legal Description of Easement**

A portion of Exhibit D of the Eiford Tracts described in Auditor's File No. 3181188 located in Section 5, Township 1 North, Range 3 East, Willamette Meridian, City of Camas, Clark County, Washington and being more particularly described as follows:

Beginning at the northeast corner of Section 5 in the centerline of SE Bybee Road, thence along the north line of said Section 5 North 88°42'49" West 2535.08 feet to a point; thence along the west line of Auditor's File No. 4289774 South 00°48'45" West 705.02 feet a 5/8 inch iron rod with a yellow plastic cap stamped "R.D. SMITH 43413"; thence South 58°39'25" West 1696.82 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" at the southeast corner of Lot 16 of "Awbrey Glen At Fisher's Landing" and the True Point of Beginning; thence along the east line of said plat and the east line of Exhibit C of the Eiford Tracts described in Auditor's File No. 3181188 North 01°14'41" East 357.08 feet to a point from which a 1/2 inch iron rod with a yellow plastic cap stamped "YAMASHITA 36814" bears South 01°14'41" West 32.79 feet; thence leaving said line South 88°45'19" East 20.00 feet to a point; thence along a line parallel to and 20 feet easterly from the east line of Exhibit C of the Eiford Tracts described in Auditor's File No. 3181188 and "Awbrey Glen At Fisher's Landing" South 01°14'41" West 344.30 feet to a point; thence South 58°39'25" West 23.74 feet to the True Point of Beginning.

The above described tract of land contains 7,014 square feet, more or less. The basis of bearings is per the plat "Awbrey Glen at Fisher's Landing" recorded under Book 311 Page 53, Clark County Records.



**EXHIBIT E**

Drawing of Easement Area

DWT 4404569v10 0069963-000001

# EXHIBIT E

## MAP OF EASEMENT A PORTION OF EXHIBIT D OF THE EIFORD TRACTS DESCRIBED IN A.F. NO. 3181188 LOCATED IN SEC 5, T1N, R3E, W.M., CITY OF CAMAS, CLARK COUNTY, WASHINGTON

TAX LOT 6  
SERIAL NO. 126043-000  
EIFORD  
EXHIBIT C  
A.F. NO. 3181188

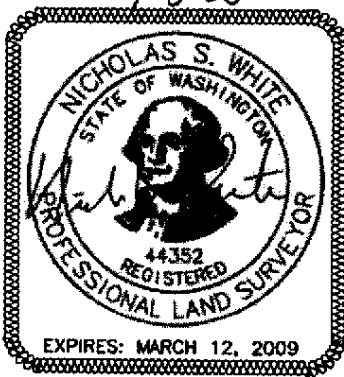
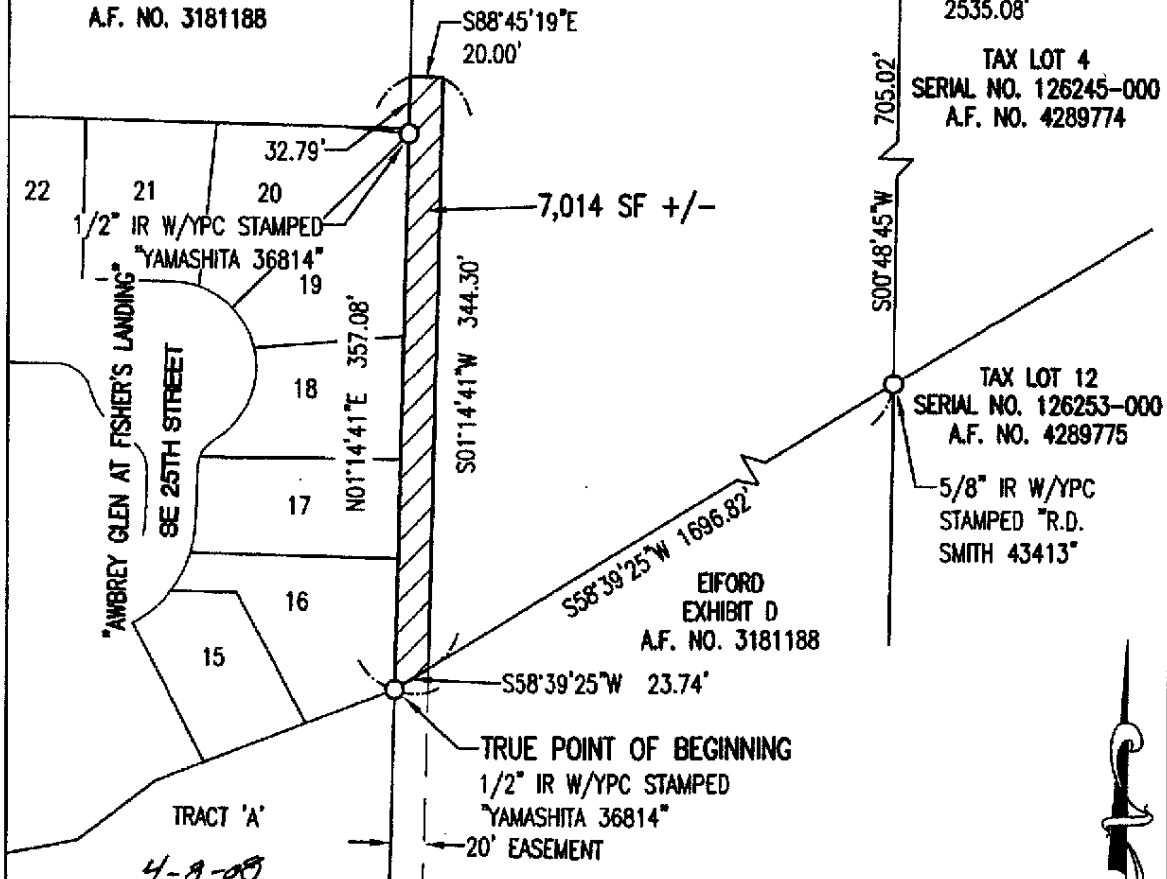
### LEGEND

○ MONUMENT AS NOTED

POINT OF BEGINNING  
SE BYBEE RD.

N88°42'49"W  
2535.08'

TAX LOT 4  
SERIAL NO. 126245-000  
A.F. NO. 4289774



SCALE 1" = 100 FEET



BASIS OF BEARINGS IS PER THE PLAT "AMBREY GLEN AT FISHER'S LANDING", BK 311 PG 53 CLARK COUNTY RECORDS.

JOB NAME:	EIFORD SEG.
JOB #:	1958
DRW BY:	JJB
CKD BY:	NSW
DWG #:	1958BLA-7

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