

FORM APPROVED
G. P.
OFF. OF THE
R.R.

CONTRACT made this fourteenth day of October, A.D. 1915, by and between the NORTHERN PACIFIC RAILWAY COMPANY, a Wisconsin corporation, hereinafter for convenience called "Company", and the STATE OF WASHINGTON, hereinafter called "State".

In consideration of the mutual dependent promises stated in this contract the parties agree that,

WHEREAS, the Company holds a granted right of way under Act of Congress of July the second, A.D. 1864, four hundred feet in width over and across sections 12 and 13, in township 20 north of range 13 east and over and across sections 18, 19, 20, 21, 22, 27, 26, 25 and 36 in township 20 north of range 14 east, all of the Willamette Meridian, in the County of Kittitas and State of Washington, said right of way being two hundred feet wide on each side of the center line of the main track of the Company, and

APPROVED as to description
M.

WHEREAS, the State is desirous of establishing a public road to be known as the "Sunset Highway" along the northerly sixty feet of said right of way, and

WHEREAS, the Company is willing to grant the State the use of certain portions of its right of way, hereinafter described, for road purposes, upon the conditions hereinafter stated:

NOW THEREFORE, the Company hereby, within its legal right so to do, GRANTS to the State, for the purposes herein mentioned and for no other purpose whatsoever, an easement on, over and along that certain strip of land sixty feet in width lying between the red lines indicated on the blueprint plat attached hereto and made a part hereof extending approximately from the west line of section 12 in township 20 north of range 13 east of the Willamette Meridian easterly and southeasterly across the above mentioned sections to the north and south center line of section 36 in township 20 north of range 14 east of the Willamette Meridian, said strip of land being the northerly sixty feet of the four hundred foot right of way of the Company above referred to, except as indicated

in the southwest quarter of section 18 and in the northwest quarter of section 19, all in township 20 north of range 14 east of the Willamette Meridian, where the center line of the sixty foot strip approaches the center line of the main track of the Company to within one hundred feet at a point immediately south of the section line common to said sections 18 and 19, from which point the State is given the opportunity of making reasonable curves to connect with the ends of the offset. The Company also, within its legal right so to do, GRANTS to the State of Washington a temporary permit to occupy with a road the strip of land situated between the yellow lines indicated on the blueprint plat above referred to in the southeast quarter of section 26, in the southwest quarter of section 25 and in the northwest quarter of section 36, all in township 20 north of range 14 east of the Willamette Meridian, until such time as the Company needs all or some portion of said last named strip of land for railroad purposes and the State agrees that whenever the Company is in need of all or of some portion of said last named strip of land for railroad purposes it will upon written notice from the Company within ninety days at its own cost and expense remove said highway therefrom and promptly surrender possession to the Company of so much of said strip as the Company requires, and

THIS AGREEMENT FURTHER WITNESSETH, that the State agrees at its own cost and expense to move the existing right of way fence of the Company on the northerly side of its main track to the southerly line of the proposed highway and to construct a fence for the balance of the distance so as to make a continuous fence from the place where the proposed highway enters the right of way of the Company at Easton to the place where it leaves said right of way between stations Nelson and Baker as above described. The State also agrees to pay any expense that the Company may be put to on account of the moving of its telegraph and telephone lines and on account of any other work incident to the occupancy of its right

of way with the public highway above referred to.

TO HAVE AND TO HOLD unto the State, subject to that certain easement which was heretofore and on the 7th day of January, A.D. 1899 granted to the County of Kittitas, a municipal corporation of the State of Washington, so long as said strip of land shall be used for a public thoroughfare for pedestrians, bicycles and wagons, upon the express condition that the entire expense of the construction and maintenance of said highway shall be borne by the State.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals in duplicate originals on the day and year first above written.

(2)

NORTHERN PACIFIC RAILWAY COMPANY,

J. M. Hammond
President

Attest: *R. H. Peelf*
Assistant Secretary

STATE OF WASHINGTON,

Wm. P. Roy
State Highway Commissioner.

Attest: _____
Secretary of State

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY.)

On this *3rd* day of *December* A.D. 1915, before me personally appeared *JULIE E. HARRINGTON* and *R. H. PEELF*, to me known to be the President and Assistant Secretary respectively, of the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

B. K. Lloyd
Notary Public, Ramsey County, Minnesota
My commission expires Oct. 27, 1922.

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RECORDED
COMPARED

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Northam Pacific Ry Co 4

to

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State of Washington

FEB 23 1916

State of Washington
 County of King
 I hereby certify that the within
 and the same is a true and
 correct copy of the original
 of North Pacific Ry Co
 on the 14th day of July
1916 at 8 o'clock
 of the day and
 thereof is remaining on book 30
 of Deeds
304
W. H. Moore
 County Clerk
 to
 King
 When taken and given to
 before above
 at Olympia
 P. S. R. # 100
 Chas. E. Egan - Esq.