

92407

BONNEVILLE LOCK AND DAM SECOND POWERHOUSE PROJECT

QUITCLAIM DEED

UNITED STATES OF AMERICA

TO

BURLINGTON NORTHERN INC.

THIS INDENTURE, made and entered into this 31ST day of OCTOBER, 1980, by and between the UNITED STATES OF AMERICA, acting by and through its Secretary of the Army and Burlington Northern Inc., a corporation organized and existing under the laws of the State of Delaware,

WITNESSETH:

WHEREAS, the United States of America has, under authority of Public Law 75-329 (50 Stat. 731) approved 20 August 1937 (16 U.S.C. 832), undertaken the development of a hydroelectric project known as Bonneville Lock and Dam Second Powerhouse on the Columbia River in Washington and Oregon; and under authority of Public Law 93-251, Section 83, undertaken the relocation of the City of North Bonneville, Washington which necessitated abandonment of portions of the right-of-way and the relocation and reconstruction of Burlington's tracks and facilities; and

WHEREAS, the United States of America and Burlington Northern, Inc. and its former lessor, Spokane, Portland and Seattle Railway Co. entered into Contract No. DACW57-76-C-0240 dated 2 July 1976 and modifications 1 through 3 thereto, and modification 4 thereto made between the United States of America and Burlington Northern Inc., defining the rights and obligations of the parties relating to said abandonment, relocation and reconstruction; and

WHEREAS, Burlington Northern Inc. has succeeded to all rights of Spokane, Portland and Seattle Railway Co.; and

WHEREAS, under Article 2 K(1) of said contract, the United States of America is now obligated to convey to the Burlington Northern Inc. by quitclaim deed all real property necessary for the construction, maintenance, and operation of said relocated facilities and appurtenances thereto, including all of the real property within the right-of-way and property line shown on the plans referred to in Article 1 of said contract; and

WHEREAS, said railroad tracks and facilities have been relocated in accordance with the provisions of said contract;

NOW, THEREFORE, the United States of America, acting by and through its Secretary of the Army, pursuant to the authority in him vested by the provisions of Section 2 of the Act of Congress approved 20 June 1938 (52 Stat. 804; 33 U.S.C. 558b) as amended by the Act of Congress approved 11 August 1939 (53 Stat. 1414; 33 U.S.C. 558b-1) does by these presents remise, release, and forever quitclaim and convey unto said Burlington Northern Inc., its successors and assigns, all of the grantor's title rights, and interest in and to:

First - The land in Skamania County, Washington described in Exhibit "A", consisting of 2 pages, attached hereto and by this reference made a part hereof.

Second - All permanent railroad facilities of whatever kind or nature constructed on or appurtenant to the land described in said Exhibit "A".

SUBJECT TO the following:

Patent reservations, Indian Treaty rights, existing easements for public roads and highways, public utilities and pipelines.

EXCEPTING AND RESERVING, however, unto the United States of America, all rights heretofore granted by existing written agreements made and entered into between the Spokane Portland and Seattle Railway Company, and its successor

Transaction in conformity with County subdivision ordinances.
Skamania County Assessor - By: J.C.

in interest Burlington Northern Inc., and the United States of America, Department of Energy (formerly Department of the Interior), acting through the Bonneville Power Administrator for the construction, operation and maintenance of electric lines and such other wires, lines and circuits as may be necessary or convenient for the efficient operation and maintenance of said electric lines with the necessary poles or towers, crossarms, wires, guys, footings or other fixtures appurtenant thereto across the right-of-way described in Exhibit "A", and that all terms and conditions contained in said written agreements shall remain in full force and effect.

TO HAVE AND TO HOLD the above described and conveyed property, together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, unto said Burlington Northern Inc., its successors and assigns, forever.

This instrument is given pursuant to and in partial performance of the obligation of the United States under said Contract No. DACW57-76-C-0240 dated 2 July 1976, as modified by Modifications 1 through 4, to convey to the grantee the real property described in this instrument. No monetary consideration is being paid for this deed, the consideration being other lands to be conveyed.

IN WITNESS WHEREOF, THE UNITED STATES OF AMERICA has caused these presents to be executed in its name by Clifford L. Alexander, Jr. Secretary of the Army, and the seal of the Department of the Army to be affixed hereto this 31ST day of OCTOBER 1980.

UNITED STATES OF AMERICA

Clifford L. Alexander, Jr.
Secretary of the Army

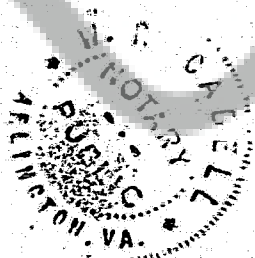
COMMONWEALTH OF VIRGINIA)

COUNTY OF ARLINGTON)

BEFORE ME, a Notary Public in and for the Commonwealth of Virginia, County of Arlington, personally appeared Clifford L. Alexander, Jr., to me known to be the identical person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the said instrument in the capacity therein stated for the purposes therein expressed as the act and deed of the United States of America.

GIVEN UNDER MY HAND AND SEAL, this 31ST day of October, 1980.

Lee R. Gray
Notary Public in and for
County of Arlington
Commonwealth of Virginia



My Commission Expires 28 Feb 1983



No. 8172
TRANSACTION EXCISE TAX
MAY 6 1981
Amount Paid Empty
By Stamania County Treasurer
By Beverly J. Phillips Dep.

EXHIBIT A

(RELOCATED) BURLINGTON NORTHERN RAILROAD

Between Station 1944+02.80 and Station 2037+36.83

of

A strip of land variable width lying on each side of the centerline of the Burlington Northern Railroad lying over and across Sections 19, 20 and 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, said centerline and strip being more particularly described as follows:

BEGINNING at a point on the West line of the S. M. Hamilton Donation Land Claim No. 40, which point lies North $20^{\circ}08'27''$ West 1,537.30 feet from the intersection of said West line of the Hamilton D.L.C., and the South line of said Section 19, said point being centerline Station 1944+02.80;

thence North $86^{\circ}23'43''$ East 1,999.72 feet to Equation Station BN 1964+02.52 BK= 1964+44.59 T.S. Ah;

thence Northeasterly along an increasing spiral curve to the left 390.00 feet, through a delta angle of $04^{\circ}52'30''$ to Station 1968+34.59 S.C.;

thence Northeasterly 139.63 feet along a $02^{\circ}30'00''$ curve to the left, having a radius of 2,292.01 feet, to Station 1969+74.22 C.S.;

thence Northeasterly along a decreasing spiral curve to the left 390.00 feet through a delta angle of $04^{\circ}52'30''$ to Station 1973+64.22 S.T.;

thence North $73^{\circ}07'01''$ East 519.40 feet to Station 1978+83.62 T.S.;

thence Northeasterly along an increasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 1980+23.62 S.C.;

thence Northeasterly 344.44 feet along a $01^{\circ}00'00''$ curve to the left, having a radius of 5,729.65 feet, to Station 1983+68.06 C.S.;

thence Northeasterly along a decreasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 1985+08.06 S.T.;

thence North $68^{\circ}16'21''$ East 2,046.03 feet to Station 2005+54.09 T.S.;

thence Northeasterly along an increasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 2006+94.09 S.C.;

thence Northeasterly 465.23 feet along a $01^{\circ}00'00''$ curve to the left, having a radius of 5,729.65 feet to Station 2011+59.32 C.S.;

thence Northeasterly along a decreasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 2012+99.32 S.T. BK= 2012+99.79 Ah;

thence North $62^{\circ}13'13''$ East 864.58 feet to Station 2021+64.37 T.S.;

thence Northeasterly along an increasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 2023+04.37 S.C.;

thence Northeasterly 216.17 feet along a $01^{\circ}00'00''$ curve to the left, having a radius of 5,729.65 feet, to Station 2025+20.54 C.S.;

thence Northeasterly along a decreasing spiral curve to the left 140.00 feet, through a delta angle of $00^{\circ}42'00''$ to Station 2026+60.54 S.T.;

thence North 58°39'31" East 1,076.29 feet to Station 2037+36.83, said Station being the point of terminus of this description.

The width (in feet) when measured at right angles, and/or radially from the above-described centerline is as follows:

| STATION | TO | STATION | WIDTH NORTHERLY OF CENTERLINE | WIDTH SOUTHERLY OF CENTERLINE |
|------------|----|---------------------|------------------------------------|----------------------------------|
| 1944+02.80 | | 1953+20.22 | 73.00 | 77.00 |
| 1953+20.22 | | 1954+20.00 | 73.00 | To North R/W of Rel S.R. 14 |
| 1954+20.00 | | 1967+50.00 | To South R/W of Evergreen Drive | 50.00 |
| 1967+50.00 | | 1984+30.00 | 50.00 | 50.00 |
| 1984+30.00 | | 1987+30.00 | 100.00 | 100.00 |
| 1987+30.00 | | 2000+70.00 | 50.00 | 50.00 |
| 2000+70.00 | | 2002+00.00 | 75.00 | 50.00 |
| 2002+00.00 | | 2012+29.18 | 75.00 | 75.00 |
| 2012+29.18 | | 2013+14.52 | 73.00 | 75.00 |
| 2013+14.52 | | 2013+10.13 Reversed | 73.00 to 53.67 | 75.00 |
| 2013+10.13 | | 2014+93.50 | 53.67 to 31.25 | 75.00 |
| 2014+93.50 | | 2015+02.25 | 31.25 to 73.00 | 75.00 |
| 2015+02.25 | | 2019+22.74 | 73.00 | 75.00 |
| 2019+22.74 | | 2021+64.37 | 80.00 | 75.00 |
| 2021+64.37 | | 2031+50.00 | 50.00 | 75.00 |
| 2031+50.00 | | 2037+36.83 | 120.00 | 75.00 |

The said northerly and southerly right-of-way lines are lengthened or shortened to begin at the west line of the said Hamilton D.L.C.

The strip of land above-described contains 28.45 acres, more or less.

92407

STATE OF WASHINGTON)
COUNTY OF SKAMAWA) SS.
I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING FILED BY

Burlington Northern
OF Seattle WA

AT 4.00 M 5-6 1981

WAS RECORDED IN BOOK 79

OF Reed AT PAGE 674

RECORDING OF SKAMAWA COUNTY, WASH.

Jail Messenger
COUNTY AUDITOR

E. M. M. M. DEPUTY

Registered E
Indexed, Dir. E
Indirect E
Recorded X
Mailed E