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BPA COPY

Tract No. Ha-U-686K  
Ha-U-686, Released

EASEMENT AND RELEASE  
TRANSMISSION LINE

THIS AGREEMENT, made this 1<sup>st</sup> day of November, 1984, between J. RUSSELL SHERMAN AND HORACE STEELE the Grantor, whether one or more, and the UNITED STATES OF AMERICA, Department of Energy, Bonneville Power Administration, pursuant to the Bonneville Project Act of August 20, 1937, Ch. 720, 50 Stat. 731, as amended, 16 U.S.C. 832 i (1970), the Federal Columbia River Transmission System Act of October 18, 1974, P.L. 93-454, 88 Stat. 1376, 16 U.S.C. 838 (Supp IV); the Department of Energy Organization Act of August 4, 1977, P.L. 95-91; and the Pacific Northwest Electric Power Planning and Conservation Act of December 5, 1980, P.L. 96-501,

WITNESSETH:

That the parties hereto covenant and agree as follows:

The Grantor, for and in consideration of the release of transmission line easement and the provisions contained in this agreement, hereby grants and conveys to the United States of America a perpetual easement and right-of-way for electric power transmission purposes in, upon, over, and under the following-described land, to-wit:

Ha-U-686K - A right-of-way 150 feet wide over and across the following described tract of land:

The S $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  and the S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 10, Township 2 North, Range 7 East, Willamette meridian, Skamania County, Washington, except that portion within the 100-foot right-of-way of the Bonneville Power Administration Stevenson Tap to Bonneville-Alcoa No. 1 and 2 transmission line.

The boundaries of the 150-foot right-of-way are located 75 feet on each side of and parallel with the survey line of the Bonneville Power Administration Manford-Ostrander No. 1 transmission line. The survey line is described, with reference to the Washington Coordinate System-South Zone, as follows:

NO. \_\_\_\_\_  
TRANSACTION EXCISE TAX  
JAN 1 1985  
ADAMS: Pao  
By Skamania County Treasurer  
By James R. Smith

Beginning in the west line of Section 10 at survey station 149+30.1 which is South 0° 54' 30" West, 443.3 feet from the west quarter corner of Section 10. This corner is evidenced by a stake in a rock mound. Thence North 36° 26' 00" East 2594.9 feet to station 175+25.0. Thence North 29° 27' 50" East, 1238.0 feet to a BPA monument in the SE $\frac{1}{4}$ SW $\frac{1}{4}$  of Section 3, said Township and Range, at station 187+63.0 which is North 72° 58' 30" West, 738.3 feet from the south quarter corner of Section 3. This corner is evidenced by an iron post.

The location of the 100-foot right-of-way is described as Tract ST-11 in that certain easement deed dated July 26, 1963, and recorded August 14, 1963, in Book 51, Page 481, Records of Skamania County, Washington.

The grant shall include the right to enter and to locate, construct, operate, maintain, repair, rebuild, upgrade, remove, and patrol one line of poles or structures and appurtenances thereto, supporting conductors of one or more electric circuits of any voltage, together with the present and future right to clear the right-of-way and to keep the same clear of all structures, trees, brush, vegetation, and fire hazards, provided, however, that vegetation and fire hazards shall not include agricultural crops. All such trees, brush, vegetation, structures and fire hazards presently on the right-of-way shall become the property of the United States on the date of acceptance hereof, and may be disposed of by the United States in any manner it deems suitable. Title to trees and merchantable timber hereafter growing within the right-of-way shall be and remain in the United States.

Notice of acceptance of this instrument by the United States shall be given to the Grantor at Grantor's last known address within six months from date of last notarized Grantor's signature, or this offer shall be void. Upon the issuance of such notice, the United States shall have the right to immediately exercise the rights granted herein.

The rights granted herein are subject to easements of record and mineral rights of third parties.

In addition to the consideration recited herein, the United States shall repair or make compensation for damage to agricultural crops, fences, and irrigation and drainage systems within the easement area that occurs as a result of and during construction, reconstruction, removal, or maintenance activities. Payment for such damage shall be made on the basis of a damage estimate approved by the United States.

The Grantor agrees to satisfy of record such encumbrances, including taxes and assessments, as may be required by the United States and to obtain such curative evidence of title as may be requested by the United States.

The survey line for the Hanford-Ostrander No. 1 transmission line is described as follows:

Beginning in the  $SE\frac{1}{4}SW\frac{1}{4}$  of Section 3, said Township and Range, at survey station 187+63.5 which is North  $72^{\circ} 58' 30''$  West, 738.3 feet from the south quarter corner of Section 3. This corner is evidenced by an iron post. Thence South  $36^{\circ} 25' 30''$  West, 1004.0 feet to station 177+59.5 back = 17+59.5 ahead. Thence South  $32^{\circ} 02' 10''$  East, 943.0 feet to station 8+16.5 back = 174.35.5 ahead. Thence South  $40^{\circ} 20' 20''$  West, 1234.5 feet to station 162+01.0. Thence South  $40^{\circ} 41' 20''$  West, 1580.1 feet to station 146+20.9 back = 985+82.1 ahead. Thence South  $16^{\circ} 42' 00''$  East, 1787.3 feet to station 1003+69.4 in the south line of Section 10 which is South  $88^{\circ} 39' 40''$  East, 776.1 feet from the southwest corner of Section 10. This corner is evidenced by an iron post.

The bearings of the survey line refer to the Washington Coordinate System-South Zone. The survey is shown on BPA Mile Maps 150449 DTM-D, revision 1, and 150450 DTM-D.

The rights herein released are no longer required for electric power transmission purposes, and are released pursuant to the Acts of August 20, 1937, (50 Stat. 732q, 16 U.S.C. 832 a) as amended and June 30, 1949, (63 Stat. 385, 40 U.S.C. 484) as amended, and regulations and delegations of authority issued pursuant thereto.

Accepted for the  
UNITED STATES OF AMERICA 12-17-84  
Date  
By [Signature]  
Title Chief, Acquisition Section

Witness

[Signature]  
Grantor  
[Signature]  
Grantor  
[Signature]  
Grantor  
[Signature]  
Grantor

Tract No. Ha-O-686R

(WP-EVLO-2102q)

nil



**MULTIPLE ACKNOWLEDGMENT**

Washington, Oregon, Idaho, and Montana

State of Arizona )  
 County of Mari cop a ) ss.

On this 39 day of August, in the year of 1984, before me personally appeared Harace Steele known to me to be the individual and person who executed and whose name is subscribed to the within instrument, and acknowledged to me that he signed and executed the same as free free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal on the day written above.

Maudie E. Mueller  
 Notary Public in and for the  
 State of Arizona  
 Residing at Phoenix Arizona  
 My commission expires 7-6-85

(SEAL)

State of Arizona )  
 County of Mari cop a ) ss.

On this 5 day of November, in the year of 1984, before me personally appeared Edith Steele known to me to be the individual and person who executed and whose name is subscribed to the within instrument, and acknowledged to me that she signed and executed the same as free free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal on the day written above.

Dancy Slusha  
 Notary Public in and for the County of Maricopa  
 State of Arizona  
 Residing at 6712 N. 16th Pl.  
 My commission expires 7-27-85

(SEAL)

BPA 177 JUNE 1983

**GENERAL ACKNOWLEDGMENT**

NO 201

State of California )  
 County of Los Angeles ) ss.

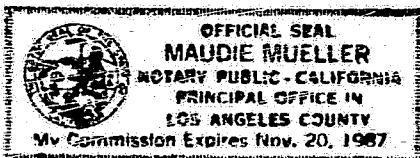
On this the 27th day of August, 19 84, before me,

Maudie Mueller

the undersigned Notary Public, personally appeared

J. Russell Sherman

☒ personally known to me  
 proved to me on the basis of satisfactory evidence  
 to be the person(s) whose name(s) is subscribed to the  
 within instrument, and acknowledged that he executed it.  
 WITNESS my hand and official seal.



Maudie Mueller  
 Notary's Signature

The United States shall pay all costs incidental to the preparation and recordation of this instrument and for the procurement of title evidence.

The Grantor covenants to and with the United States that the Grantor is lawfully seized and possessed of the land aforesaid, with a good and lawful right and power to sell and convey same; that the land is free and clear of all encumbrances, except as herein provided; and that the Grantor will forever warrant and defend the title to the rights granted herein and the quiet possession thereof against the lawful claims and demands of all persons whomsoever.

The provisions hereof shall inure to the benefit of and be binding upon the heirs, executors, administrators, successors, and assigns of the Grantor and upon the assigns of the United States.

No Member of or Delegate to Congress or Resident Commissioner shall be admitted to or share any part of this agreement, or to any benefits that may arise therefrom; but this provision shall not be construed to extend to this agreement if made with a corporation or company for its general benefit.

The United States does hereby release and quitclaim to J. RUSSELL SHERMAN AND HORACE STEELE all right, title, and interest in that portion of land described as Tract No. Ha-O-686 acquired by the United States by Transmission Line and Access Road Easement dated January 26, 1971, recorded February 1, 1971, in Book 62, Page 573, Deed Records of Skamania County, Washington, and described as follows:

Ha-O-686 - A right-of-way 150 feet wide over and across the following-described tract of land:

The  $S\frac{1}{2}N\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$  and the  $S\frac{1}{2}SW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$  of Section 10, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington, lying easterly of the existing 100-foot right-of-way of the Bonneville Power Administration Stevenson Tap to Bonneville-Alcoa No. 1 and 2 transmission lines except that portion thereof lying within a 300-foot strip of land to USA for BPA transmission line.

The boundaries of the right-of-way are located 75 feet on each side of and parallel with the survey line of the Bonneville Power Administration Hanford-Ostrander No. 1 transmission line.

Also that portion of the following-described tract of land which is located westerly of a line which is 75 feet easterly from and parallel with the survey line of said Hanford-Ostrander No. 1 transmission line:

The  $N\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$  of said Section 10 except portion thereof covered by Blue Lake, its immediate shore line and a strip of land 200 feet wide and adjacent to and paralleling the shore of Blue Lake and except that portion thereof lying within a 300-foot strip of land to USA for BPA transmission line.

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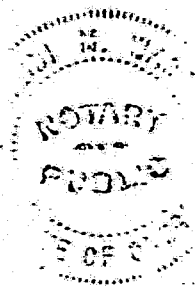
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U.S. DEPARTMENT OF ENERGY—BONNEVILLE POWER ADMINISTRATION  
**PERSONAL ACKNOWLEDGMENT**  
Washington, Oregon, Idaho, and Montana

State of Oregon )  
County of Multnomah ) ss.

On this 17th day of December in the year of 1984 before me  
personally appeared M. Goosey  
known to me to be the individual(s) and person(s) who executed and whose name(s) is subscrib  
to the within instrument, and acknowledged to me that she signed and executed the same as  
her free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal on the day written above.



(SEAL)

Heidi M. Wade  
Notary Public in and for the

State of Oregon

Residing at Portland

My commission expires 6-2-86

SKAMAMIA COUNTY TITLE CO

STEVENSON, WA

11.00 A JAN 14 85

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DEED

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JM Wilson  
dN