

100237

BOOK 85 PAGE 253



BONNEVILLE LOCK AND DAM
SECOND POWERHOUSE PROJECT, WASHINGTON

UNITED STATES OF AMERICA
DEPARTMENT OF THE ARMY
DISCLAIMER

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the United States of America acquired certain real property in Skamania County, Washington described as Tract 2826, Bonneville Lock and Dam, Second Powerhouse Project, Washington, by the filing of a Declaration of Taking recorded at Book 72, Page 750, Deed Records of Skamania County, Washington; and

WHEREAS, John Tol and Larena Tol, husband and wife, were the owners of Tract 2826 and were compensated for the acquisition thereof; and

WHEREAS, an error in the legal description of Tract 2826 filed with the Declaration of Taking has been discovered; and

WHEREAS, the error occurred where a distance measurement is stated as 248.90 feet instead of 300.06 feet; and

WHEREAS, the result of this error in distance was to include within the description of Tract 2826 a portion of a parcel of land previously conveyed by the Tols to Julia O. Thomas; and

WHEREAS, it was not the intent of the United States, the Tols or Julia O. Thomas to include this 0.26 acre parcel within Tract 2826 or within the land to be acquired for the Bonneville Second Powerhouse Project; and

WHEREAS, Julia O. Thomas was never a party defendant in the condemnation proceeding for the acquisition of Tract 2826, and never received any portion of the compensation paid for said tract; and

WHEREAS, the 0.26 acre strip of land owned by Julia O. Thomas is and was at all times beyond the needs of the United States for the Bonneville Second Powerhouse Project;

NOW, THEREFORE, the undersigned Secretary of the Army, being duly authorized, does by these presents for and on behalf of the United States of America disclaim any right, title, lien or interest in and to the real property described in Exhibit A., attached hereto and made a part hereof,

Registered	S
Filed	S
Indexed	S
Filed	
Mailed	

IN WITNESS WHEREOF, I have hereunto set my hand this 5TH day of JUNE, 1985.



John L. Marshall, Jr.
Secretary of the Army

COMMONWEALTH OF VIRGINIA)
COUNTY OF ARLINGTON)

Before me, Darrell P. Graef, Notary Public in and for the State and County aforesaid, on this 5th day of June, 1985, personally appeared John L. Marshall, Jr. to me known to be the identical person who executed the foregoing instrument and who duly acknowledged to me that he executed the same as the free and voluntary act and deed of the United States of America.

Witness my hand and official seal the day and year last written above.

Darrell P. Graef
Notary Public for the
County of Arlington
Commonwealth of Virginia

Embossed Hereon is My
Commonwealth of Virginia, Notary Public Seal
My Commission Expires November 1, 1989
DARRELL P. GRAEF

STATE OF WASHINGTON)
COUNTY OF SKAMANIA)
I HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING FILED BY
U.S. Army Corps of Engineers
Portland District
Real Estate District
OF PO BOX 2946 PORTLAND, OR
AT 10:35 A.M. Nov. 1 1985
WAS RECORDED 85
000 253
RECORDS OF SKAMANIA COUNTY WITH
Smolson
A. P. Lewis

10544

REAL ESTATE EXCISE TAX
NOV 1 1985

PAID Excise
Beverly J. Wallis, Deputy
SKAMANIA COUNTY TREASURER

Project: Bonneville Second Powerhouse

Portion of Tract 2826
to be Disclaimed

Description:

A parcel of land lying in Section 20, Township 2 North, Range 7 East of the the Willamette Meridian, Skamania County, Washington, being more particularly described as follows;

BEGINNING at a point on the west line of the G.W. Johnson Donation Land Claim No. 36, said point lying North $16^{\circ}46'08''$ West 341.59 feet from the northerly boundary of the original Evergreen Highway (State Road 14), said point also being designated as Corps of Engineers monument NB 87;

thence North $76^{\circ}30'09''$ East 208.01 feet;

thence South $16^{\circ}46'08''$ East parallel with the west line of said Johnson D.L.C., 51.16 feet;

thence South $75^{\circ}16'42''$ West to a point on the west line of said Johnson D.L.C.;

thence North $16^{\circ}46'08''$ West along said west line to the point of beginning,

The parcel of land herein described contains 0.26 of an acre, more or less.

EXHIBIT "A"