

SKAMANIA COUNTY, WASHINGTON

United States, by reason of that certain agreement wherein R. N. Shepard and James Shepard were parties of the first part, and Columbia Valley Railroad Company, a corporation, was party of the second part, said agreement being under date of September 1, 1899, and recorded in Book 1 of Agreements and Leases, page 88, Records of Skamania County, Washington; that said Columbia Valley Railroad Company never constructed or began work on their proposed line, and that said Columbia Valley Railroad Company has long since ceased to exist.

That I make this affidavit for the purpose of meeting certain requirements, as pointed out in the Attorney General's opinion under date of April 5, 1938.

Raymond C. Sly

Subscribed and sworn to before me this 20th day of May, 1938.

(Notarial seal affixed)

R. M. Wright
Notary Public for Washington
Residing at Stevenson.

Filed for record August 10, 1938 at 10-20 a.m. by U. S. Engr.

Mabel J. Case
Skamania County, Clerk-Auditor.

#26308

Town of Stevenson to United States

(OFFICE CHIEF OF ENGINEERS FEB 23 1938 6500 (Bonneville Dam)-1004/2)

FLOWAGE EASEMENT

THIS INDENTURE made this 7th day of February, 1938, between the Town of Stevenson, a municipal corporation of the State of Washington, hereinafter called the Grantor, and the United States of America, hereinafter called the Government, WITNESSETH:

THAT WHEREAS, the Government is constructing a dam across the Columbia River between the States of Oregon and Washington at Bonneville, Oregon, and upon the completion of said dam will operate and maintain a spillway, power house and ship lock; and

WHEREAS, under operating conditions, all lands abutting on either bank of said river from Bonneville to the Celilo Canal which are below the elevation of the backwater curve which begins at the dam at 72.0 feet above mean sea level (as determined by reference to the U. S. C. & G. S. bench mark, B. 24, situate about one mile east along the Oregon-Washington Railroad & Navigation Company's track from Warrendale, Multnomah County, Oregon, in the north end of a concrete culvert, at elevation 72.533 feet) will be permanently flooded; and

WHEREAS, the Government in operating said structures will increase periodically the depth and duration of the overflow on a portion of said lands, later described, lying above elevation 72.0 feet; and

WHEREAS, the Government desires to purchase a perpetual flowage easement from the said Grantor, and said Grantor desires to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said Grantor, for and in consideration of the sum of Five Hundred Fifty and no/100 Dollars (\$550.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the Government or its assigns, forever, the full and perpetual right, power, privilege and easement to overflow, as hereinbefore stated, all the following described lands, lying above the ordinary high water line on the right bank of the Columbia River, situate in the County of Skamania, State of Washington;

Commencing at the southeast corner of Block 2, Riverview Addition to the town of Stevenson; thence North 55°30' East 40 feet to the initial point of the tract to be conveyed; thence North 34°34' West 118 feet; thence North 55° 30' East to the center of Kanaka Creek; thence following the center of Kanaka Creek in a southerly and easterly direction to the southeast corner of that tract of land conveyed to A. Sal-sate by deed, Book "L", page 180, said point being South 31° 19' East of the Station