DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

John Vernon Manners Elizabeth F. Manners

State of California,)
) ss.
County of Alameda.

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I, Karin Johnson, a Notary Public in and for said State do hereby certify that on this 16th day of August, 1938, personally appeared before me, John Vernon Manners and Elizabeth F. Manners, his wife, to me known to be the individuals described in and who executed the foregoing instrument and acknowledged that they signed and sealed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

In Testimony Whereof I have hereunto set my hand and affixed my official seal this 16th day of August, 1938.

(Notarial seal affixed)

Karin Johnson
Notary Public in and for the State
of California, residing at Oakland, in said State. My commission expires, March 13, 1940.

2-\$2.00 & 1-50¢ Gov. documentary stamps duly affixed and cancelled R.M.W. Aug 19,38

4-\$1.00 & 1-50¢ State conveyance stamps duly affixed and cancellation R.M.W. Aug 19-38.

Filed for record August 17, 1938 at 11-00 a.m. by R. M. Wright.

Skamania/County, Clerk-Auditor.

#26337

S. P. & S. Ry. Co. to United States

(OFFICE CHIEF OF ENGINEERS SEP 7 1937 6500 (Bonneville Dam) 798/1.)

FLOWAGE EASEMENT

THIS INDENTURE, made this 20th day of August, 1937, between Spokane, Portland and Seattle Railway Company, a corporation of the State of Washington, hereinafter called the "Railway Company", and the United States of America, hereinafter called the "Government", WITNESSETH:

WHEREAS, The Government is constructing a dam across the Columbia River at Bonneville, Oregon, and is installing in connection therewith a spillway, power house and ship lock, all of which works are hereinafter called the "Bonneville Project", and will operate and maintain said Bonneville Project upon its completion; and

WHEREAS, under operating conditions, the impounding of waters of the Columbia River by said Bonneville Project will permanently flood all lands abutting on the north bank of said river between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, which are below the elevation of the backwater curve which begins at the dameat 72.0 feet above mean sea level (as determined by reference to the U. S. C. & G. S. bench mark, B-24, situated 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); and

WHEREAS, the Government in operating said Bonneville Project after completion will increase periodically the depth and duration of the overflow of land lying along the northerly side of the Columbia River between Railway Company's Station 174+18.5 = Mile Post 50.42, to Railway Company's Station 866+18.7 = Mile Post 102, which are below the 800,000 cubic feet per second backwater curve of said river, as controlled by said dem and works; and

WHEPEAS, the Railway Company, as a common carrier of freight, passengers, express and United States mail, owns a line of railroad along the north bank of the Columbia River,