

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

acted as attorney for the said Myrtle Attwell and for J. R. Phillips and wife in drawing and recording that certain mortgage executed by J. R. Phillips and Bertha Phillips, husband and wife, to Myrtle Attwell, dated January 6, 1934 and recorded at Page 267 Book "T" of Mortgages and I am familiar with all of the circumstances surrounding the execution thereof. I was also attorney for the estate of Myrtle Attwell, deceased and am familiar with all of the business and transactions in connection therewith.

The negotiation between Mr. Phillips and Mrs. Attwell with respect to this transaction contemplated the execution of a new mortgage to Mrs. Attwell and satisfaction of the mortgage to Mr. Birkeland. At my suggestion, however, an assignment of the Birkeland mortgage, above mentioned, was taken pending a search of title and investigation of certain facts. Upon completion of this investigation I drew the new mortgage, had it executed by Mr. Phillips and wife and placed of record. There was nonnew consideration for this mortgage and it was given, accepted and recorded as a funding or re-financing mortgage securing the existing indebtedness evidenced by note and mortgage described at Page 240 Book "T" of Mortgages. It is my recollection that a satisfaction of the original mortgage recorded at Page 240 Book "T" of Mortgages was made and executed by Myrtle Attwell but I am unable to remember what became of this satisfaction, if executed, or why it was not then recorded. I do know, however, that the mortgage to Peder G. Birkeland, above mentioned, recorded at Page 240 Book "T" of Mortgages was superceded and discharged by the execution of the mortgage from J. R. Phillips et ux to Myrtle Attwell, recorded at Page 267 Book "T" of Mortgages.

Raymond C. Sly

Subscribed and sworn to before me this 4 day of November, 1938.

(Superior Court seal affixed)

Mabel J. Fosse
Clerk-Auditor of Skamania County,
Washington

By P. M. Aalvik, Deputy.

Filed for record November 7, 1938 at 8-20 a.m. by U. B. Engr.

Mabel J. Fosse
Skamania County, Clerk-Auditor.

#26655

Helen E. Thun et al to United States.

NOTICE OF LIS PENDENS

NOTICE IS HEREBY GIVEN that on the 7th day of November, 1938, the United States of America commenced an action against Helen E. Thun, an unmarried woman, Mary V. Lane, an unmarried woman, and Skamania County, Washington, a municipal corporation, in the District Court of the United States for the Western District of Washington, Southern Division, at Tacoma, Washington, for the condemnation of a flowage easement over the following described land, lying below elevation 95.6 feet above mean sea level, to-wit:

Lots 1, 2, 3 and 4, Block 2, First Addition to the Town of Underwood, according to the duly recorded plat thereof, Skamania County, Washington;

Excepting therefrom:

A strip of land 100 feet in width as the same crosses the above described lots, and as conveyed to the Portland and Seattle Railway Company, now Spokane, Portland and Seattle Railway Company, by warranty deed dated December 16, 1905, and recorded in Book "I" at page 413, Records of Skamania County, Washington.

That the object of said proceeding is to condemn a flowage easement over the above described land. That it is necessary to secure a flowage easement over the above described land in connection with the construction by the United States of America of the dam, ship lock and power house at Bonneville, Oregon, which is ordinarily designated as the Bonneville Project.

Dated this 7th day of November, 1938.

Oliver Malm
Assistant United States Attorney.