

SKAMANIA COUNTY, WASHINGTON

his wife, dated September 3, 1935 recorded in Book Y of Deeds page 302 Records of Skamania County, Washington

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all our estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD, THE ABOVE DESCRIBED and granted premises unto the said Edward Bertolo his heirs and assigns forever. And we, Clarence E. Eby and Dolly Eby, husband and wife grantors above named do covenant to and with Edward Bertolo, the above named grantee his heirs and assigns that we are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that we will and our heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the grantors above named have hereunto set our hands and seals this 29th day of November, 1938.

Executed in the presence of

L. M. O'Bryan
M.A. Thompson

Clarence E. Eby (Seal)
Dolly Eby (Seal)

STATE OF OREGON)
) ss.
County of Multnomah)

BE IT REMEMBERED, That on this 29th day of November A.D. 1938 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Clarence E. Eby and Dolly Eby, his wife who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal, the day and year last above written.

(Notarial seal affixed)

L. M. O'Bryan
Notary Public for Oregon. My
Commission expires March 11,
1939.

Filed for record December 5th, 1938 at 9-15 a.m. by DraCannavina.

Mabel J. Jassas
Skamania County, Clerk-Auditor.

#26747

H. David Lusk et ux to United States

(OFFICE CHIEF OF ENGINEERS AUG 2 1938 6500(Bonneville Dam) 1224/3.)

FLOWAGE EASEMENT

THIS INDENTURE, made this 21 day of July, 1938, between H. David Lusk, also known as David Lusk, and Florence Lusk, husband and wife, hereinafter called the Grantors, 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