

## DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

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 Grantors, and said Grantors desire to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said Grantors, for and in consideration of the sum of ONE THOUSAND THREE HUNDRED and 00/100 DOLLARS (\$1,300.00), cash in and paid by the Government, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the Government and its assigns, forever, the full and perpetual right, power, privilege and easement to overflow, as hereinbefore stated, all that portion of the following described lands lying below the 83.0-foot contour line, above mean sea level, as determined by reference to the U. S. C. & G. S. datum, containing 3.29 acres, more or less, situate in Sections 15 and 22, Township 2 North, Range 7 East of the Willamette Meridian, in Skamania County, Washington, more particularly described as follows, to-wit:

Beginning at the southwest corner of Lot No. 9 of the Normandy Tracts; thence north 35° 15' West 568 feet; thence north 54° 45' east 20 feet; thence north 35° 15' west 767 feet; thence south 1590 feet to the right of way of State Road No. 8; thence north 54° 45' east 930 feet to the place of beginning, containing 15.6 acres, more or less;

Subject to:

a. An easement granted to N. O. Anderson by deed dated September 14, 1927, and recorded on the same date, in Book "V", page 395 of Deeds, Records of Skamania County, Washington, to lay, maintain and operate a pipe line over and across the lands first hereinbefore described.

For and as a part of the same consideration hereinbefore stated, the Grantors have caused Paul D. Fandrei and Evelyn N. Fandrei, husband and wife, and H. David Lusk and Florence Lusk, husband and wife, to execute and deliver to the Government, contemporaneously with the execution of this instrument, conveyances granting unto the Government the perpetual easement to overflow any rights in and to, or structures located upon, the lands above described, in which the above named Paul D. Fandrei and Evelyn N. Fandrei, husband and wife, and H. David Lusk and Florence Lusk, husband and wife, have an interest.

TO HAVE AND TO HOLD unto the Government and its assigns, forever, together with the right to go upon the lands above described from time to time as the occasion may require and remove therefrom the timber and other natural growth, and any accumulations of brush, trash or driftwood;

And the said Grantors covenant that they are in the quiet and peaceful possession of said lands, and that they will and their heirs, executors and administrators shall warrant and forever defend the title to the right, power, privilege and easement hereby granted and conveyed, as aforesaid, to the Government and its assigns, against the lawful claims of all persons whomsoever.

And the said Grantors, in consideration of the above specified sum, also hereby release the Government from all claims for damages that have accrued or may hereafter accrue to them by reason of the overflowing of the above described land.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hands and affixed their seals on this the day and year first above written.

J. R. Phillips (Seal)

Bertha A. Phillips (Seal)

1-\$1.00 & 1-50¢ Gov. documentary  
stamps duly affixed and cancelled  
J.R.P. & B.A.P. 7/18/38.

APPROVED AS TO FORM AND EXECUTION

E.W. Barnes  
SPECIAL ATTORNEY, DEPT. OF JUSTICE.

STATE OF WASHINGTON )  
 ) ss.  
County of Skamania. )