

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

YAKIMA BINDERY & PTO. CO. 189234

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 Grantor has an easement and right of way, and owns and maintains a pipe line and appurtenant structures, as a part of its municipal water system, over and across the lands hereinafter more particularly described, and the Government desires to purchase a perpetual flowage easement from the 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 Two Thousand Seven Hundred Thirty Two and 98/100 Dollars (\$2,732.98) cash in hand paid by the Government, the receipt whereof is hereby acknowledged, does 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, the easement and right of way, together with all portions of the pipe line and appurtenant structures of the Grantor which comprise a part of the municipal water system of the Grantor, over, across and upon a certain portion of the following described lands lying below the 94.0-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, situate in Skamania County, State of Washington, to-wit:

Parcel No. 1. Commencing at a point 300 feet west of the southwest corner of Lot 7, Section 1, Township 2 North, Range 7 East of the Willamette Meridian, thence north to the township line between Townships 2 and 3 North, Range 7 East of the Willamette Meridian, thence east to the center of Rock Creek, thence southerly along the center of Rock Creek to intersection with the north and south center line of said Section 1, Township 2 North, Range 7 East, thence south to point of intersection of said center line with the west bank of the westerly outlet of Rock Creek; thence following said west bank southerly to the north line of the Spokane, Portland and Seattle Railway Company's right of way; thence westerly along north line of said railway company's right of way 23 chains and 20 links, more or less, to intersection with the division line between the easterly and westerly halves of the D. Baughman D. L. C., thence continuing westerly along the north line of said right of way 350 feet to a point 50 feet east of an old skid road, said point being near a sign post marked "one mile to Stevenson", thence northwesterly at right angles to last described course to the southerly line of State Road No. 8 (North Bank Highway), thence northerly along the easterly line of said highway to the intersection thereof with the above mentioned division line of the said Baughman D. L. C., thence following said division line to point of intersection thereof with the section line between Sections 1 and 2, Township 2 North, Range 7 East of the Willamette Meridian, thence north to point of intersection with the north line of said D. Baughman D. L. C., thence east to the place of beginning.

Parcel No. 2. Beginning at the quarter section corner on the north line of Section 1, Township 2 North of Range 7 East of the Willamette Meridian, running thence south 1250 feet to the center of Rock Creek; thence north 30° 22' west 1449 feet to center of Rock Creek; thence east 732½ feet to place of beginning, except:

Commencing at a point 30 feet south of the quarter corner on the north line of Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence west to intersection with the east line of Second Street in the Town of Stevenson, Washington; thence south 36° 12' east along the east line of Second Street to intersection with the center line north and south of said Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence north to the place of beginning.

Parcel No. 3. Lot 9, Section 1, Township 2 North, Range 7 East of the Willamette Meridian.

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 Grantor covenants that it is in the quiet and peaceful possession of said easement and right of way, and pipe line and appurtenant structures, and that it