

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

YAKIMA BINDERY & PTO. CO. 189234

Estacada, Oregon. My commis-
sion expires Nov. 15, 1942.

Filed for record May 16, 1939 at 11-10 a.m. by U. S. Engrs.

Mabel J. J. J.
Skamania County Auditor.

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#27336.

Elma Marie Swanson et vir et al to United States.

Flowage Easement. Office Chief of Engineers. Mar. 6, 1939. 6500 (Bonneville Dam)
1433/2.

This Indenture, made this 2nd day of September, 1938, between Elma Marie Swanson (formerly Marie St. Martin) and Lester Swanson, wife and husband, and Maggie Junior Looney (formerly June St. Martin, and also known as Maggie Junior St. Martin) and Lawrence D. Looney, wife and husband, 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

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 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 Hundred and 00/100 Dollars (\$100.00), cash in hand 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 94.0-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, situate in the County of Skamania and State of Washington:

Lots 15 and 23, Block 1, of the Town of Stevenson, Skamania County, Washington, as shown in the official plat thereof on file and of record in the office of the County Auditor of Skamania County, Washington.

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