

SKAMANIA COUNTY, WASHINGTON

(Notarial seal affixed)

T. B. Collins
Notary Public for Oregon
My commission expires
September 1, 1941.

Filed for record September 7, 1939 at 8-00 a.m. by U. S. Engineers.

Mabel J. Rose
Skamania County Auditor.

#27902

Hauser Construction Co. by Geo. W. McMath. to The Public

State of Oregon)
)) ss.
County of Multnomah)

In re: Perpetual flowage easement from Hauser Construction Company, an Oregon corporation, to United States of America, dated December 20, 1938, over a portion of Lot 3, Section 35, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington.

I, Geo. W. McMath, being first duly sworn upon oath, depose and say:

That for more than thirty years last past I have been in the employ of the Union Pacific Railroad Company and its subsidiaries, Oregon-Washington Railroad & Navigation Company and the Oregon and Washington Railroad Company, and I am now and for many years last past have been the land and Tax Agent for said company, and for more than thirty years last past have been familiar with the tract of land described as Lot 3, Section 35, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington.

That said tract of land was originally purchased by Louis Gerlinger subject to the right of way of the Spokane, Portland and Seattle Railway Company, who was acting for and on behalf of the Oregon Railroad and Navigation Company, and that the Oregon-Washington Railroad & Navigation Company thereafter became the successor in interest of said Oregon Railroad And Navigation Company.

That said property was conveyed by said Gerlinger to J. P. O'Brien and R. Blaisdell by deed dated May 13, 1910, and recorded in Book "M" of the Deed Records of Skamania County, Washington, at page 417, who held the same in trust for said Oregon Railroad and Navigation Company and its successors in interest, the Oregon-Washington Railroad & Navigation Company. That Blaisdell, as Trustee, conveyed the same to said O'Brien likewise in trust, by deed dated March 2, 1920 and recorded in Book "S" of Deed Records of Skamania County, Washington, at page 14. That said O'Brien, as Trustee, and in fulfillment of said trust, conveyed said property to the Oregon-Washington Railroad & Navigation Company by deed dated May 6, 1921 and recorded in Book "S" of Deed Records of Skamania County, Washington, at page 298, except that O'Brien and Blaisdell prior thereto conveyed an easement over the same to the Northwestern Electric Company by deed dated February 25, 1913 and recorded in Book "O" of Deed Records of Skamania County, Washington, at page 264.

That during all of said time and for more than twenty years last past the Hauser Construction Company and its predecessors in title have been in the open, notorious, hostile, exclusive, uninterrupted, undisputed and adverse possession of said premises, except as to the rights of the Northwestern Electric Company, West Coast Power Company and Spokane, Portland and Seattle Railway Company, claiming to own the same.

I further depose and say that for more than twenty years last past neither the Columbia Valley Railroad Company, a corporation, Hampton D. Ewing and Maria D. Ewing, his wife, nor any person or persons claiming by, through or under them, or either of them have ever claimed any right, title or interest therein or thereto, except as to the rights of way or easements above noted.

I further depose and say that the redemption from tax sale made June 29, 1937, inadvertently appears in the name of the Oregon-Washington Railroad & Navigation Company, but