

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

(Notarial seal affixed)

W. L. Olson
Notary Public for Washington. Resid-
ing at White Salmon, Wash. My commis-
sion expires Mar. 14, 1942.

STATE OF WASHINGTON)
)ss
COUNTY OF KLUCKITAT)

Be it remembered, That on this 30th day of March, 1939, before me, the undersigned, a Notary Public in and for said county and state, personally appeared the within named A. T. Fraley and Laura A. Fraley, husband and wife, who are known to me to be the identical individuals 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)

W. L. Olson
Notary Public for Washington. Resid-
ing at White Salmon, Wash. My commis-
sion expires Mar. 14, 1942.

Approved as to form and execution: Normal Kuykendall, Special Attorney, Dept. of Justice.
Filed for record November 3, 1939 at 10-20 a.m. by U. S. Engineers.

Mabel J. Wise
Skamania County Auditor.

#28096

Oregon & Wash. Railroad Co. to United States

Confirmation of Flowage Easement

This Indenture made this 16th day of October 1939, by and between Oregon and Washington Railroad Company, a corporation, hereinafter called the Grantor, 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, in constructing and operating said structures the Government will increase periodically the depth and duration of the overflow on a portion of the lands hereinafter described, lying above elevation 72.0 feet; and

Whereas, the Government has purchased a flowage easement from Harold J. Broughton, D. M. Stevenson and A. T. Fraley, partners doing business under the assumed name and style of Broughton Lumber Company, their spouses joining them therein; and

Whereas, the title of said Broughton Lumber Company was deraigned through certain tax foreclosure proceedings on behalf of Skamania County, and the Government being desirous of having its title aforesaid confirmed by the grantor herein;

Now, Therefore, the Grantor, for and in consideration of the premises and for the purpose of confirming said flowage easement, and of the sum of One Dollar (\$1.00), cash in hand paid by the Government, receipt whereof being hereby acknowledged, does hereby remise, release and quitclaim unto the Government or its assigns, forever, the full and perpetual right, power, privilege and easement to overflow all that portion of the following described lands lying below the 95.0-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the right bank of the Columbia River, containing 3.50 acres, more or less, situate in the County of Skamania and State of Washington:

Lot 4, Section 25, Township 3 North, Range 9 East of the Willamette Meridian;

Excepting therefrom: That certain parcel of land acquired by the Spokane, Portland and Seattle Railway Company by a decree of condemnation in the Superior Court of the State of Washington, under date of July 17, 1906;

Also excepting therefrom those certain parcels of land conveyed to the State of Washington under that certain deed from Oregon and Washington Railroad Company, an Oregon corporation, to the State of Washington, dated April 16, 1935 and recorded May 16, 1935 in Book "Y" of Deeds at page 199.