

DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

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YAKIMA BINDERY & PTC. CO. 189224

the United States of America now agrees to accept such easement thereon and thereover in lieu of the fee simple title which was taken by said declaration of taking, and that said Northwestern Electric Company shall receive a satisfactory reconveyance of said real property from the United States of America, subject to the reservation hereinafter set forth of the right, title and interest in and to said property acquired by the United States of America by or through said declaration of taking or any proceedings heretofore had in the above entitled cause; and said Northwestern Electric Company, Harris Trust and Savings Bank and Harold Eckhart hereby agree to such disposition of the matter and, subject to the payment of the compensation hereinafter specified, do hereby waive any and all rights they or any of them may have against the United States of America for said taking of said property, and to accept such reconveyance of the title to said property to said Northwestern Electric Company in full satisfaction of any damages or right to payment that they or any of them might otherwise have or assert by reason of the filing of said declaration of taking and deposit of the estimated compensation.

"It is agreed by and between all the parties hereto that \$218.00 is the reasonable value of and compensation for the easement required and to be reserved by the United States of America over and across said lands.

"In order to reconvey said property to said Northwestern Electric Company, it is essential to secure the approval of the President of the United States in accordance with Section 2 (e) of said Act of August 20, 1937 (50 Stat. 731), which provides as follows:

'The administrator is authorized, in the name of the United States, to sell, lease, or otherwise dispose of such personal property as in his judgment is not required for the purposes of this Act and such real property and interests in land acquired in connection with construction or operation of electric transmission lines or substations as in his judgment are not required for the purposes of this Act: Provided, however, that before the sale, lease, or disposition of real property or transmission lines, as herein provided, the administrator shall secure the approval of the President of the United States.'

"There will be tendered into court herewith a deed to said property from the United States of America to said Northwestern Electric Company, approved by the President of the United States, reserving an easement therein to the United States of America, an unsigned form of which said deed, satisfactory to all parties concerned, is attached hereto, and it is further agreed and stipulated by and between the parties hereto that upon the filing herein of such deed, duly executed, the court may enter an order in this action directing the clerk of this court to deliver said deed to said Northwestern Electric Company and to pay said Northwestern Electric Company, Harris Trust and Savings Bank and Harold Eckhart the sum of \$218.00 heretofore deposited as compensation for the taking of said property, and that all parties to this stipulation shall thereupon be released and discharged from all liabilities or obligations to each other arising out of this proceeding in so far as may concern the above described lands."

and whereas, in accordance with said stipulation, the United States of America has lodged with the clerk of this court a deed to the above described real property, reserving therein the easement referred to in such stipulation, said deed reading as follows, to-wit:

"The United States of America, grantor, acting through Frank A. Banks, Acting Administrator of the Bonneville Project, Department of the Interior, by virtue of the authority vested in him under section 2(e) of the act of Congress approved August 20, 1937 (50 Stat. 731), in consideration of the acceptance by Northwestern Electric Company, a corporation of the State of Washington, of the sum of Two Hundred Eighteen and no/100 Dollars (\$218.00) heretofore deposited with the clerk of the United States district Court for the Western District of Washington, Southern Division, in the cause entitled 'United States of America v. Robert F. Caples, et al.', Docket No. 34, as estimated compensation for the taking of the real property hereinafter described by the filing of a declaration of taking and deposit of said estimated compensation in said suit, bargains, sells, and conveys to said Northwestern Electric Company all the interest acquired by said United States of America under and by virtue of any and all proceedings heretofore had in said cause of 'United States of America v. Robert F. Caples, et al.' in and to the following described real property situated in the Counties of Skamania and Klickitat, State of Washington, to-wit:

All that portion of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 10, Township 3 North, Range 10 East of Willamette Meridian, which lies within a strip of land 300 feet in width, of which 212.50 feet lies on the northerly side of and 87.50 feet lies on the southerly side of the Bonneville-Coulee Transmission Line Survey, which survey line is described as follows: Beginning at a point which is the intersection of said survey line with the west line of said Section 10, said point being North 0°29'50" East, 1069.81 feet from county engineers monument marking section corner common to sections 9, 10, 15 and 16, township 3 North, Range 10 East, Willamette Meridian; thence continuing south 84°31'00" East, a distance of 3263.52 feet to Survey Station 1269 + 32.00; thence North 87°01'00" East, a distance of 900.15 feet to Survey Station 1278 + 32.15, said point being on the county line common to Skamania and Klickitat counties, state of Washington; thence continuing North 87°01'00" East, a distance of 383.15 feet to Survey Station 1282 + 15.30; thence North 75°01'00" East, a distance of 727.02 feet, to Survey Station 1289 + 42.32, a point on the section line common to Sections 10 and 11, Township 3 North, Range 10 East, W.M., said point being North 0°31'14" East, a distance of 1103.82 feet from a U.S.E.D. monument, marking the section corner common to Sections 10, 11, 14 and 15, Township 3 North, Range 10 East, W.M., Skamania and Klickitat Counties, Washington;

reserving, however, unto the United States of America the right to enter upon and over said strip of land so described at any and all times for the purpose of constructing, operating and maintaining, and to construct, operate and maintain over and upon said strip of land such electric transmission line or lines as said grantor