

DEED RECORD 28

SKAMANIA COUNTY, WASHINGTON

292

power development, a perpetual flowage easement as above described over the lands above described, in consideration of the said sum of Five Hundred and 00/100 Dollars (\$500.00).

2. That the said perpetual flowage easement be granted by deed to be made and executed by this Board as County Commissioners of Skamania County, Washington.

Passed unanimously this 7 day of September, 1938.

Attest: Mabel J. Fosse, Clerk

(Seal of Board of County
Comm. affixed)

Board of County Commissioners of
Skamania County, Washington.
By Ed Hollis, Chairman
Martin Nielsen
Albert C. Pohl.

Filed for record April 16, 1941 at 8-00 a.m. by U. S. Engrs.

Mabel J. Fosse
Skamania County Auditor.

#30177

Skamania County to United States of America

Office Chief of Engineer Jan -9, 1939 6500 (Bonneville Dam) 1369/7

Correction Flowage Easement.

This Indenture, made this 21 day of November, 1938, between Skamania County, a municipal corporation of the State of Washington, 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, 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 Grantor, and by resolution duly passed on the 21 day of November, 1938, by a majority vote of the Board of County Commissioners of Skamania County, Washington, at their regular meeting, it was determined that it was desirable and for the general welfare and benefit of the people of Skamania County to convey to the Government, for the purposes of flood control, navigation and power development, a perpetual flowage easement over all that portion of the following described lands lying below the 95.6-foot contourline above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the line of ordinary high water on the right bank of the Columbia River, situate in the County of Skamania and State of Washington, and belonging to the County, to-wit:

Lot 6, Block 2, First Addition to the Town of Underwood, according to the official plat thereof recorded at page 19, Book "A" of Plats, Records of Skamania County, Washington; except:

A strip of land 100 feet in width conveyed to Portland and Seattle Railway Company (now Spokane, Portland and Seattle Railway Company) by warranty deed dated December 16, 1905, and recorded in Book "I" of Deeds, page 413, Deed Records of Skamania County, Washington, said strip of land being 50 feet in width on each side of the center line of said railroad as the same is now constructed and operated over and across the above described land;

And Whereas, at such meeting of the Board of County Commissioners of Skamania County, Washington, it was determined that a perpetual flowage easement be granted to the Government