

DEED RECORD 28

SKAMANIA COUNTY, WASHINGTON

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Skamania County, Washington, and acknowledged that he executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and affixed my official seal, this the day and year first in this, my certificate, written.

(Notarial seal affixed)

R. M. Wright
Notary Public for Washington. Residing at Stevenson. My commission expires Mar. 18, 1939.

Approved as to form and execution Normal Auykendall, Special Attorney, Dept. of Justice.

Resolution Whereas it appears to the Board of County Commissioners of Skamania County, Washington:

1. That 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;

2. That 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 will be permanently flooded;

3. That 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;

4. That the Government desires to purchase a perpetual flowage easement from Skamania County over all that portion of the following described lands lying below the 95.6-foot contour line above mean sea level, as determined by 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, State of Washington, more particularly described as follows; 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;

5. That the County has heretofore offered said flowage easement, as above described to the Government for a consideration of Five Hundred and 00/100 Dollars (\$500.00) and the Government has heretofore accepted said offer.

Now therefore be it resolved by this Board:

1. That it is 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 as above described over the lands above described, in consideration of the sum of Five Hundred and 00/100 Dollars (\$500.00), which will be the same consideration named in that certain Resolution, under date of September 7, 1938, wherein this Board, as County Commissioners of Skamania County, authorized the execution of a perpetual flowage easement to the United States of America over the lands hereinbefore described, one parcel of land thereof being erroneously described, "Lot 6, Block 2, Town of Underwood", and which should have been described as, "Lot 6, Block 2, First Addition to the Town of Underwood".

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

Passed unanimously this 21 day of November, 1938.