

DEED RECORD 28

SKAMANIA COUNTY, WASHINGTON

309

Given under my hand and official seal the day and year in this certificate first above written.

(Notarial seal affixed)

Raymond C. Sly
Notary Public for Washington, residing at
Stevenson therein.

Filed for record May 5, 1941 at 10-15 a.m. by Grantor

Mabel J. Puse
Skamania County Auditor.

#30279 Kenneth A. Zevely et ux et al to United States

Office Chief of Engineers Sep 11, 1939 6500 (Bonneville Dam) 1519/2

Flowage Easement.

This Indenture, made this 10th day of August, 1939, between Kenneth A. Zevely and Ruby Zevely, his wife, Rose Klum and J. A. Klum, her husband, Daisy Hon and C. C. Hon, her husband, Kenneth Elton Zevely, Wilbur Zevely and Ethl Zevely, husband and wife, and Kenneth A. Zevely, as Trustee for John Zevely and Henry Zevely, minors, hereinafter called the Grantors, 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 Grantors, and said Grantors desire to sell said perpetual flowage easement to the Government;

Now therefore, the said Grantors, for and in consideration of the sum of Fifty and 00/100 Dollars (\$50.00) cash in hand paid by the Government, the receipt whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY to the Government and its assigns, forever, the full and perpetual right, power, privilege and easement to overflow, as hereinbefore stated, all that portion of Tract No. 2 of the following described lands lying below the 94-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, containing .18 of an acre, more or less, situated in the County of Skamania and State of Washington:

Tract No. 2 of the following parcels of land:

Tract No. 1

Beginning at a point 1260 feet S 4° 00' W of the center of Section 36, Township 3 North, Range 7½ East, Willamette Meridian; thence S 6° 25' E 140.5 feet; thence S. 79° 32' W 703.8 feet; S. 40° 11' W 75 feet; S. 82° 42' W. 212.6 feet; N. 4° 49' E 77.5 feet; N. 19° 39' E 71.6 feet; N. 22° 39' E 162.5 feet; N. 11° 4' E. 175.4 feet; N. 89° 45' E 584.6 feet; S 18° 06' E 77.2 feet; S 77° 30' E 206.1 feet to the place of beginning.

Tract No. 2

Also beginning at a point 201.9 feet S 86° 20' W. of the southwest corner of the above described tract, thence S. 73° 20' W. 270 feet; N. 9° 20' W. 135 feet; N. 44° 00' E. 190 feet; S. 65° 56' E. 145 feet; S. 6° 36' E. 135 feet to the place of beginning, all in section 36, Township 3 North, Range 7½ East of the Willamette Meridian, Skamania County, Washington.

To Have and To Hold unto the Government and its assigns, forever, together with the