

DEED RECORD 28

SKAMANIA COUNTY, WASHINGTON

thence South 65° 00' West 365.80 feet; thence west 126.20 feet to the point of beginning, containing 4.19 acres, more or less.

Dated July 1, 1941.

John W. Fishburne

Special Attorney for the Department
of Justice

Filed for record July 14, 1941 at 8-10 a.m. by John W. Fishburne, U.S. Atty.

Mabel J. Jasse
Skamania County Auditor. R.G.

#30586

Theresa O. Jeffries by Administrator to United States.

CONFIRMATORY FLOWAGE EASEMENT

THIS INDENTURE, made this 22 day of May, 1941, between Hughie St. Martin, as the Administrator of Theresa Jeffries, also known as Theresa O. Jeffries and Theresa St. Martin Jeffrey, deceased, hereinafter called the Grantor, and the United States of America, hereinafter called the Government, witnesseth:

WHEREAS, Theresa Jeffries and her husband heretofore on January 23, 1939, and on December 29, 1938, respectively made and executed certain flowage easements together with other parties interested therein in favor of the United States of America upon the property as hereinafter described; and

WHEREAS, prior to the consummation of said transaction and the payment of the consideration therefor the said Theresa Jeffries died, and Hughie St. Martin was, by order of the Superior Court of the State of Washington in and for the County of Skamania, the duly appointed, qualified and acting Administrator of the said estate; and

WHEREAS, it being necessary that a flowage easement be executed on the part of the said decedent confirming the two flowage easements heretofore executed, and the above mentioned Court having on the 22 day of May, 1941, duly made and entered an order authorizing and directing said Administrator to execute a flowage easement in confirmation of the former flowage easements executed respectively under the dates of January 23, 1939, and December 29, 1938;

NOW THEREFORE, the said Grantor for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid by the Government and of the premises, and for the purpose of confirming said flowage easements heretofore executed, the receipt of which consideration is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Government and to its assigns, forever, the full and perpetual right, power, privilege and easement to overflow the following described real property, to-wit:

All that portion of the following described lands lying below the 89-foot contour line above mean sea level as determined by reference to the United States Coast and Geodetic Survey datum, and above the ordinary high water line on the right bank of the Columbia River, containing 19.17 acres, more or less, situate in the County of Skamania, State of Washington:

Lot 3, Section 27, Township 3 North, Range 8 East of the Willamette Meridian;

Subject to the rights of the State of Washington in and to that certain 2-1/8 acres of land situate in the northern part of said Lot 3.

All that portion of the following described lands lying below the 94-foot contour line above mean sea level, as determined by reference to the United States Coast and Geodetic Survey datum, and above the ordinary high water line on the right bank of the Columbia River, containing 4.11 acres, more or less, situate in the County of Skamania and State of Washington;

All that portion of Government Lot 4, Section 35, Township 3 North, Range 8 East of the Willamette Meridian, lying south of the southerly right of way line of the Spokane, Portland and Seattle Railway Company's railroad; excepting therefrom 1.45 acres situated easterly of a fence; said fence being parallel to and approximately 205 feet west of the east line of Section 35.

Said land being subject to the right of way of the West Coast Power Company.

TO HAVE AND TO HOLD unto the Government and its assigns forever, together with the right to go upon the lands above described from time to time as the occasion may require and remove therefrom the timber and other natural growth, and any other accumulations of brush, trash or