

#32189

Public Utility District No. 1 to United States of America.

CONFIRMATORY FLOWAGE EASEMENTWn 6500 (Bonneville Dam)
10/3042

THIS INDENTURE, made this 6th day of June 1942, between Public Utility District No. 1 of 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 Pacific Power & Light Company, a corporation organized and existing under and by virtue of the laws of the State of Maine, contracted to sell and convey to the United States of America and its assigns a flowage easement over its easements and rights of way hereinafter described, and in pursuance thereof the said United States of America at all times herein mentioned, and for a long period of time prior thereto, was and now is in possession of and exercised the rights, privileges and easements so contracted to be sold and conveyed to it as aforesaid; and

WHEREAS, the grantor, subsequent thereto by condemnation proceedings regularly had and conducted, has now acquired the easements and rights of way formerly belonging to said Pacific Power & Light Company, as more particularly hereinafter described, together with the distribution and transmission lines located over, upon and across the same; and

WHEREAS, it being recognized that said easements and rights of way, together with structures thereon so acquired by Grantor over the hereinafter described tracts of land, were acquired subject to rights of the Government to overflow the same to the extent herein set forth, and it being desired that said easement being granted to the United States of America by said Pacific Power & Light Company shall be ratified and confirmed by Grantor herein;

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, the receipt whereof being hereby acknowledged, and for the purpose of ratifying and confirming the easement aforesaid, does hereby grant, bargain, sell and convey unto the United States of America and its assigns forever, the full and perpetual right, power, privilege and easement to overflow all easements and rights of way for those certain electric transmission and distribution lines and appurtenances of the grantor, lying below the 95.6-foot contour line above mean sea level, as determined by the U. S. C. and G. S. datum, as said distribution and transmission lines are located upon, over and across the following described tracts of land, all situated in the Counties of Skamania and Klickitat, in the State of Washington, to-wit:

PARCEL NO. 1. A parcel of land lying in Lots 1 and 2, Section 23, Township 3 North, Range 10 East of the Willamette Meridian, in Skamania County, Washington, more particularly described as follows:

Commencing at a United States Engineer's monument set at the Northeast corner of Block 2, First Addition to the Town of Underwood, Washington; thence North 83° 43' 35" East 190.00 feet along the southerly line of Main Street extended; thence north 60.00 feet to the point of beginning of the parcel of land to be described; thence north 105 feet more or less to the southeasterly right of way line of the Underwood Hill Highway; thence northeasterly along the southeasterly right of way line of said Highway to the north line of Lot 2, Section 23, Township 3 North, Range 10 East of the Willamette Meridian; thence North 89° 50' 10" East along the north line of said Lot 2 to a point that is North 89° 50' 10" East 1550.0 feet from a United States Engineer's monument set at the quarter-section corner to Sections 22 and 23 in said township and range; thence South 21° 11' West 700.00 feet; thence South 65° 00' West 366.80 feet; thence west 126.20 feet to the point of beginning, containing 4.19 acres, more or less.

SUBJECT to all existing railroad rights of way and County and State roads and highways.

PARCEL NO. 2. Also a parcel of land situate in Section 23, Township 3 North, Range 10 East of the Willamette Meridian in Skamania and Klickitat Counties, Washington, lying below the 95.6-foot contour line above mean sea level as determined by the U. S. C. and G. S. datum, being more particularly described as follows:

Commencing at a United States Engineer's monument set at the northeast corner of Block 2, First Addition to the Town of Underwood, Washington; thence north 83° 43' 35" East 190.00 feet along the southerly line of Main Street extended; thence north 60.00 feet to the point of beginning of the parcel of land to be described; thence north 87.0 feet to a point on the elevation 95.6-foot contour (U. S. C. & G. S. datum); thence following the said elevation 95.6-foot contour on the following courses and distances; South 75° 47' West 86.0 feet; thence south 77° 10' 30" west 73.27 feet; thence south 15° 08' 30" east 88 feet, more or less,