

DEED RECORD 30
SKAMANIA COUNTY, WASHINGTON

379

Whereas, in constructing and operating said structures the Government will increase periodically the depth and duration of the overflow on a portion of the lands hereinafter described, lying above elevation 72.0 feet; and

Whereas, the Government has purchased a flowage easement over the hereinafter described real property from Skamania County, Washington, under date of September 7, 1938; and

Whereas, under date of October 4, 1930, the County Treasurer of said County executed in favor of Martin Nielsen a contract of sale, No. 106, covering Tax Lot 1 of Section 33, containing 6.71 acres, more or less, and Tax Lot 4 of Section 27, containing 48 acres, and shore lands in front of Sections 28 and 29, all in Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington, and the Government being desirous of having its title aforesaid confirmed by the Grantors herein;

Now Therefore, The Grantors, for and in consideration of the premises and for the purpose of confirming said flowage easement, and of the sum of One Dollar (\$1.00), cash in hand paid by the Government, the receipt whereof being hereby acknowledged, do hereby remise, release and quitclaim unto the Government or its assigns, forever, the full and perpetual right, power, privilege and easement to overflow the following described lands;

All of Lot 1, Section 33, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington, having an original acreage of 6.7 acres, and a present area above the line of ordinary high water in the Columbia River of approximately .21 of an acre, which is subject to flowage.

All that portion of the following described parcel of land lying above the line of ordinary high water in the Columbia River, embodying an area of .86 of an acre subject to flowage:

Beginning at the corner of Sections 27, 28, 33 and 34, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington, which is situate within the boundaries of the William M. Murphy D. L. C. No. 37, Not. 837; thence west along the section line between said Sections 27 and 28, 2.25 chains to the meander corner on the left bank of Wind River; thence South 37° 15' West 6.20 chains, to the Columbia River; thence South 75° 00' East 6.30 chains, to the meander corner between said Sections 33 and 34 on the right bank of the Columbia River; thence north 6.85 chains to the place of beginning, containing 2.95 acres, more or less, all in Section 33, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington.

To Have and To Hold unto the Government or 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 accumulations of brush, trash or driftwood;

And the Grantors, for the consideration aforesaid, also hereby releases the Government from all claims for damages that have accrued or may hereafter accrue to them by reason of the overflowing^{of}/the above described land.

In Testimony Whereof, the said Grantors have hereunto set their hands and affixed their seals on this the day and year first above written.

Martin Nielsen (seal)
Mrs. Elizabeth Nielsen (seal)

STATE OF WASHINGTON)
COUNTY OF SKAMANIA (ss

Be it remembered, That on this 31st day of January, 1940, before me, the undersigned, a Notary Public in and for said county and state, personally appeared the within named Martin Nielsen and Elizabeth Nielsen, his wife, (and who was his wife on the date of execution of the hereinabove described contract of sale, to him, October 4, 1930) who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

In Testimony Whereof, I have hereunto set my hand and notarial seal the day and year last above written.

Raymond C. Sly