

381

DEED RECORD 30
SKAMANIA COUNTY, WASHINGTON

#34126

Skamania County to United States.

Flowage Easement. Office Chief of Engineers Jan 9 1939 6500 (Bonneville Dam)
1369/5.

This Indenture made this 7 day of September, 1938, between 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 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 Grantor, and by resolution duly passed on the 7th day of September, 1938, by a majority vote of the Board of County Commissioners of Skamania County, Washington, at their regular meeting, it was determined that it was 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 over:

a. All those portions of Lots 22, 23, 24 and 25 in Block 2, Town of Stevenson, Skamania County, Washington, lying below elevation 94 feet, mean sea level datum;

b. All that portion of County Tax Lot No. 4679, being a part of Lot 1, Section 32, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington, lying above the line of ordinary high water in the Columbia River, containing .98 of an acre subject to flowage;

c. 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;

d. 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 28 and 33, 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.

e. All that portion of Lot 4, Section 34, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington, lying above the line of ordinary high water in the Columbia River, and below elevation 95 feet mean sea level datum, excepting the right of way of the Spokane, Portland and Seattle Railway Company, embodying an area of 4.72 acres subject to flowage.

AND WHEREAS, at such meeting of the Board of County Commissioners of Skamania County, Washington, it was determined that a perpetual flowage easement be granted to the Government by deed and that the consideration therefor shall be the sum of Three Hundred Fifty and 00/100 Dollars (\$350.00);

Now Therefore, the said Grantor, for and in consideration of the sum of Three Hundred Fifty and 00/100 Dollars (\$350.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the Government and its assigns, forever, the full and perpetual right, power, privilege and easement, to