

BOOK

34 352

EASEMENT DEED

Bonneville Dam
Tract WS-179E-1

546

FOR AND IN CONSIDERATION of the sum of FIFTY and NO/100 DOLLARS (\$50.00) in hand paid, receipt of which is hereby acknowledged, we, MERLE J. BURGESS and LILLIAN J. BURGESS, husband and wife; RONALD L. BURGESS and ANN E. BURGESS, husband and wife; JACK W. BURGESS and CHARLOTTE J. BURGESS, husband and wife; and, PHIL HANLEY and DORA HANLEY, husband and wife, have granted, bargained, and sold and by these presents do hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA and its assigns, a perpetual easement and right of way, for the purposes hereinafter stated, in, upon, over and across all the following bounded and described real property situate in the County of Skamania in the State of Washington, to-wit:

TRACT WS-179E-1

A parcel of land lying in that part of the Jas. McFindley Donation Land Claim No. 37 within Section 31, Township 3 North, Range 9 East of the Willamette Meridian, in Skamania County, Washington, said parcel being more particularly described as follows:

Beginning at a point that is 1,618.9 feet east and 402.5 feet north of a concrete monument that is distant 48.78 feet northerly, measured along the west line of said Section 31, from the meander corner thereof; thence S. 6° 15' E. 77.0 feet; thence S. 83° 10' W. 337.09 feet; thence N. 15° 26' W. 254 feet, more or less, to the south boundary of the right of way of the Spokane, Portland, and Seattle Railway Company; thence northeasterly on said right of way boundary a distance of 70.0 feet; thence S. 30° 13' E. 45.04 feet; thence S. 38° 29' E. 74.34 feet; thence S. 57° 58' E. 61.65 feet; thence S. 81° 48' E. 78.54 feet; thence S. 71° 34' E. 44.61 feet; thence N. 85° 15' E. 85.97 feet to the point of beginning.

The parcel of land above described contains 1.20 acres, more or less.

(The bearings used herein are based upon the Washington Coordinate System, South Zone.)

Said easement and right of way are for the following purposes, namely:

A perpetual and assignable right to enter upon the above described lands and to construct, reconstruct, maintain, repair, operate and patrol a bank protection project including all appurtenances thereto, together with any

enlargement or reconstruction thereof, and to trim, cut, fell, and remove all such trees, brush, and other natural growth and obstructions as are necessary to provide adequate clearance and to eliminate interference with or hazards to the structures or utilities placed or constructed on, over, or under said right of way.

It is expressly understood and agreed that in granting the easement and right of way hereinbefore described, there is included as an appurtenance the right of access thereto over and across other lands of the Grantors.

And further, for the consideration aforesaid, we, the grantors above named, expressly waive for ourselves, our heirs, executors, administrators and assigns, any and all claims against the United States for damages arising from the operation of the Bonneville Dam Project and the consideration above mentioned is accepted as full compensation for all damages heretofore incurred and incidental to the exercise of the rights above granted.

Subject to the following rights outstanding in third parties, namely:

- a. Reservations contained in patents from the United States of America.
- b. Existing easements for public roads and highways, public utilities, railroads and pipelines, and matters relating to water rights and mining rights, if any.
- c. Covenants and restrictions contained in deed recorded 7 November 1949 in Book 32, p. 563, Deed Records of Skamania County, Washington.

TO HAVE AND TO HOLD the said easements and rights of way unto the UNITED STATES OF AMERICA and its assigns forever. We covenant to and with the above named grantee and its assigns that we are lawfully seized and possessed of the land aforesaid; that the easements hereinabove described are free and clear of all encumbrances except as above noted, and that we will and our heirs, executors and administrators, shall warrant and forever defend the title thereto and possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 15th day of June

1965.

Merle J. Burgess
Merle J. Burgess

Lillian J. Burgess
Lillian J. Burgess

Jack M. Burgess
Jack M. Burgess

Charlotte J. Burgess
Charlotte J. Burgess

Ronald L. Burgess
Ronald L. Burgess

Ann E. Burgess
Ann E. Burgess

Phil Hanley
Phil Hanley

Dora Hanley
Dora Hanley

STATE OF WASHINGTON }
COUNTY OF CLARK } ss.

I, _____ a Notary Public in and for the said State, do hereby certify that on this 15 day of June, 1965, personally appeared before me MERLE J. BURGESS and LILLIAN J. BURGESS, husband and wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public in and for the
State of Washington

Residing at Kinco

STATE OF WASHINGTON }
COUNTY OF CLARK } ss.

I, Mary J. Melte a Notary Public in and for the said State, do hereby certify that on this 10 day of June, 1965 personally appeared before me RONALD L. BURGESS and ANN E. BURGESS, husband and wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

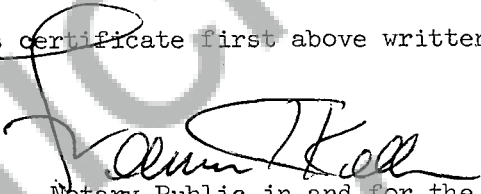
[Signature]
Notary Public in and for the
State of Washington

Residing at Kinco

STATE OF WASHINGTON }
COUNTY OF CLARK } ss.

I, a Notary Public in and for the said State, do hereby certify that on this 15 day of June 1965, personally appeared before me JACK W. BURGESS and CHARLOTTE J. BURGESS, husband and wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public in and for the State of Washington /

Residing at Vancouver

~~STATE OF CALIFORNIA~~ }
COUNTY OF MULTNOMAH } ss.

I, DONALD A. NELSEN, a Notary Public in and for the said County and State, do hereby certify that on this 26th day of MAY, 1965, personally appeared before me PHIL HANLEY and DORA HANLEY, husband and wife, to me known to be the individuals described in and who executed the within instrument, and acknowledged that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public in and for the State of ~~California~~ OREGON

My Commission Expires 31 JANUARY 1968