

1 STAN PITKIN
United States Attorney

2 JERALD E. OLSON
Assistant United States Attorney

3 1012 United States Courthouse
4 Seattle, Washington 98104

5 (206) 442-4735

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

Filed
5-26-71

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 EASEMENT UPON 0.5 ACRE OF LAND
15 IN THE COUNTY OF SKAMANIA,
16 STATE OF WASHINGTON,
Leonard J. Jungert, et al, and
UNKNOWN OWNERS,
17 Defendants.

4327
~~4327~~
CIVIL NO.

LIS PENDENS

18 NOTICE IS HEREBY GIVEN:

- 19 1. That the above-entitled action is pending in the
20 above-entitled Court.
- 21 2. That the plaintiff in such action is the United States
22 of America; that the names of the defendants in such action, and
23 of each and every owner, encumbrancer, or other person or party
24 interested in the land described in Exhibit A, attached hereto and
25 by this reference made a part thereof, or any part thereof, so far
26 as the same can be ascertained from the public records, are as
27 follows:

28 Leonard J. Jungert and Mildred Jungert, his wife;
29 Stephen J. Winston and Sma I. Winston, his wife;
30 Skamania County, a political subdivision of the
State of Washington;
31 State of Washington, Attorney General, Olympia,
32 Washington.

Lis Pendens - Page 1

3. That the object of such action is to acquire by condemnation proceedings for the United States of America a perpetual easement and rights to fell, limb and top danger trees adjacent to said easement over, across and upon the land designated herein as Tracts Ha-0-655 and Ha-0-655-DT; all being described in said Exhibit A.

DATED this 21 day of MAY, 1971.

STAN PITKIN
United States Attorney

/s/ JERALD E. OLSON

JERALD E. OLSON
Assistant U. S. Attorney



Tracts La-O-655 and
Ha-O-655-DT

EXHIBIT A

EASEMENT FOR ELECTRIC TRANSMISSION LINE

A perpetual easement to construct, maintain, repair, rebuild, operate and patrol one line of electric power transmission structures with conductor and necessary appurtenances, and the further right to clear the right-of-way hereinafter described, and to keep the same clear of brush, timber, structures and fire hazards (provided, however, that the words "fire hazards" shall not include annual agricultural crops), and to dispose of such brush, timber and structures, by sale or other means, in such manner as shall not create a fire hazard, over and upon:

Tract Ha-O-655

A right-of-way 12.5 feet wide over and across the ~~South~~ East of Section 18, Township 3 North, Range 8 East, Willamette Meridian, Skamania County, Washington. The 12.5-foot right-of-way lies on the northwesterly side of, runs parallel with, and adjoins the existing 300-foot right-of-way for the Bonneville Power Administration McNary-Ross transmission line, acquired by the United States of America in Cause No. 1718 in the United States District Court for the Western District of Washington, Southern Division; a certified copy of the judgment on declaration of taking dated June 3, 1953, was recorded on June 15, 1953, page 459, Book 36 of Deeds, under Auditor's File No. 45579, Records of Skamania County, Washington.

The boundaries of the 12.5-foot right-of-way lie 62.5 feet northwesterly from and 75 feet northwesterly from and parallel with the survey line of the Bonneville Power Administration Hanford-Ostrander No. 1 transmission line, which survey line is described with reference to the Washington Coordinate System--South Zone as follows:

Beginning in the SW ~~Quarter~~ of Section 17, Township 3 North, Range 8 East, Willamette Meridian, at survey station 7457 + 62.8 which is N. 35° 34' 30" E., 1463.6 feet from the east quarter section corner of Section 18, Township 3 North, Range 8 East, Willamette Meridian. This corner is evidenced by an iron pipe. Thence S. 61° 43' 30" W., 5737.2 feet to 7515 + 00.0 in Government Lot 4 of Section 18 which is N. 40° 40' 20" E., 1740.3 feet from the southwest corner of Section 18. This corner is evidenced by a marked post.

1 Together with the rights of access to and from said Tract Ha-O-655,
 2 and other adjacent transmission line easements of the United States of
 3 America, over and across easement areas Mc-R-121 and 122, acquired by
 4 the United States of America in Cause No. 1718 in the United States
 5 District Court for the Western District of Washington, Southern Division;
 6 a certified copy of the judgment on declaration of taking dated June 3,
 7 1953, was recorded on June 15, 1953, page 459, Book 36 of Deeds, under
 8 Auditor's File No. 45579, Records of Skamania County, Washington.

9 Together with:

10 DANGER TREE RIGHTS

11 Tract Ha-O-655-DT

12 Consisting of the right to fell, limb and top all trees, brush and
 13 snags located in the S½ of Section 18, Township 3 North, Range 8 East,
 14 Willamette Meridian, Skamania County, Washington, which trees, brush and
 15 snags are, at the date of filing the declaration of taking in the above-
 16 entitled proceeding, of such height and location that they could fall
 17 within 35 feet of any conductor of said Hanford-Ostrander No. 1 transmission
 18 line, together with the right to sell, burn, or otherwise destroy said trees,
 19 brush and snags; provided, however, that such rights shall be exercised only
 20 in such manner that no fire hazard shall be created. The approximate areas
 21 upon which danger trees are known to exist are shown in green on Map
 22 No. 150441 of Exhibit B to the Declaration of Taking, but the right to
 23 remove danger trees within the foregoing definition is not limited to such
 24 area.

25 Subject to:

- 26 (1) The rights of the public in and to all public roads;
- 27 (2) The continued use and maintenance of pipes and conduits, irriga-
 28 tion and drainage lines, ditches and canals, and public utility lines;
- 29 (3) The exercise of existing easements and licenses;
- 30 (4) The exercise of existing mineral rights; and
- 31 (5) The rights of the owners to make all uses of said right-of-way
 32 areas not inconsistent with use by the United States for electric trans-
 mission line purposes.

1 Tracts Ha-O-655 and Ha-O-655-DT.

2 Owners:

Leonard J. Jungert and
Mildred Jungert,
husband and wife,
Star Route,
Clarkston, Washington 99403.

5 Area:

0.5 acre.

6 Estimated Compensation:

\$ 1,470.00

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