

78843

EASEMENT DEED

196 BOOK 5 W 242

FOR AND IN CONSIDERATION OF THE SUM OF FIFTEEN THOUSAND FIVE HUNDRED AND NO/100

\$15,500.00) in hand paid, receipt of which is hereby acknowledged
I, Bonnie D. Humphreys, a widow,

have/has granted, bargained, and sold and by these presents do/does hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA and its assigns a perpetual and assignable easement and right of way for the purpose hereinafter stated in, upon, under, over, and across that certain parcel of land situate in the County of Skamania, State of Washington, as shown on Schedule "A" attached hereto and made a part hereof.

Subject only to rights outstanding in third parties and reservations, as shown on Schedule "B" attached hereto and made part hereof.

The easement and right of way hereby conveyed are for the following purposes, namely:

The perpetual right, power, privilege and easement permanently to overflow, flood and submerge the land described in Schedule "A" and to maintain mosquito control in connection with the operation and maintenance of the Bonneville Lock and Dam project as authorized by the Act of Congress approved 20 August 1937, and the continuing right to clear and remove any brush, debris and natural obstructions which, in the opinion of the representative of the United States in charge of the Project, may be detrimental to the project, together with all right, title and interest in and to the timber, structures and improvements situate on the land, provided that no structures for human habitation shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress; abridging the rights and easement hereby acquired; provided further that any use of the land shall be subject to federal and state laws with respect to pollution.

TO HAVE AND TO HOLD the said easement and right of way unto the UNITED STATES OF AMERICA and its assigns forever.

We, the grantors above named, covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land aforesaid; that the easement and right of way hereinabove described is free and clear of all encumbrances, except as above noted, and that we will forever warrant and defend the title thereof and quiet possession thereof against the lawful claims of all persons whatsoever.

The true and actual consideration for this transfer is
\$15,500.00
The foregoing recital of consideration is true as I
verily believe.

Bonnie D. Humphreys
Bonnie D. Humphreys

SCHEDULE "A"

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TRACT 322E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.40 feet Mean Sea Level, situated in Section 36, Township 3 North, Range 7-1/2 East of the Willamette Meridian, Skamania County, Washington:

All that part of Government Lots 11 and 12 in said Section 36 lying South of the Spokane, Portland and Seattle Railway Company and East of a line described as follows: Commencing at a point on the South right-of-way line of the Spokane, Portland and Seattle Railway Company which is 917.34 feet South and 422.30 feet East of the Northeast corner of the Shepard D.L.C.; thence South 07° 35' 00" West to the Columbia River. Excepting that portion conveyed by Skamania County to J. H. Zeverly by deed recorded at page 535, Volume "T" of deed records of said county. Also excepting a plot of ground 35.00 feet x 35.00 feet in dimension upon which is located a private cemetery of the Samantha E. Devans family; and further except any portion lying within the I.O.O.F. Cemetery, Mountain Lodge No. 172, shown on plat recorded in Book "A" of Plats at page 86.

The tract of land herein described contains 1.80 acres, more or less, all of which is contained in Tract 322E-1.

NAME AND ADDRESS OF PROPRIETOR
OWNER(S) FOR TRACT 322E-2,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

~~THE BONNEVILLE LOCK AND DAM COMPANY~~
Bonnie D. Humphreys

SCHEDULE "B"

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Subject only to the following rights outstanding in the premises namely:

Existing easements for public roads and highways, public utilities, railroads and pipelines, and

Reservations contained in patents from the United States of America.

EXCEPTING from the parcel described in "Schedule A", the following structure and or improvement which may remain on the easement herein described:

Boat Dock

In consideration for permission to reserve the above item, the grantor herein waives and releases the Government from any and all future damage which may occur to this item as a result of the operation of Bonneville Lock and Dam and this waiver and release shall run with the land and be binding upon the heirs and assigns of the aforesaid grantor.

76943

STATE OF WASHINGTON
COUNTY OF SKAMANIA

I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING FILED BY

Robert J. Nelson

OF *Stevensville*

AT *11:00 A. M. Dec 11 1934*

WAS RECORDED IN BOOK *65*

OF *Skamania*

RECORDS OF *SKAMANIA* COUNTY, WASH.

H. G. Gish

D. I. Meigs

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