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BOOK 66 PAGE 25

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FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MAY 8 1972

CHARLES A. SCHAEF, CLERK

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

DECLARATION
OF
TAKING

CIVIL NO.

141.34 ACRES OF LAND, MORE OR
LESS, SITUATE IN SKAMANIA COUNTY,
STATE OF WASHINGTON, AND
DAIS A. STEVENSON, ET AL.,
Defendants

78-7203

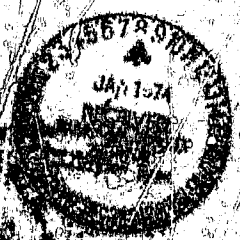
TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

ROBERT F. FROEHLKE

, Secretary of the Army do

hereby declare that:

1. (a) The land hereinafter described is taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a), and acts supplementary thereto and amendatory thereof, and under the further authority of the Acts of Congress approved April 24, 1888 (25 Stat. 94, 33 U.S.C. 391), and March 1, 1917 (39 Stat. 948, 33 U.S.C. 701), which authorize the acquisition of land for flood control projects; the Act of Congress approved August 30, 1935 (Public Law 409 - 74th Congress), which act authorizes the construction of the Bonneville Project, Columbia River, Oregon-Washington; the Act of Congress approved December 22, 1944 (Public Law 394 - 78th Congress, as amended), which act authorizes construction of recreational facilities in reservoir areas; and the Act of Congress approved October 3, 1911 (Public Law



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
ATTEST: ERIC J. SCHAEF, CLERK
Charles A. Schaeff

(3)

92-134), which act appropriated funds for such purposes.

(b) The public uses for which said land is taken are as follows:
The said land is necessary to provide for the construction of a flood control improvement and for other uses incident thereto. The said land has been selected by me for acquisition by the United States for use in connection with the Bonneville Lock and Dam Project in Skamania County, State of Washington, and for such other uses as may be authorized by Congress or Executive Order.

2. A general description of the land being taken is set forth in Schedule "A" attached hereto and made a part hereof, and is a description of the same land described in the complaint in the above entitled cause.

3. The estate taken for said public uses is the fee simple title to the land described in Schedule "A", subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

4. A plan showing the land taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto and including any and all interests hereby taken in said land, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the registry of the said court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land probably will be within any limits prescribed by law on the price to be paid therefor.

IN WITNESS WHEREOF, the United States of America, by its Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said

ROBERT F. FROEHLKE

Secretary of the Army, this 19th day of APRIL

A.D. 1942, in the City of Washington, District of Columbia.

Robert F. Froehlke

Secretary of the Army

A true copy
ATTEST: EDGAR SCOFIELD, Clerk
By *Charles H. Kelly* Deputy

SCHEDULE "A"

The lands which are the subject matter of this Declaration, taking aggregate, 141.34 acres, more or less, situate and being in the County of Skamania, State of Washington. Descriptions of the lands taken, together with the names of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

TRACT NO. WS-182

A tract of land situated in the northeast quarter of Section 34 and the northwest quarter of Section 35, all in Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington, being more particularly described as follows:

All that part of the following described real property lying southerly of the southerly line of the Spokane, Portland, and Seattle Railway Company's right-of-way: All of the Jos. Robbins Donation Land Claim in said Section 34 and Government Lots 1, 2 and 5 in Section 35; Excepting therefrom a tract of land described as follows: Beginning at a point 954.4 feet south and 761.3 feet west of the section corner common to Sections 24, 27, 34 and 35, Township 3 North, Range 8 East of the Willamette Meridian; thence S. $24^{\circ} 00'$ W. 155.6 feet; thence S. $84^{\circ} 00'$ E. 280 feet; thence N. $24^{\circ} 00'$ E. 155.6 feet; thence N. $84^{\circ} 00'$ W. 280 feet to the point of beginning.

Also Excepting therefrom a tract of land described as follows: Beginning at a point described by the intersection of the southerly line of the Spokane, Portland and Seattle Railway Company's right-of-way and the section line between said Sections 34, and 35; thence S. $0^{\circ} 04' 10''$ E. a distance of 459.8 feet; thence N. $86^{\circ} 46'$ W. a distance of 331.8 feet; thence N. $27^{\circ} 51'$ E. a distance of 539.5 feet to the southerly right-of-way line of said railroad; thence S. $65^{\circ} 24' 20''$ E. on the said right-of-way line a distance of 86.4 feet to the point of beginning.

Also Excepting all that portion of the Jos. Robbins Donation Land Claim in said Section 35 which lies southerly of the south right-of-way line of the Spokane, Portland and Seattle Railway Company.

Also Excepting therefrom a tract of land described as follows: Beginning at the intersection of the east line of the Jos. Robbins Donation Land Claim with the southerly line of the Spokane, Portland and Seattle Railway Company's right-of-way; thence south along the east line of said Robbins Donation Land Claim a distance of 600 feet; thence east to the east line of Government Lot 1 of said Section 35; thence north to the southerly line of the Spokane, Portland and Seattle Railway Company's right-of-way; thence northwesterly following the southerly line of said right-of-way to the point of beginning.

Also Excepting therefrom a tract of land in the northeast quarter of Section 34, Township 3 North, Range 8 East of the Willamette Meridian, described as follows:

A true and correct copy of the original Declaration of Intention, as filed for record in the Office of the County Clerk of Skamania County, Washington, this 1st day of March, 1914.

Charles J. Smith, Clerk

Beginning at a point which is the intersection of the west line of the Robbins Donation Land Claim with the south line of Section 27, Township 3 North, Range 8 East of the Willamette Meridian; thence N. 89° 18' E. along the south line of said Section 27 a distance of 795.22 feet to the southerly right-of-way line of the Spokane, Portland and Seattle Railroad; thence S. 65° 34' E. along said right-of-way line a distance of 221.35 feet; thence S. 23° 25' W. a distance of 10.61 feet; thence S. 89° 18' W. parallel with the south line of said Section 27 a distance of 659.24 feet; thence on a curve to the left whose radius is 150.0 feet, a distance of 147.71 feet; thence S. 36° 33' W. a distance of 348.17 feet to an intersection with the west line of the Robbins Donation Land Claim; thence N. 0° 57' W. a distance of 437.86 feet along said west line to the point of beginning.

The land above described contains 131.04 acres, more or less.

TRACT WS-185

A tract of land situated in the northwest quarter of Section 35, Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington, said tract being described as follows:

PARCEL NO. 1: Beginning at the intersection of the east line of the Jos. Robbins Donation Land Claim with the southerly line of the Spokane, Portland and Seattle Railway Company's right of way; thence south along the east line of said Robbins Donation Land Claim 600 feet; thence east to the east line of Government Lot 1 of said Section 35; thence north to the southerly line of said railway right of way; thence westerly following the southerly line of said railway right of way to the point of beginning.

PARCEL NO. 2: A tract of land in the Jos. Robbins Donation Land Claim in said Section 35 lying southerly of the southerly line of the Spokane, Portland and Seattle Railway Company's right of way, said tract being described as follows:

Beginning at a point on the southerly line of said railway right of way 134 feet due west from and on a line at a right angle to the east line of said Robbins Donation Land Claim; thence in a southeasterly direction along said railway right of way to intersection with the east line of the Robbins Donation Land Claim; thence south along the east line of said claim to the southeast corner thereof; thence S. 58° 30' W. to a point 134 feet due west from, and on a line right angle to the east line of said claim extended southerly; thence north parallel to the east line of said claim to the point of beginning.

The land above described contains 10.30 acres, more or less.

Attest:
 JAMES H. BISHOP, Clerk
 By *Charles J. [Signature]* Deputy

Names of Purported Owners of
Tract WS-182

1. Rees A. Stevenson and
Eloise M. Stevenson,
husband and wife
2. Estate of W. F. Daubenspeck,
deceased.
3. Lena Daubenspeck,
surviving spouse of
W. F. Daubenspeck, deceased.
4. W. E. Stevenson and
Priscilla B. Stevenson,
husband and wife
5. Bruce M. Stevenson and
Mary R. Stevenson,
husband and wife.

Addresses of Purported Owners of
Tract WS-182

1. 62 N. E. Okeefe Ave.
White Salmon, Wash. 98672
2. c/o Lena Daubenspeck,
P.O. Box 705,
White Salmon, Wash. 98672
3. P. O. Box 705,
White Salmon, Wash. 98672
4. 705 E. P. Oak St.
White Salmon, Wash. 98672
5. 455 S. P. Oak Pl.
White Salmon, Wash. 98672

Estimated Compensation for
Tract WS-182

ONE HUNDRED THREE THOUSAND, FIVE
HUNDRED and No/100 DOLLARS
(\$103,500.00)

Name of Purported Owner of
Tract WS-185

1. Coy-Catlin Post No. 137 of the
American Legion, a corporation

Address of Purported Owner of
Tract WS-185

1. Carson, Washington 98610

Estimated Compensation for
Tract WS-185

NINETEEN THOUSAND and No/100
DOLLARS (\$19,000.00)

The gross sum estimated by the acquiring authority to be just compensation
for the estate hereby taken, inclusive of all rights set forth in the
Declaration of Taking, is ONE HUNDRED TWENTY TWO THOUSAND, FIVE HUNDRED AND
No/100 Dollars (\$122,500.00.)

76991

STATE OF WASHINGTON
COUNTY OF GRAYS

I HEREBY CERTIFY THAT THE FOLLOWING

REGISTERED	☒
INDEXED	☒
RECORDED	☒
MAILED	☒

INSTRUMENT OF WRITING, FILED IN

Book 66, Page 29

ON 11/10/1914

AT 10:30 A.M.

IN THE COURT OF THE

CLERK OF THE COURT

OF THE COUNTY OF GRAYS

STATE OF WASHINGTON

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the County of Grays, Washington, this 11th day of November, 1914.

CLERK OF THE COURT

CHAS. H. HALE