

77090

Project: Bonnaville Lock and Dam
Modification for Peaking
Tract No. (s): 519E-2 and 522E-2

BASEMENT DEED

BOOK 66 PAGE 287

AND IN CONSIDERATION OF THE SUM OF ONE THOUSAND TWENTY-FIVE AND NO/100

\$1,025.00) in hand paid, receipt of which is hereby acknowledged

FRANK J. MASON and JOAN A. MASON, Husband & Wife; ALBERT E. MCKEE and JUDY F. MCKEE, Husband & 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 and assignable easement and right of way for the purposes 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, to-wit:

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 Bonnaville 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, that no other structures 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 or 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 whomsoever.

The true and actual consideration for this transfer is \$1,025.00. The foregoing recital of consideration is true as I verily believe.

Frank J. Mason
FRANK J. MASON
Joan A. Mason
JOAN A. MASON
Albert E. McKee
ALBERT E. MCKEE
Judy F. McKee
JUDY F. MCKEE

STATE OF WASHINGTON }
COUNTY OF Skamania }

On the 28th day of January, 1974, personally came before me, as Notary Public in and for said County and State, the within named FRANK J. MASON and JOAN A. MASON, husband & wife

to me personally known to be the identical persons described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.

Unofficial Copy

Paul H. Mason
Notary Public in and for the
State of Washington
My Commission Expires 2-27-76

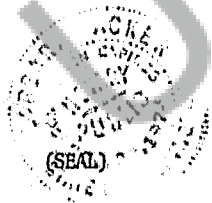


STATE OF WASHINGTON
COUNTY OF SKAMANIA

On the 8th day of FEBRUARY, 1974, personally
came before me, as Notary Public in and for said County and State, the
within named ALBERT E. MCKEE and JUDY F. MCKEE, husband & wife

to me personally known to be the identical persons described in and who
executed the within and foregoing instrument and acknowledged to me
that they executed the same as their free and
voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last
above written.



Barbara Acker
Notary Public in and for the
State of Washington
My Commission Expires 12-28-74



27 November 1973

BOOK 66 PAGE 284

SCHEDULE "A"

Tract 519E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.50 feet Mean Sea Level situated in Section 29, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington: That portion of the Southwest quarter of the Southwest quarter of said Section 29 lying South of the South right-of-way line of the Spokane, Portland and Seattle Railway Company.

The tract of land herein described contains 0.03 of an acre, more or less, all of which is contained in Tract 519E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 519E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Frank J. Mason, et al.

Unofficial
Copy

SCHEDULE "A"

TRACT 522E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.50 feet Mean Sea Level, situated in Section 29, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington:

That portion of the Southwest quarter of the Southwest quarter of said Section 29 lying Southerly of the right-of-way of Primary State Highway No. 14; Except the right-of-way acquired by the Spokane, Portland and Seattle Railway Company; and Except that portion of the South 200.00 feet of the Southwest quarter of the Southwest quarter of said Section 29 lying Easterly of the right-of-way of Primary State Highway No. 14 and Westerly of the right-of-way acquired by the Spokane, Portland and Seattle Railway Company; and Except the following described tract: Beginning at the center of a culvert under the main track of the Spokane, Portland and Seattle Railway Company right-of-way (culvert No. 56 + 78); thence in a Northwesterly direction following the center of said culvert and the center of the channel of an unnamed creek 362.00 feet, more or less, to the center of the county road known and designated as the Mason Road; thence in a Southwesterly direction follow the center of said road 354.00 feet, more or less, to a culvert at an unnamed creek; thence South 40° 00' 00" East to the center of the main track of said railroad; thence following the center of said track in a Northeasterly direction to the point of beginning.

The tract of land herein described contains 0.01 of an acre, more or less, all of which is contained in Tract 522E-1.

NAME AND ADDRESS OF PURPORTED OWNER(S) FOR TRACT 522E-2, BONNEVILLE LOCK AND DAM, (LAKE BONNEVILLE)

Frank J. Mason and Joan Mason

SCHEDULE "B"

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

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

Reservations contained in patents from the United States of America.

Unofficial Copy