

Trans. (9): 3248-2

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FRAGMENT USED

DOLLARS

500.00

) in hand paid, receipt of which is hereby acknowledged

No. August J. Jermann & Betty L. Jermann, Husband and Wife

have ~~and~~ granted, bargained, and sold and by these presents do ~~and~~ 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, 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 Henryville 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 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

true un-

The foregoing recital of consideration is true as I
truly believe.

AUGUST J. JERMAN
BETTY L. JERMAN

BETTY L. JENNARD

5 February 1974

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STATE OF WASHINGTON }
 COUNTY OF SKAMANIA }

On the 2nd day of July, 1974, personally
 came before me, as Notary Public in and for said County and State, the
 within named AUGUST J. JERMANN & BETTY L. JERMANN, Husband and Wife

to me personally known to be the identical person 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.

Robert J. Salveen

Notary Public in and for the
 State of Washington

My Commission Expires SEPT. 21, 1977

(SEAL)

5 February 1974

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SCHEDULE "A"

Tract 324E-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 Government Lot 13 in Section 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, Skamania County, Washington:

Beginning at a point 657.40 feet West and 363.50 feet South of the quarter corner on the East line of said Section 36; thence South 33°48'00" West 76.80 feet; thence South 36°28'00" West 184.50 feet; thence South 33°31'00" West 279.90 feet; thence South 28°21'00" West 85.70 feet; thence North 58°08'00" West to the West line of said Lot 13; thence North along the said West line a distance of 630.00 feet, more or less, to the Northwest corner of said Lot 13; thence East along the North line of said Lot 13 to its most Easterly intersection with the County Road known as Nelson Creek Road; thence Southerly and Southwesterly along the said Nelson Creek Road to the point of beginning.

The tract of land herein described contains 0.30 of an acre, more or less, all of which is contained in Tract 324E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 324E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

August J. Jermann

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.