

78148

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EASEMENT DEED

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

( \$ 6,550.00 ) in hand paid, receipt of which is hereby acknowledged DOLLARS

We, David G. Harris & Alberta L. Harris, Husband and Wife; and Paul W. Liston, a single man; and Phyllis E. Curtis, a single woman have/had 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 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 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, 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

\$6,550.00

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

David G. Harris  
DAVID G. HARRIS

Alberta L. Harris  
ALBERTA L. HARRIS

Paul W. Liston  
PAUL W. LISTON

Phyllis E. Curtis  
PHYLLIS E. CURTIS

STATE OF WASHINGTON )

COUNTY OF King )

On the 22 day of August, 1974, personally  
 came before me, as Notary Public in and for said County and State, the  
 within named PAUL W. LISTON AND PHYLLIS E. CURTIS

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.

*[Signature]*  
 Notary Public in and for the  
 State of Washington


My Commission Expires June 75

(SEAL)

## Acknowledgment of Maker

I Herely Certify that, on the 30th day of August 1974, at the City of Victoria in the province of British Columbia, DAVID G. HARRIS & ALBERTA L. HARRIS ~~(whose names have been subscribed by the maker)~~ who is personally known to me, appeared before me and acknowledged to me that they are the person s mentioned in the annexed instrument as the maker s thereof, and whose name s are subscribed thereto as part ies, that they know the contents thereof, and that they executed the same voluntarily, and they are of the full age of twenty-one years.

IN TESTIMONY whereof I have hereunto set my Hand and Seal of Office, at the City of Victoria in the Province of British Columbia, this 30th day of August in the year of our Lord one thousand nine hundred and seventy-four

  
Notary Public in and for the Province of British Columbia,  
Commissioner for taking acknowledgments within British Columbia.

NOTE—Where the person making the acknowledgment is personally known to the officer taking the same, strike out the words in brackets.

SCHEDULE "A"

TRACT 702E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.00 feet Mean Sea Level, situated in Section 32, Township 3 North, Range 9 East of the Willamette Meridian in Skamania County, Washington:

All that portion of Government Lot 1 of said Section 32, lying Southerly of the Spokane, Portland and Seattle Railway Company's South right-of-way line, except that portion thereof described as follows: Beginning at a point marked by an iron pipe on the East line of said Government Lot 1, which point lies 344.48 feet South of the intersection of said East line with the center line of the said Railway right-of-way; thence South 48° 30' 00" West 161.00 feet; thence South to the Southerly line of said Lot 1; thence in a Northeasterly direction following the South line of said Lot 1 to the intersection with the East line of said Lot 1; thence North to the point of beginning.

The tract of land herein described contains 0.52 of an acre, more or less, all of which is contained in Tract 702E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 702E-2,  
BONNEVILLE LOCK AND DAM, (LAKE  
BONNEVILLE)

David G. Harris  
and Alberta L. Harris



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