

77286

Project: Bonneville Lock and Dam  
 Classification for Recording  
 Tract No. (S) 4100-2

## EASEMENT DEED

FOR AND IN CONSIDERATION OF THE SUM OF FOUR THOUSAND AND NO/100

(\$ 4,000.00

DOLLARS

in hand paid, receipt of which is hereby acknowledged

Cascade Lumber Company, a Washington corporation

hereby grants, bargained, and sold and by these presents he/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 whatsoever.

The true and actual consideration for this transfer is \$4,000.00  
 The foregoing recital of consideration is true as I verily believe.



IN WITNESS WHEREOF, Carson Lumber Company, has caused these presents to be signed in its name by its President and its corporate seal to be affixed, attested by its Secretary this 20<sup>th</sup> day of MARCH 1974.

CARSON LUMBER COMPANY

By W. Birkenfeld  
W. Birkenfeld, President

ATTEST:

Robert J. Salvesen  
Robert J. Salvesen, Secretary

STATE OF WASHINGTON )  
County of Skamania ) ss.

On this 20<sup>th</sup> day of MARCH 1974, before me personally appeared W. Birkenfeld and Robert J. Salvesen, to me known to be the President and Secretary, respectively, of Carson Lumber Company, the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and each stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

David J. [Signature]  
Notary Public in and for the State  
Washington,  
My commission expires: Aug. 25, 1977



SCHEDULE "A"

TRACT 617E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.70 feet Mean Sea Level, situated in Section 27, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington:

Beginning at the Northwest corner of the William M. Murphy Donation Land Claim No. 37, running thence East 447.03 feet; thence South 14° 15' 00" West 193.50 feet; thence North 82° 43' 00" East 107.00 feet; thence South 28° 31' 00" West 260.00 feet; thence South 19° 17' 00" East 471.00 feet; thence South 84° 28' 00" West 89.50 feet; thence North 24° 00' 00" West 142.00 feet; thence North 14° 00' 00" West 60.00 feet; thence North 23° 00' 00" West 93.00 feet; thence North 26° 00' 00" West 167.00 feet; thence North 44° 00' 00" West 200.00 feet; thence North 47° 00' 00" West 116.00 feet; thence North 43° 00' 00" West 111.40 feet; thence North 22° 00' 00" East to the point of beginning.

The tract of land herein described contains 0.96 of an acre, more or less, all of which is contained in Tract 617E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 617E-2,  
BONNEVILLE LOCK AND DAM, (LAKE  
BONNEVILLE)

Carson, Luby, et al.



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I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT OF WRITING FILED BY \_\_\_\_\_

OF Thompson  
AT 2:30 July 11 1938  
WAP RECORDED IN BOOK 67  
OF Recd AT PAGE 66  
RECORDS OF KAMAMANIA COUNTY, WASH.

COUNTY AURORA

61 Handwritten signature

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.

Reservation of all oils, gases, coal, ores, minerals and fossils together with other rights appurtenant thereto as set forth in deed from the State of Washington, dated September 10, 1947, and recorded May 21, 1948, at page 47 of Book 32 of Deeds, under Auditor's File No. 37902, Records of Skamania County, Washington.