

1 Certified to be a true and
2 correct copy of the original
3 filed in my office.

4 Dated NOV 25 1974

5 By *E. J. Hovey*



NOV 25 1974

8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

NO.

LIS PENDENS

13 1.26 ACRES OF LAND, MORE OR LESS,
14 SITUATE IN SKAMANIA COUNTY,
15 STATE OF WASHINGTON, AND H. ROBERT
16 COLE, ET AL., AND UNKNOWN OWNERS,

Defendants.

(Tract 210E-4)

17 NOTICE IS HEREBY GIVEN:

18 1. That the above-entitled action is pending in the
19 above-entitled Court.

20 2. That the plaintiff in such action is the United
21 States of America; that the names of the defendants in
22 such action, and of each and every owner, encumbrancer,
23 or other person or party interested in the land described
24 in Schedule "A" attached hereto and by this reference made
25

1 a part thereof, or any part thereof, so far as the same can
2 be ascertained from the public records, are as follows:

3 H. Robert Cole;
4 George J. Schmid;
5 Skamania County, a political subdivision of the
6 State of Washington; and
7 State of Washington, Attorney General, Olympia,
8 Washington.

9 3. The estate taken for said public uses is the
10 perpetual right, power, privilege and easement permanently
11 to overflow, flood and submerge the land described in
12 Schedule "A" as Tract 210E-2, and to maintain mosquito
13 control in connection with the operation and maintenance of
14 the Bonneville Lock and Dam project as authorized by the
15 Act of Congress approved August 20, 1937, and the continuing
16 right to clear and remove any brush, debris and natural ob-
17 structions which, in the opinion of the representative of the
18 United States in charge of the project, may be detrimental
19 to the project, together with all right, title and interest
20 in and to the timber, structures and improvements situate
21 on the land; provided that no structures for human
22 habitation shall be constructed or maintained on the land,
23 that no other structures shall be constructed or maintained
24 on the land except as may be approved in writing by the
25 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

1 to the location and method of excavation and/or placement
2 of landfill; the above estate is taken subject to existing
3 easements for public roads and highways, public utilities,
4 railroads and pipelines; reserving, however, to the land-
5 owners, their heirs and assigns, all such rights and
6 privileges as may be used and enjoyed without interfering
7 with the use of the project for the purposes authorized
8 by Congress or abridging the rights and easement hereby
9 acquired; provided further that any use of the land shall
10 be subject to Federal and state laws with respect to
11 pollution.

12 DATED this 22nd day of Nov, 1974.

13 STAN PITKIN
United States Attorney

14
15
16 Albert E. Stephan
Assistant U.S. Attorney
17 P. O. Box 1227
18 Seattle, Washington 98111
Telephone: (206) 442-7970
19
20
21
22
23
24
25