

78662

BOOK 68 PAGE 217
Project: Bonneville Lock & Dam
Modification for Peaking
Tract No.(s): 513E-2

EASEMENT DEED

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

(\$ 6,650.00) in hand paid, receipt of which is hereby acknowledged

We, Ted M. Cole and Opal E. Cole, Husband and wife,

have/has 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 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 \$6,650.00

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

TED M. COLE

OPAL E. COLE

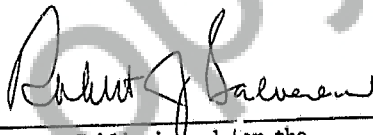
STATE OF WASHINGTON }

COUNTY OF SKAMANIA }

On the 21st day of JANUARY, 1975, personally came before me, as Notary Public in and for said County and State, the within named TED M. COLE and OPAL E. COLE, 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.



Notary Public in and for the
State of Washington

My Commission Expires SEPT. 21, 1977

(SEAL)

SCHEDULE "A"

Tract 513E-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 31, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington:

Beginning at a point on the Government Meander Line on the North shore of the Columbia River where the East line of said Section 31 intersects with said Meander Line; thence North on said Section line to the South right-of-way line of the Spokane, Portland and Seattle Railway Company, thence Westerly along the South line of said right-of-way a distance of 1,024.00 feet; thence South 22°30'00" East to said Government Meander Line on said North shore of the Columbia River; thence Easterly along said Meander Line to the point of beginning.

The tract of land herein described contains 0.98 of an acre, more or less, all of which is contained in Tract 513E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 513E-2
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Ted M. Cole and
Opa! E. Cole

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