

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

3 Date JAN - 5 1975 ATTEST:
EDGAR SCOFFIELD, Clerk

4 By E. A. Horney
Deputy

Original Filed
JAN - 5 1975

5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 1.76 ACRES OF LAND, MORE OR LESS,
14 SITUATE IN SKAMANIA COUNTY,
STATE OF WASHINGTON, AND ESTATE OF
15 EUGENE PHILLIPS, also known as
GENE PHILLIPS, deceased, and
16 UNKNOWN OWNERS,

17 Defendants.

CRF - 1 - 2T
NO. 3 - 1 - 2T
LIS PENDENS
(TRACT 106E-2)



18 NOTICE IS HEREBY GIVEN:

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

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

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 Estate of Eugene Phillips, a/k/a Gene Phillips, deceased;
4 Skamania County, a political subdivision of the
5 State of Washington; and
6 State of Washington, Attorney General, Olympia,
7 Washington.

8 3. The estate taken for said public uses is the
9 perpetual right, power, privilege and easement permanently
10 to overflow, flood and submerge the land described in
11 Schedule "A" and to maintain mosquito control in connection
12 with the operation and maintenance of the Bonneville Lock
13 and Dam, and as further provided in the Declaration of
14 Taking herein for the property described as:

15 Tract 106E-2 being described in said Schedule "A".

16 DATED December 13, 1974.

17 STAN PITKIN
18 United States Attorney

19 William H. Rubidge
20 WILLIAM H. RUBIDGE
21 Assistant U.S. Attorney
22 F. O. Box 1227
23 Seattle, Washington 98111
24 Telephone: (206) 442-7970
25

EXHIBIT "A"

Tract 106E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 80.70 feet Mean Sea Level situated in Sections 15 and 22, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington:

Beginning at a point on the Northerly right-of-way line of State Highway No. 14 lying South 54°45'00" West a distance of 165.00 feet from the Southwest corner of Lot 9 of Normandy Tracts according to the official plat thereof on file and of record in the office of the auditor of Skamania County, Washington; thence North 35°15'00" West 64.00 feet; thence South 54°45'00" West 7.00 feet; thence North 39°04'00" West 150.23 feet; thence North 35°15'00" West 436.00 feet; thence North 54°45'00" East 150.00 feet; thence South 35°15'00" East 106.50 feet; thence South 54°45'00" West 10.00 feet; thence South 35°15'00" East 43.50 feet; thence North 54°45'00" East 50.00 feet; thence North 35°15'00" West 68.00 feet; thence North 54°45'00" East 20.00 feet; thence North 35°15'00" West 767.00 feet; thence South 1,590.00 feet to the Northerly right-of-way line of State Highway No. 14; thence North 54°45'00" East along said line to the point beginning.

The tract of land herein described contains 1.76 acres, more or less, all of which is contained in Tract 106E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 106E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Estate of Eugene Phillips, also
known as Gene Phillips, deceased

EXHIBIT "C"

BOOK 68 PAGE 499

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 106E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Estate of Eugene Phillips, also
known as Gene Phillips, deceased
c/o Robert K. Leids
Attorney at Law
Courthouse
Stevenson, WA 98648

Unofficial
Copy

Filed 4
(1031, 2004)

FLOWAGE EASEMENT (Permanent Flooding)

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.