

79069

Bonneville Lock & Dam
Project: Modification for PeakingTract No.(s): 810E-2, E-3, E-4
904E-2, E-3
1023E-2, E-3EASEMENT DEED
FROM CORPORATION

BOOK 68 PAGE 745

FOR AND IN CONSIDERATION OF THE SUM OF EIGHT THOUSAND NINE HUNDRED TEN AND NO/100

(\$ 8,910.00) in hand paid, receipt of which is hereby acknowledged DOLLARS

Broughton Lumber Company, a Washington Corporation

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, 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.

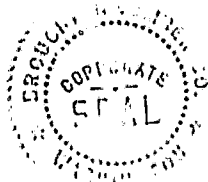
We, the grantors above named, covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land aforesaid; that the easement and right of way hereinabove described is free and clear of all encumbrances, except as above noted, and that we will forever warrant and defend the title thereof and quiet possession thereof against the lawful claims of all persons whomsoever.

The true and actual consideration for this transfer is \$8,910.00

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

Al Thomas

IN WITNESS WHEREOF, Broughton 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 30th day of September, 1974



BROUGHTON LUMBER COMPANY

By D. C. Thomas
President

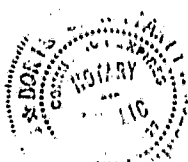
ATTEST:

Donald H. Stevenson
Secretary

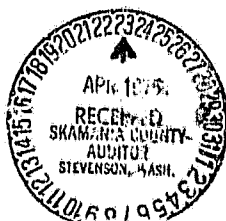
STATE OF WASHINGTON)
) ss.
County of Skamania)

On this 30th day of September, 1974 before me personally appeared D. C. Thomas and Donald Stevenson to me known to be the President and Secretary, respectively, of Broughton 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 on oath 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.



Chris J. Moriarty
Notary Public in and for the State
of Washington
My commission expires:
September 3, 1977



SCHEDULE "A"

TRACT 810E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.10 feet Mean Sea Level, situated in Sections 25 and 26, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington: Government Lots 1 and 2 of said Section 25 and Government Lot 1 of said Section 26.

The tract of land herein described contains 2.08 acres, more or less, all of which is included in Tract 810E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 810E-2,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Broughton Lumber Co.

SCHEDULE "A"

TRACT 810E-3

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.10 feet Mean Sea Level, situated in Section 36, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington:

Being that portion of Government Lot 1 of said Section 36, lying Northerly of the centerline of the Spokane, Portland and Seattle Railway Company.

The tract of land herein described contains 0.80 of an acre, more or less, all of which is included in Tract 810E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 810E-3,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Broughton Lumber Co.

SCHEDULE "A"

TRACT 810E-4

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.10 feet Mean Sea Level, situated in Section 36, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington.

Being that portion of Government Lot 1 of said Section 36, lying southerly of the centerline of the Spokane, Portland and Seattle Railway Company.

The tract of land herein described contains 0.80 of an acre, more or less, all of which is included in Tract 810E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 810E-4,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Broughton Lumber Co.

SCHEDULE "A"

TRAC. 904E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.20 feet Mean Sea Level, situated in Section 23, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington:

All that part of Government Lot 4 in said Section 25 lying Northwesternly of the Northerly right-of-way line of State Highway No. 14, excepting therefrom the West 450.00 feet of said Lot 4.

The tract of land herein described contains 0.75 of an acre, more or less, all of which is contained in Tract 904E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 904E-2,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Broughton Lumber Company

SCHEDULE "A"

TRACT 904E-3

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.20 feet Mean Sea Level, situated in Section 25, Township 3 North, Range 9 East of the Willamette Meridian, Skamania County, Washington:

That part of Government Lot 4 in said Section 25 lying Southwesterly of the South right-of-way line of State Highway No. 14.

The tract of land herein described contains 1.20 acres, more or less, all of which is contained in Tract 904E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 904E-3,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Broughton Lumber Company

SCHEDULE "A"

Tract 1023E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 83.50 feet Mean Sea Level situated in Government Lots 1 and 2, Section 28, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington:

That part of the following described tract of land lying South of the South right-of-way line of Washington State Highway No. 14: Beginning at the meander post to said Sections 28 and 29; thence along the section line North $00^{\circ}05'00''$ East 249.22 feet to a point in the South line of the Spokane, Portland and Seattle Railway Company right-of-way; thence along the said South line North $74^{\circ}12'00''$ East 1,550.40 feet; thence South $18^{\circ}17'00''$ East 512.85 feet to the meander line of the Columbia River; thence along said meander line West 867.80 feet; thence South $67^{\circ}15'00''$ West 602.60 feet; thence North $78^{\circ}09'00''$ West to the point of beginning. Excepting therefrom the following: Beginning at a point marking the intersection of the West line of the said Section 28 with the South right-of-way line of Washington State Highway No. 14 as now constructed; thence following said South line Easterly a distance of 350.00 feet; thence South, parallel to the West line of said Government Lot 1 to the meander line of the Columbia River; thence Westerly, along said meander line to intersection with the West line of said Lot 1; thence North to the point of beginning.

The tract of land herein described contains 0.92 of an acre, more or less, all of which is contained in Tract 1023E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 1023E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Broughton Lumber Co.

SCHEDULE "A"

Tract 1023E-3

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 133.50 feet Mean Sea Level situated in Government Lots 1 and 2, Section 28, Township 3 North, Range 10 East of the Willamette Meridian, Skamania County, Washington:

That part of the following described tract of land lying South of the South right-of-way line of the Spokane, Portland and Seattle Railway Company and North of the North right-of-way line of Washington State Highway No. 14: Beginning at the meander post to said Sections 28 and 29; thence along the section line North 00°05'00" East 249.22 feet to a point in the South right-of-way line of the Spokane, Portland and Seattle Railway Company; thence along said South line North 74°12'00" East 1,550.40 feet; thence South 18°17'00" East 512.85 feet to the meander line of the Columbia River; thence West along said meander line to the West line of said Section 28.

The tract of land herein described contains 0.64 of an acre, more or less, all of which is contained in Tract 1023E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 1023E-3,
BONNEVILLE LOCK AND DAM,
(LAKE BONNEVILLE)

Broughton Lumber Company

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.

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