

80031

BOOK 69 PAGE 189

Bonneville Lock & Dam
Project: Modification for Peaking

Tract No.(s): 317E-2

EASEMENT DEED
FROM CORPORATION

FOR AND IN CONSIDERATION OF THE SUM OF ONE THOUSAND FIVE HUNDRED AND NO/100

DOLLARS
(\$ 1,500.00) in hand paid, receipt of which is hereby acknowledged

CEMETERY DISTRICT NO. 1 OF SKAMANIA COUNTY, a municipal corporation

have ~~been~~ 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 \$1,500.00

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

IN WITNESS WHEREOF, Cemetery District No. 1 of Skamania County 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 day of December 1974.

CEMETERY DISTRICT NO. 1 OF SKAMANIA COUNTY

By Rolf E. Jemtegaard
President

ATTEST:

Sara J. Deffenbacher
Secretary

STATE OF WASHINGTON }
County of SKAMANIA } ss.

On this 6th day of January 1975, before me personally appeared ROLF E. JEMTEGAARD and SARA DEFFENBACHER, to me known to be the President and Secretary, respectively, of CEMETERY DISTRICT NO. 1 OF SKAMANIA COUNTY, 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.

Bernard J. Hawley
Notary Public in and for the State
of Washington

My Commission expires 4/22/77

SCHEDULE "A"

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Tract 317E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.40 feet Mean Sea Level situated in Saction 36, Township 3 North, Range 7 1/2 East of the Willamette Meridian, Skamania County, Washington:

The I.O.O.F. Cemetery according to the plats thereof on record in the office of the Skamania County Auditor at pages 17 and 86 of Book A of Plats, Records of Skamania County. Excepting any portion lying Easterly of the following described line: Beginning at a point on the South right-of-way line of the Spokane, Portland and Seattle Railway Company which is 917.34 feet South and 422.30 feet East of the Northeast corner of the Henry Shepherd Donation Land Claim; thence South 7°35'00" West to the Columbia River, the terminus of said line.

Also excepting a parcel of land described as follows: Beginning at a point 1,280.00 feet South of the Northeast corner of the Henry Shepherd Donation Land Claim; thence North 82°42'00" East 320.00 feet; thence South 86°38'00" East 268.00 feet; thence South 130.00 feet to the Government meander line; thence South 83°05'00" West approximately 595.00 feet along said meander line to the Southeast corner of said Donation Land Claim; thence North along the East line of said Donation Land Claim to the place of beginning in Lots 10 and 11 in said Section 36.

The tract of land herein described contains 0.21 of an acre, more or less, all of which is contained in Tract 317E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 317E-2,
BONNEVILLE LOCK AND DAM (LAKE
BONNEVILLE)

Mountain Lodge No. 172
of the Independent Order
of Odd Fellows of
Stevenson, Washington, et al

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
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