



Original filed
JUN 16 1975

Case No. 3436
Filed for record
JUL 16 1975
JUL 16 1975

IN THE
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

vs.

0.50 ACRE OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND ROBERT O.
BARNES, ET UX AND UNKNOWN OWNERS,
Defendants

DECLARATION
OF
TAKING

CIVIL NO. 3436

No. 3436
TRANSACTION EXCISE TAX

JUL 30 1975

Amount Paid
Skamania County Treasurer

By *[Signature]* 10/1

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, *Norman R. Cuganeri*, Acting Secretary of
the Army, do hereby declare that:

1. (a) The land hereinafter described is taken under and
in accordance with the Act of Congress approved February 26, 1931
(46 Stat. 1421, 40 U.S.C. 258a), and acts supplementary thereto and
amendatory thereof, and under the further authority of the Acts of
Congress approved April 24, 1888 (25 Stat. 94, 33 U.S.C. 591), and

1 March 1, 1917 (39 Stat. 948, 33 U.S.C. 701), which authorize the
2 acquisition of land for flood control projects; the Act of Congress
3 approved August 30, 1935 (49 Stat. 1028), which act authorizes the
4 construction of the Bonneville Dam (Oregon and Washington); the Act
5 of Congress, approved August 20, 1937 (50 Stat. 731), which act
6 authorized completion, maintenance and operation of the project and
7 the Act of Congress approved August 28, 1974 (Public Law 93-393),
8 which act appropriated funds for such purposes.

9 (b) The public uses for which said land is taken are
10 as follows: The said land is necessary to provide for the construction
11 of a river improvement for the purposes of flood control, navigation
12 and for other uses incident thereto. The said land has been selected
13 by me for acquisition by the United States for use in connection with
14 the construction and maintenance of the Second Powerhouse which must
15 be provided at the Bonneville Dam, and for such other uses as may be
16 authorized by Congress or by Executive Order.

17 2. A general description of the land being taken is set
18 forth in Schedule "A", attached hereto and made a part hereof, and is
19 a description of the same land described in the complaint in the
20 above entitled cause.

21 3. The estate taken for said public uses is the fee simple
22 title, subject, however, to existing easements for public roads and
23 highways, public utilities, railroads and pipelines.

24 4. A plan showing the land taken is annexed hereto as
25 Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto and including any and all interests hereby taken in said land is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the registry of the said court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land probably will be within any limits prescribed by law on the price to be paid therefor.

IN WITNESS WHEREOF, the United States of America, by its Acting Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said *William K. Bugasiewicz* Secretary of the Army, this *7th* day of *May* A.D. *1975*, in the City of Washington, District of Columbia.

William K. Bugasiewicz
Acting Secretary of the Army

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 0.50 of an acre, more or less, situate and being in the County of Skamania, State of Washington. Description of the land taken, and a statement of the sum estimated to be just compensation thereof is contained on the following continuation of Schedule "A", comprising three pages, including this page.

Unofficial
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SCHEDULE "A"

Tract 2632.

A tract of land situated in Section 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Commencing at the Northeast corner of said Section 21; thence South 801.10 feet; thence West 919.18 feet; thence North 79°51'00" West 407.42 feet to the point of beginning; thence North 00°48'00" West 100.00 feet; thence North 79°51'00" West 50.93 feet; thence South 67°05'00" West 53.98 feet; thence South 00°48'00" East 70.00 feet; thence South 79°51'00" East 101.86 feet to the point of beginning.

Also commencing at the Northeast corner of said Section 21; thence South 801.10 feet; thence West 919.18 feet; thence North 79°51'00" West 254.64 feet; thence North 00°48'00" West 100.00 feet; thence North 79°51'00" West 90.00 feet to the point of beginning; thence North 00°48'00" West 60.00 feet; thence North 79°51'00" West 60.00 feet; thence South 00°48'00" East 60.00 feet; thence South 79°51'00" East 60.00 feet to the point of beginning.

Also commencing at the Northeast corner of said Section 21; thence South 801.10 feet; thence West 919.18 feet; thence North 79°51'00" West 254.64 feet; thence North 00°48'00" West 100.00 feet; thence North 79°51'00" West 150.00 feet to the point of beginning; thence North 00°48'00" West 100.00 feet; thence North 79°51'00" West 2.78 feet; thence South 28°10'00" West 103.23 feet; thence South 79°51'00" East 53.71 feet to the point of beginning. Excepting therefrom the Northerly 40.00 feet thereof, said tract being designated as Lots 9, 10, 13 and 14 and a portion of Lot 12 of Block 11 of the unrecorded plat of the Town of North Bonneville, Washington.

Also including one-half of the adjacent streets and alleys.

The tract of land herein described contains 0.70 of an acre, more or less.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 2632,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Robert Owen Barnes and
Faye Lorraine Barnes,
Husband and Wife
P. O. Box 175
North Bonneville, WA 98639

SCHEDULE "A"

Tract 2632 (Continued)

ESTIMATED COMPENSATION:

\$12,500.00

The gross sum estimated by the acquiring authority to be just compensation for the estate hereby taken, inclusive of all rights set forth in the Declaration of Taking, is TWELVE THOUSAND FIVE HUNDRED and NO/100 DOLLARS (\$12,500.00).

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