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correct copy of the original  
Filed  
Date - AUG 15 1975  
LDC  
By *E. H. Hargis*  
Deputy

Original Filed  
AUG 15 1975

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

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

52.54 ACRES OF LAND, MORE OR LESS,  
SITUATE IN SKAMANIA COUNTY, STATE  
OF WASHINGTON, AND STATE OF  
WASHINGTON, DEPARTMENT OF GAME,  
AND UNKNOWN OWNERS,

Defendants

DECLARATION  
OF  
TAKING

C75-165T  
CIVIL No.

TO THE HONORABLE,  
THE UNITED STATES DISTRICT COURT:

I, *Norman K. Augustine*, 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.

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

9           IN WITNESS WHEREOF, the United States of America, by its *Acting*  
 10 Secretary of the Army, thereunto authorized, has caused this  
 11 declaration to be signed in its name by said *Norman P. Augustine, Acting*  
 12 Secretary of the Army, this *21st* day of *July*  
 13 A.D. 1975, in the City of Washington, District of Columbia.

14  
 15  
 16  
 17 */s/ Norman P. Augustine*  
 18 *Acting* Secretary of the Army

19  
 20  
 21 No. 3488  
 22 TRANSACTION EXCISE TAX  
 23 AUG 26 1975  
 24 Amount Paid *100.00*  
 25 *Skamania County Treasurer*  
 By *James H. Hall, Jr.*

## SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 52.54 acres, 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 five pages, including this page.

Unofficial  
Copy

## SCHEDULE "A"

## Tract 2805

A tract of land situated in the B. B. Bishop Donation Land Claim No. 39 and the George W. Johnson Donation Land Claim No. 39 being also a portion of Sections 20 and 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Beginning at the intersection of the Southwesterly limit of said Bishop D.L.C. in said Section 21 with the meander line on the North bank of the Columbia River; thence along the Southwesterly limit of said Bishop D.L.C. 969.91 feet to the intersection of said limit with the Southerly line of that certain tract of land described in Parcel "A" in that certain deed from Frank W. Warren and wife, George A. Warren, Anna Grace Munro and husband, to the United States of America, recorded on June 13, 1934, in Book X at page 535 of the Deed Records of Skamania County, Washington; thence North  $61^{\circ}10'00''$  East 702.79 feet following the Southerly line of said tract so conveyed to the United States of America to a point where said Southerly line of such tract is intersected by a line drawn parallel to said Southwesterly limit of said Bishop D.L.C. and 675.00 feet Northeasterly therefrom measured at right angles thereto; thence South  $45^{\circ}00'00''$  East along said line which is 675.00 feet distant Northeasterly from the Southwesterly limit of said Bishop D.L.C. to the ordinary low waterline on the Northerly bank of the Columbia River; thence downstream along the ordinary low waterline on the Northerly bank of the Columbia River to a point of intersection with the Southwesterly limit of said Bishop D.L.C. as extended; thence Northwesterly along the Southwesterly limit of said Bishop D.L.C. as extended to the point of beginning; excepting therefrom all that portion of the Easterly 275.00 feet lying Northerly of the meander line on the North bank of the Columbia River.

Also excepting therefrom a tract of land 40.00 feet square, the center of which is a certain tombstone erected at the grave of Thomas McNatt, reserved by Ellen J. Wallis, formerly Ellen J. McNatt, and William Wallis, her husband, by deed dated October 1, 1886, and recorded October 18, 1886, at page 2 of Book D of Deeds, Records of Skamania County, Washington, the center of said tombstone being South  $56^{\circ}47'07''$  East 1,246.56 feet from the angular corner of the Westerly line of said Bishop D.L.C. and North  $09^{\circ}48'18''$  East 344.34 feet from the Southwest corner of said Bishop D.L.C.



## SCHEDULE "A"

Tract 2805  
(Continued)

Also a tract of land in said Bishop D.L.C. in said Sections 20 and 21, lying parallel with and adjacent to the Southerly right-of-way line of the Spokane, Portland and Seattle Railway Company, being more particularly described as follows:

Beginning at the point of intersection of the Southerly right-of-way line of the Spokane, Portland and Seattle Railway Company, and the Westerly line of said Bishop D.L.C., which point is South 45°00'00" East 398.23 feet from the angular corner of the Westerly line of said Bishop D.L.C.; thence North 61°10'00" East on the said Southerly right-of-way line a distance of 972.02 feet to a point which is at right angles and distant 100.00 feet from the original centerline of the Spokane, Portland and Seattle Railway Company main line track at Engineer's Station 2012+23.4; thence South 28°50'00" East a distance of 50.00 feet; thence South 61°10'00" West a distance 957.52 feet to a point of intersection with the Westerly line of said Bishop D.L.C.; thence North 45°00'00" West along said Westerly line of said Bishop D.L.C. a distance of 52.06 feet to the point of beginning.

Also all that portion of said Johnson D.L.C. lying in said Section 21.

Also shorelands of the second class, consisting of 28.84 acres, more or less, as shown by the plat and field notes thereof filed in the office of the Commissioner of Public Lands at Olympia, Washington, on the 10th day of March, 1896, conveyed by the State of Washington by deed dated September 19, 1896, and recorded March 12, 1910, at page 204 of Book M of Deeds, Records of Skamania County, Washington, more particularly described as follows:

Beginning at the Southeast corner of said Johnson D.L.C. in said Section 21; thence South 45°46'00" East 106.20 feet; thence South 21°16'00" West 30.60 feet; thence South 05°24'00" West 292.70 feet; thence South 07°26'00" West 235.70 feet; thence South 15°41'00" West 264.50 feet; thence South 35°23'00" West 120.30 feet; thence South 31°28'00" West 351.90 feet; thence South 45°22'00" West 217.70 feet; thence South 29°32'00" West 487.10 feet; thence South 07°51'00" West 326.10 feet; thence South 28°05'00" West 161.00 feet; thence South 38°57'00" West 612.40 feet; thence South 20°09'00" West 339.70

## SCHEDULE "A"

Tract 2805  
(Continued)

feet; thence South 42°25'26" West 627.11 feet; thence North 17°30'00" West 249.90 feet; thence North 18°15'00" East 1,640.76 feet; thence North 63°00'00" East 145.20 feet; thence North 48°15'00" East 429.00 feet; thence North 64°56'30" East 572.09 feet; thence North 59°45'00" East 56.76 feet; thence North 26°00'00" East 243.54 feet; thence North 08°30'00" East 792.00 feet; thence North 24°30'00" East 197.30 feet to the point of beginning.

The tract of land herein described contains 52.23 acres, more or less.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 2805,  
BONNEVILLE LOCK AND DAM  
(LAKE BONNEVILLE)

State of Washington  
Department of Game  
600 N. Capitol Way  
Olympia, WA 98501

ESTIMATED COMPENSATION:

\$110,400.00

4 April 1974

BOOK 65 PAGE 449

## SCHEDULE "A"

### Tract 2811

A tract of land situated in the B. B. Bishop Donation Land Claim No. 39 being also a portion of Section 20, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Beginning at the intersection of the Southerly line of the Evergreen Highway (State Highway No. 14) with the West line of the said Bishop D.L.C., said point being North 162.70 feet from a United States Government monument marking the angle corner between said Bishop D.L.C. and the George W. Johnson Donation Land Claim No. 38; thence South 24°27'30" East 328.33 feet to intersection with the Northerly right-of-way line of the Spokane, Portland and Seattle Railway Company; thence following said railway right-of-way line North 61°10'00" East 41.35 feet; thence North 24°27'30" West 325.38 feet to intersection with the Southerly right-of-way line of the Evergreen Highway; thence South 65°32'30" West 41.47 feet to the point of beginning.

The tract of land herein described contains 0.31 of an acre, more or less.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 2811,  
BONNEVILLE LOCK AND DAM  
(LAKE BONNEVILLE)

State of Washington  
Department of Game  
600 N. Capitol Way  
Olympia, WA 98501

ESTIMATED COMPENSATION:

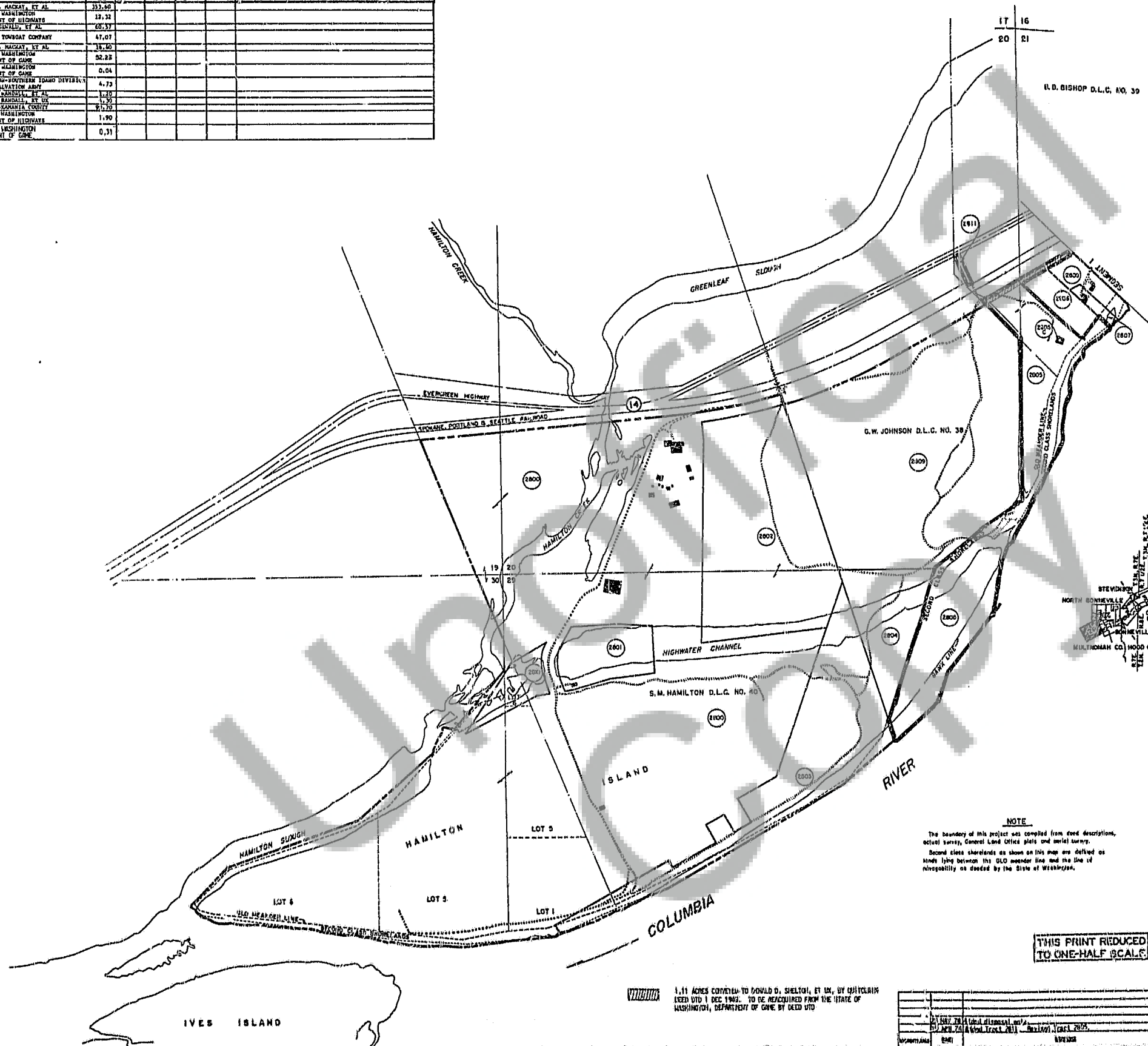
\$750.00

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 ONE HUNDRED ELEVEN THOUSAND ONE HUNDRED FIFTY AND NO/100 DOLLARS (\$111,150.00).



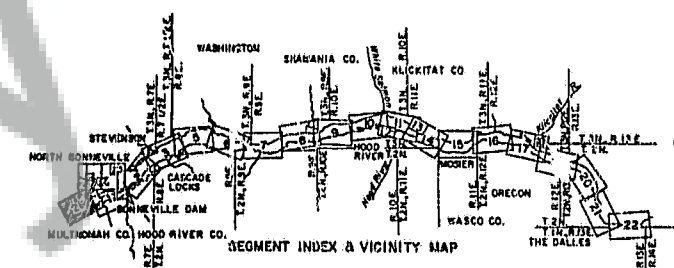
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TRACT REGISTER						
TRACT NO.	LAND OWNER	FEET	ACREAGE	L.C.	PERMIT	TRANS.
2800	DOUGLAS G. HACKETT, ET AL.	353.60				
2801	STATE OF WASHINGTON	12.31				
2802	DEPARTMENT OF HIGHWAYS	60.57				
2803	EDMUND TONSON COMPANY	47.07				
2804	DOUGLAS G. HACKETT, ET AL.	35.60				
2805	STATE OF WASHINGTON	52.22				
2805-C	STATE OF WASHINGTON	0.04				
2806	THE COLUMBIAN-SOUTHERN TRADING COMPANY	4.73				
2807	STATE OF WASHINGTON	1.20				
2808	STATE OF WASHINGTON	1.90				
2809	STATE OF WASHINGTON	9.70				
2810	STATE OF WASHINGTON	1.90				
2811	STATE OF WASHINGTON	0.31				



TRUE  
NORTH

T-2-N R-7-E  
W. M.



2nd Ed. OCE to NPD 0-1, 15 January 1974

ACQUISITION AUTHORIZATION

PROJECT MAP (CONTINUATION SHEET)	
ENGINEER	U.S. ARMY
LOCATION OF PROJECT	TRANSPORTATION FACILITIES
STATE	WASHINGTON
COUNTY	CLATSOP
TOWNSHIP	NORTH PACIFIC
RANGE	PORTLAND
SECTION	SIXTH

## SEGMENT 28

DEPARTMENT OF THE ARMY  
OFFICE OF THE PORTLAND DISTRICT ENGINEER  
NORTH PACIFIC DIVISIONREAL ESTATE  
BONNEVILLE LOCK AND DAM  
WASHINGTON AND OREGON  
(LAKES BONNEVILLE)D. H. McMillan  
12/22/74SCALE IN FEET  
1" = 1000'

SCHEDULE "B"

12/22/74