

Filed Aug 1, 1975

I hereby certify that the
annexed is a true
and correct copy of the original
on file.

Dean L. Linton

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

UNITED STATES OF AMERICA,)
Plaintiff,)

DECLARATION
OF
TAKING

vs.)

CIVIL NO. 93-1557

99.70 ACRES OF LAND, MORE OR LESS,)
SITUATE IN SKAMANIA COUNTY, STATE)
OF WASHINGTON, AND THE PORT OF)
SKAMANIA COUNTY, A MUNICIPAL)
CORPORATION, AND UNKNOWN OWNERS,)
Defendants)

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, *Howard H. Linton*, 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, 1915 (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 Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said *Frank H. Collins* Secretary of the Army, this *27th* day of *June* A.D. *1915*, in the City of Washington, District of Columbia.

Frank H. Collins
Secretary of the Army

3534

No.
TRANSACTION EXCISE TAX

SEP 11 1915

Amount Paid *Excise Tax*
Reel
Skamania County Trust Agent
By *Reel*

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking aggregates 99.70 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 two pages, including this page.

Unofficial
Copy

SCHEDULE "A"

Tract 2809

All that portion of the George W. Johnson Donation Land Claim No. 38 situated in Section 20, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, lying Southerly of the Southerly right-of-way line of the Spokane, Portland and Seattle Railway Company.

The tract of land herein described contains 99.70 acres, more or less.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 2809,
BONNEVILLE LOCK & DAM
(LAKE BONNEVILLE)

The Port of Skamania
County, a municipal corporation
c/o Mr. Larry Hendrickson,
Manager
Port of Skamania
P. O. Box 413
Stevenson, WA 98648

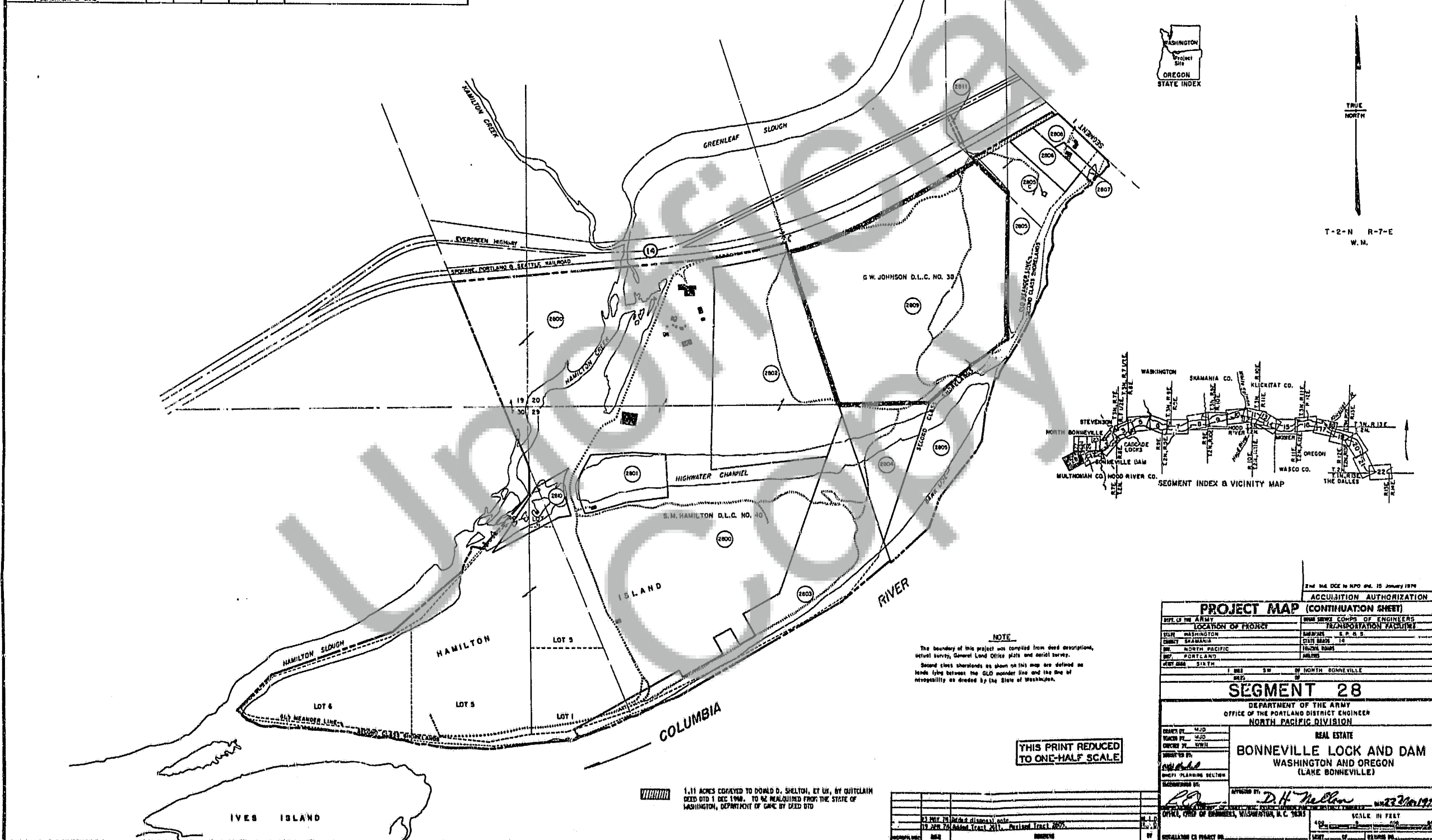
ESTIMATED COMPENSATION:

\$240,000.00

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 TWO HUNDRED FORTY THOUSAND and NO/100 DOLLARS (\$240,000.00).

TRACT REGISTER

TRACT NO.	LAND OWNER	FEET	ACRES	REMARKS
2803	DONALD J. HICKAY, ET AL	333.68		
2804	STATE OF WASHINGTON	12.32		
2805	DEPARTMENT OF AGRICULTURE	65.17		
2806	EMPHON TROBAT COMPANY	47.07		
2807	DONALD J. HICKAY, ET AL	15.90		
2808	STATE OF WASHINGTON	52.83		
2809	DEPARTMENT OF AGRICULTURE	0.04		
2810	THE OREGON-SOUTHERN DAM DIVISION	6.73		
2811	JERRY L. RANDALL, ET AL	1.70		
2812	JERRY L. RANDALL, ET AL	4.30		
2813	PORT OF SEASHELL COMPANY	99.70		
2814	STATE OF WASHINGTON	7.90		
2815	DEPARTMENT OF AGRICULTURE	0.31		



NOTE

The boundary of this project was compiled from deed descriptions, actual survey, General Land Office plat and aerial survey. Second line shorelands as shown on this map are defined as lands lying between the old meander line and the line of navigability as decreed by the State of Washington.

THIS PRINT REDUCED
TO ONE-HALF SCALE

1.11 ACRES CONVEYED TO DONALD D. SHELTON, ET AL, BY QUITCLAIM DEED DTD 1 DEC 1948. TO BE REACQUIRED FROM THE STATE OF WASHINGTON, DEPARTMENT OF AGRICULTURE BY DEED DTD

2nd Ed. DCE in NPO dtd. 15 January 1974	
ACQUISITION AUTHORIZATION	
PROJECT MAP (CONTINUATION SHEET)	
DEPT. OF THE ARMY	WASH. STATE DEPT. OF ENGINEERS
LOCATION OF PROJECT	WASHINGTON STATE DEPT. OF ENGINEERS
COUNTY	CLATSOP COUNTY
SECTION	SECTION 14
TOWNSHIP	TOWNSHIP 14N
RANGE	RANGE 12E
SECTION	SECTION 14
SEGMENT 28	
DEPARTMENT OF THE ARMY	
OFFICE OF THE PORTLAND DISTRICT ENGINEER	
NORTH PACIFIC DIVISION	
REAL ESTATE	
BONNEVILLE LOCK AND DAM	
WASHINGTON AND OREGON	
(LAKE BONNEVILLE)	
DESIGNED BY	DESIGNED BY
CHECKED BY	CHECKED BY
APPROVED BY	APPROVED BY
DATE	DATE
SCALE	SCALE
1 INCH = 100 FEET	1 INCH = 100 FEET
1:1000	1:1000
1:1000	1:1000

SCHEDULE "B"