

80908



FILED
NOV 27 1973

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

7.22 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY,
STATE OF WASHINGTON, THOMAS O.
MONAGHAN, ET AL., and UNKNOWN
OWNERS,

Defendants.

NO.

LIS PENDENS

(Tract 611E-3)

NOTICE IS HEREBY GIVEN:

1. That the above-entitled action is pending in the
above-entitled Court.

2. That the plaintiff in such action is the United
States of America; that the names of the defendants in
such action, and of each and every owner, encumbrancer,
or other person or party interested in the land described
in Schedule "A" attached hereto and by this reference made

Page 1 - LIS PENDENS

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

ATTEST: *[Signature]*
Clerk, U. S. District Court
Western District of Washington

By *[Signature]*
Deputy Clerk

STAN PITKIN
United States Attorney
P. O. Box 1227
Seattle, Washington 98111
(206) 442-7970

1 a part thereof, or any part thereof, so far as the same can
2 be ascertained from the public records, are as follows:
3 James W. Anderson & Jane Doe Anderson;
4 Thomas O. Monaghan & Patricia Monaghan;
5 Margaret P. Ziegler & Roy D. Ziegler;
6 Skamania County, a political subdivision of the
7 State of Washington; and
8 State of Washington, Attorney General, Olympia,
9 Washington.

10 3. The estate taken for said public uses is the
11 perpetual right, power, privilege and easement permanently
12 to overflow, flood and submerge the land described in
13 Schedule "A" as Tract 611E-3, and to maintain mosquito
14 control in connection with the operation and maintenance of
15 the Bonneville Lock and Dam project as authorized by the
16 Act of Congress approved August 20, 1937, and the continuing
17 right to clear and remove any brush, debris and natural ob-
18 structions which, in the opinion of the representative of the
19 United States in charge of the project, may be detrimental
20 to the project, together with all right, title and interest
21 in and to the timber, structures and improvements situate
22 on the land; provided that no structures for human
23 habitation shall be constructed or maintained on the land,
24 that no other structures shall be constructed or maintained
25 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

1 to the location and method of excavation and/or placement
2 of landfill; the above estate is taken subject to existing
3 easements for public roads and highways, public utilities,
4 railroads and pipelines; reserving, however, to the land-
5 owners, their heirs and assigns, all such rights and
6 privileges as may be used and enjoyed without interfering
7 with the use of the project for the purposes authorized
8 by Congress or abridging the rights and easement hereby
9 acquired; provided further that any use of the land shall
10 be subject to Federal and state laws with respect to
11 pollution.

12 DATED this 26th day of November, 1978.

13 STAN PITKIN
14 United States Attorney

15 Albert E. Stephan
16 ALBERT E. STEPHAN
17 Assistant U.S. Attorney
18 P. O. Box 1227
19 Seattle, Washington 98111
20 Telephone: (206) 442-7970
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23
24
25

EXHIBIT "A"

C74-193T

TRACT 611E-3

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.70 feet Mean Sea Level, situated in Section 28, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington:

That part of Government Lot 6 of said Section 28 lying Southerly of the parcel of land acquired by the United States of America in Judgement in Declaration of Taking filed in the United States District Court for the Western District of Washington, Southern Division, in Cause No. 34, dated February 3, 1939, and recorded February 6, 1939, at page 315 of Book 27 of Deeds, Records of Skamania County, Washington, Except the West 330.00 feet of said Government Lot 6.

The tract of land herein described contains 0.26 of an acre, more or less, all of which is contained in Tract 611E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 611E-3,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

Thomas O. Monaghan
and Margaret P. Ziegler