

81659

BOOK 70 PAGE 344

EASEMENT DEED

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

(\$5,000.00) in hand paid, receipt of which is hereby acknowledged DOLLARS

I, David G. Larive, a single man

have/has 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 complete 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 \$5,000.00

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

DAVID G. LARIVE

STATE OF TEXAS
COUNTY OF HARRIS

On the FIRST day of JULY, ¹⁹⁷⁵~~1977~~, personally came before me, as Notary Public in and for said County and State, the within named DAVID G. LARIVE

to me personally known to be the identical person described in and who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal the day and year last above written.



(SEAL)

Dennis M. Miller
Notary Public in and for the
State of Texas
County of HARRIS
My Commission Expires JUNE 1, 1977

27 August 1973

SCHEDULE "A"

Tract 508E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.50 feet Mean Sea Level situated in Section 31, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington

That portion of a tract of land described as follows: Beginning at a point 1,800.00 feet South of the North quarter corner of said Section 31; thence following the meanderings of the county road as same was laid out and established on October 11, 1909, to a point that bears North 55°30'00" East 1,007.00 feet from the point of beginning; thence South 799.00 feet; thence South 80°30'00" West 370 feet; thence South 300.00 feet; thence South 75°30'00" West 520.00 feet; thence North to the point of beginning, said parcel being that part of the above described tract lying South of the South right-of-way line of the Spokane, Portland and Seattle Railway Company and East of a parcel of land described as the exception and reservation in warranty deed dated December 17, 1936, and recorded October 18, 1937, at page 447 of Book 2 of Deeds under Auditors File No. 24817, Records of Skamania County, Washington.

The tract of land herein described contains 0.48 of an acre, more or less, all of which is contained in Tract 508E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 508E-2,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

David C. Larive

SCHEDULE "A"

Tract 508E-3

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.50 feet Mean Sea Level situated in Section 31, Township 3 North, Range 8 East of the Willamette Meridian, Skamania County, Washington:

That part of Government Lot 5 in said Section 31 lying South of the South right-of-way line of the Spokane, Portland and Seattle Railway Company and West of a parcel of land described as the exception and reservation in warranty deed dated December 17, 1936, and recorded October 18, 1937, at page 447 of Book Z of Deeds, under Auditors File No. 24817, Records of Skamania County, Washington.

The tract of land herein described contains 0.73 of an acre, more or less, all of which is contained in Tract 508E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 508E-3,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

David G. Larive

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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