

81755

BOOK 20 PAGE 487

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

TEST: EDGAR SCHMIDT,
Clerk, U. S. District Court,
Western District of Washington

FILED

FEB 6 1976

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

4.30 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND JERRY L. RANDALL,
ET UX, AND OTHER UNKNOWN OWNERS,

Defendants.

DECLARATION
OF
TAKING

CIVIL NO.

C76- 31T

TO THE HONORABLE
THE UNITED STATES DISTRICT COURT:

I,

MARTIN R. HOFFMAN

, Secretary of the

Army, do hereby declare that:

1. The land hereinafter described is taken under and in accordance with the authority set forth in Schedule "A" annexed hereto and made a part hereof.

2. The public uses for which said land is taken are also set forth in said Schedule "A".

3. A general description of the tract of land being taken, the estimated just compensation therefor, and the estate taken for said public uses are set forth in Schedule "B" annexed hereto and made a part hereof.

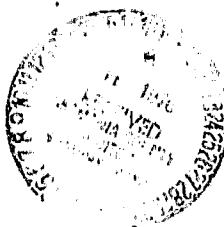
4. A plan showing the land taken is annexed hereto as Schedule "C" and made a part hereof.

5. The gross sum estimated by me as just compensation for all of said land, which aggregates 4.30 acres, with all buildings and improvements thereon and all appurtenances thereto and including any and all interests hereby taken in said land is EIGHTY THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$80,500.00), which sum I cause to be deposited herewith in the registry of the 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 MARTIN R. HOFFMAN, Secretary of
the Army, this 19th day of November, A.D., 1975, in the
City of Washington, District of Columbia.

/s/ MARTIN R. HOFFMAN

Secretary of the Army



SCHEDULE "A"

AUTHORITY FOR TAKING:

The authority for the taking of the land is 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 March 1, 1917 (39 Stat. 948, 33 U.S.C. 701), which authorize the acquisition of land for flood control projects; the Act of Congress approved August 30, 1935 (49 Stat. 1028), which act authorizes the construction of the Bonneville Lock and Dam; the Act of Congress approved August 20, 1937 (50 Stat. 731), which act authorized completion, maintenance and operation of the project and the Act of Congress approved June 27, 1975 (Public Law 94-41), which act appropriated funds for such purposes.

PUBLIC USES:

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

SCHEDULE "B"

Tract 2808

Description:

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

Commencing at the intersection of the Southwesterly limit of said B. B. Bishop D. L. C. No. 39 in 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. No. 39 969.91 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 conveyed 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. No. 39 and 675.00 feet Northeasterly therefrom measured at right angles thereto, said point being the point of beginning; 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. No. 39 to the ordinary low water line on the Northerly bank of the Columbia River; thence upstream along the ordinary low water line on the Northerly bank of the Columbia River a distance of 300.00 feet; thence North $45^{\circ}00'00''$ West to a point North $61^{\circ}10'00''$ East of the point of beginning; thence South $61^{\circ}10'00''$ West to the point of beginning.

Excepting therefrom the following described tract of land: Commencing at the intersection of the Southwesterly limit of said Bishop D. L. C. No. 39 in 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. No. 39 969.91 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 M. Warren and wife; George A. Warren; Anna Grace Munro and husband; and Frances W. Holt 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. No. 39 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

SCHEDULE "B"

Tract 2808
Page 2

Northeasterly from the Southwesterly line of said Bishop D. L. C. 300.00 feet to the point of beginning; thence South 45°00'00" East along said line to the ordinary low water line on the Northerly bank of the Columbia River; thence upstream along the ordinary low water line on the Northerly bank of the Columbia River a distance of 100.00 feet; thence North 45°00'00" West to a point North 61°11'00" East from the initial point; thence South 61°10'00" West to the point of beginning.

The tract of land herein described contains 4.30 acres, more or less.

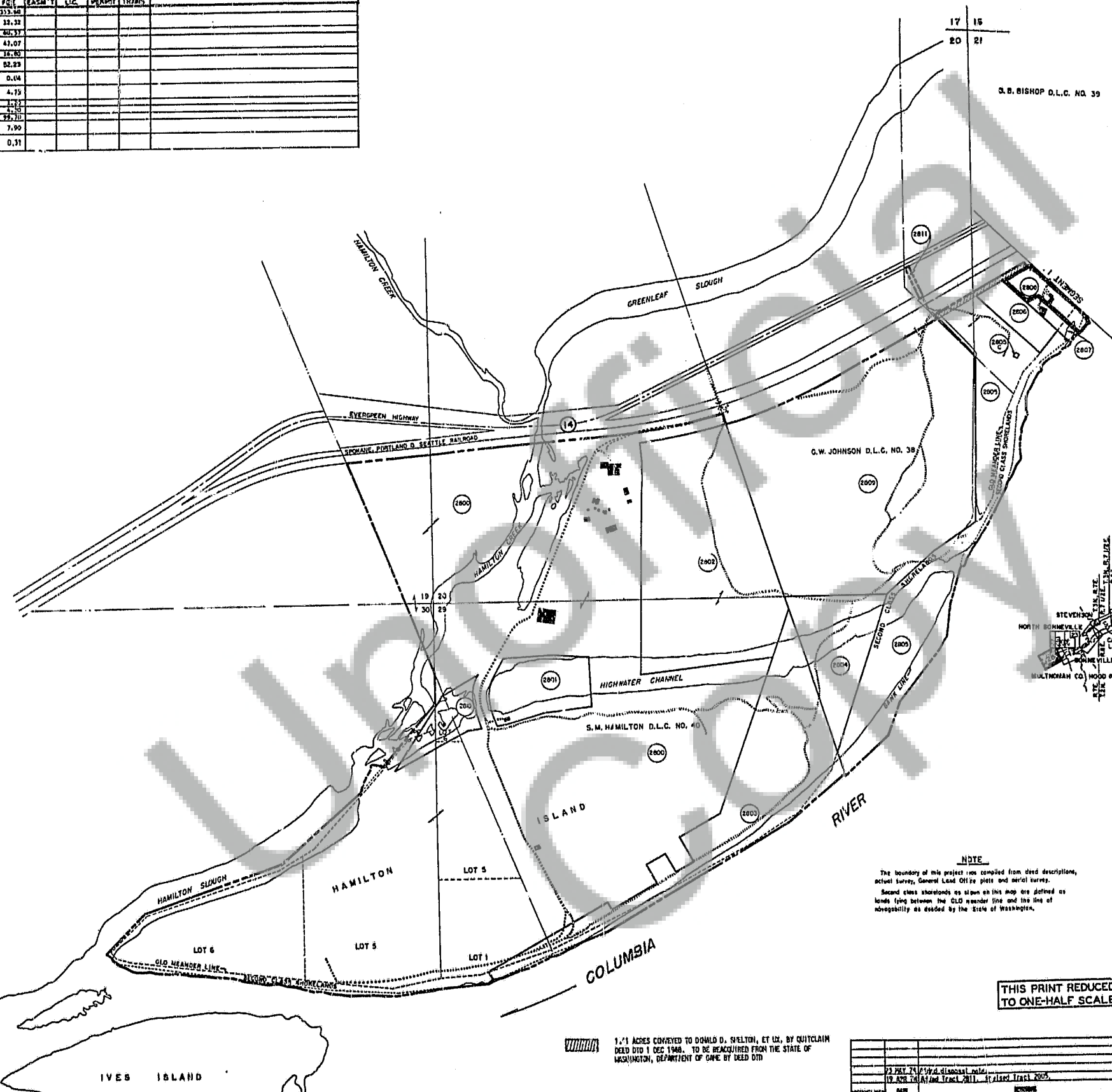
Estimated compensation deposited in the registry of the court for the above described property: \$80,500.00.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 2808,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Jerry L. Randall and
Lou Ann Randall,
Husband and Wife
115 West Fourth Street
North Bonneville, WA 98639

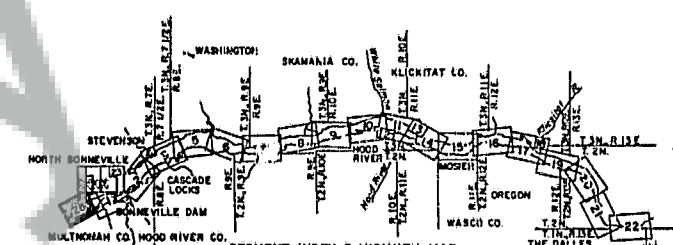
Estate Taken: The fee simple title to Tract No. 2808, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

TRACT REGISTER									
TRACT NO.	LAND OWNER	ACRES	DATE	FILE	PERMIT	TRIPS	REMARKS		
1901	EDWARD G. MACKAY, ET AL	352.80							
1901	STATE OF WASHINGTON	12.32							
1902	DEPARTMENT OF HIGHWAYS	80.57							
1903	SHAPPEE TOMBOY COMPANY	47.07							
2014	EDWARD G. MACKAY, ET AL	16.80							
2015	STATE OF WASHINGTON	02.23							
2015	DEPARTMENT OF GAME	0.04							
2104	U.S. CATION-SOUTHERN TRAM DIVISION	4.75							
2107	JOHN E. RASSELL, ET AL	1.75							
2108	JOHN E. RASSELL, ET AL	1.30							
2109	STATE OF WASHINGTON	22.70							
2110	STATE OF WASHINGTON	7.90							
2111	STATE OF WASHINGTON	0.31							



TRUE
NORTH

T-2-N 5-7-E
W.M.



NOTE

The boundary of this project was compiled from deed descriptions, actual survey, General Land Office plats and aerial survey.

Boundaries shown on this map are defined as lands lying between the GLO boundary line and the line of navigability as decided by the State of Washington.

THIS PRINT REDUCED
TO ONE-HALF SCALE

1.1 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 GAME BY DEED DTD

I had this OCE to NPD 04, 15 January 1974	
ACQUISITION AUTHORIZATION	
PROJECT MAP (CONTINUATION SHEET)	
OFFICE OF THE ARMY	ENGINEER CORPS OF ENGINEERS
LOCATION OF PROJECT	TRANSPORTATION FACILITIES
STATE WASHINGTON	ENGINEERS S.P. 6.3
COUNTY SKAMANIA	STATE ROAD 14
ROUTE NORTH PACIFIC	EDSON ROAD
SECTION SIXTH	SECTION SIXTH
1/4 SW 1/4 NORTH BONNEVILLE	
SEGMENT 28	
DEPARTMENT OF THE ARMY	
OFFICE OF THE PORTLAND DISTRICT ENGINEER	
NORTH PACIFIC DIVISION	
DESIGNED BY M.J.D.	REAL ESTATE
TRACED BY M.J.D.	BONNEVILLE LOCK AND DAM
CHECKED BY W.M.	WASHINGTON AND OREGON
APPROVED BY	(LAKE BONNEVILLE)
CHIEF PLANNING SECTION	
DESIGNED BY	
APPROVED BY	
OFFICE, CORPS OF ENGINEERS, WASHINGTON, D.C. 20315	
SCALE IN FEET	
1:50,000	
1:50,000	

SCHEDULE C