

81873

BOOK 70 PAGE 672

FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
FEB 17 1976
EDGAR SCOTFIELD, CLERK

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

ATTEST: EDGAR SCOTFIELD,
FOREMAN, U. S. District Court
Western District of Washington

By: *[Signature]*
Deputy Clerk

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

7.84 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND L. H. PIERCE,
ET AL, AND OTHER UNKNOWN OWNERS,

Defendants.

DECLARATION
OF
TAKING

CIVIL NO. C76-37 T

TO THE HONORABLE
THE UNITED STATES DISTRICT COURT:

I, *Martin R. Hoffmann*, Secretary of the
Army, do hereby declare that:

1. The land hereinafter described is taken under and in
conformance 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.

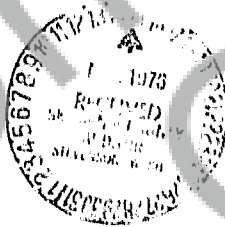
4. A plan showing the land taken is annexed hereto as Schedule
"C" and made a part hereof.

5. The gross sum estimated by me as just compensation for all
of said land, which aggregates 7.84 acres, with all buildings and
improvements thereon and all appurtenances thereto and including any and all
interests hereby taken in said land is ONE THOUSAND TWENTY FIVE AND NO/100
DOLLARS (\$1,025.00) 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.

Amended

1 IN WITNESS WHEREOF, the United States of America, by its Secretary
2 of the Army, thereunto authorized, has caused this declaration to be signed
3 in its name by said *Martin R. Hoffmann*, Secretary of
4 the Army, this *17th* day of *February*, A.D., 1976, in the
5 City of Washington, District of Columbia.

6
7
8 *Martin R. Hoffmann*
9 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. 942, 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; Section 83 of an Act of Congress approved March 7, 1951 (Public Law 93-251), which act authorizes the relocation of the Town of North Bonneville; and the Act of Congress approved December 26, 1975 (Public Law 94-180), 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, for the relocation of the Town of North Bonneville 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 and the relocation of the Town of North Bonneville which must be provided at the Bonneville Dam, the site of the relocated Town of North Bonneville, and for such other uses as may be authorized by Congress or by Executive Order.

SCHEDULE "B"

Description:

Tract 2812-E

A tract of land situated in the Northeast Quarter of Section 30, 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 West line of the S. M. Hamilton Donation Land Claim No. 40 and the North line of said Section 30; thence West along said Section line 50.00 feet; thence Southeasterly parallel with and 50.00 feet distant from said West line of said Hamilton D.L.C., 300.00 feet; thence South 10°30'00" West, 150.00 feet; thence South 19°30'00" West, 150.00 feet; thence South 36°00'00" West 700.00 feet, more or less, to an existing fence; thence Northeasterly along said fence line, 150.00 feet; thence South 47°00'00" West 750.00 feet, more or less, to an existing fence; thence Southeasterly to the ordinary high water line of the Hamilton Creek; thence Northeasterly along the ordinary high water line to the intersection with the West line of said Hamilton D.L.C.; thence Northwest along said Hamilton D.L.C. line to the point of beginning.

Also including the following:

That portion of the shorelands of the second class lying 100.00 feet on each side of a line which begins 1,641.64 feet South 25°57'42" West of the intersection of said West line of said Hamilton D.L.C. and the North line of said Section 30, said line having a bearing of South 43°00'00" East.

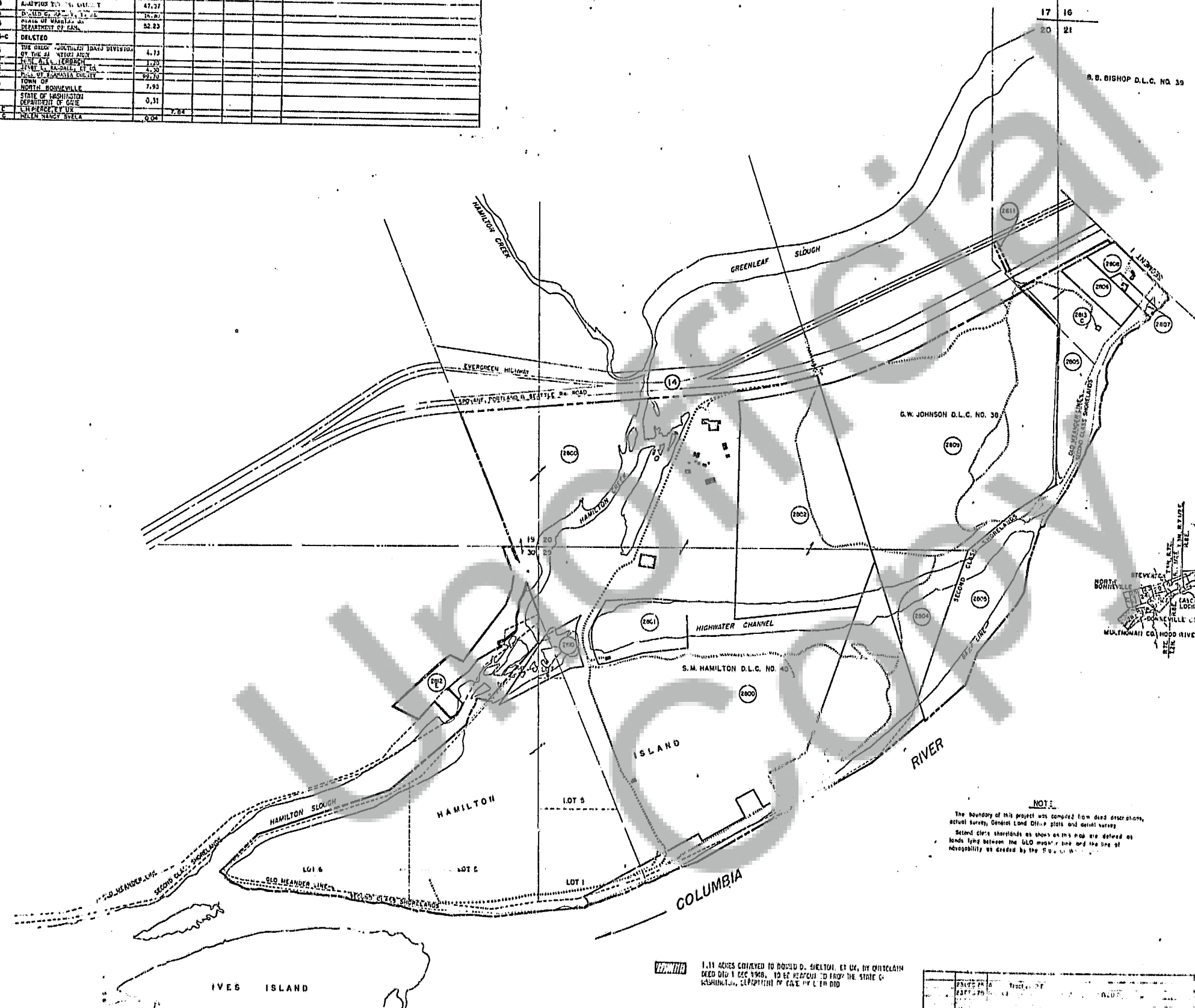
The tract of land herein described contains 7.84 acres, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$1,025.00

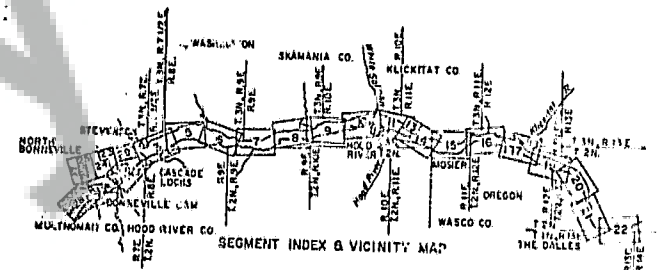
Estate Taken: A temporary easement in, on, over, and across the land described in Schedule "B" for a period not to exceed two years, beginning with the date possession of the land is granted to the United States for use by the United States, its representatives, agents and contractors, as a work area including the right to move, store and remove equipment and supplies and erect and remove temporary structures on the land including a bridge and road and to perform any other work necessary and incident to the construction of the Bonneville Lock and Dam, Second Powerhouse Project, together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions, and any other vegetation, structures, or obstacles within the limits of the temporary easement, further provided that the United States shall restore said land to substantially the same condition before the work convened subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and address of purported owners: L. H. Pierce and Lena L. Pierce,
dba L. H. Pierce Auto Service
Star Route, Box 390
Stevenson, Washington 98648

TRACT NO.	LAST OWNER	FILE	ACREAGE	PERMIT	TRANS.	REMARKS
2001	JOHN D. GILBERT	311.63				
2002	TOWN OF BONNEVILLE	14.32				
2003	JOHN D. GILBERT	66.27				
2004	JOHN D. GILBERT	47.27				
2005	JOHN D. GILBERT	16.80				
2006	JOHN D. GILBERT	52.23				
2007	DELETED					
2008	THE GREAT SOUTHERN LAND DIVISION OF THE S. M. HAMILTON	4.73				
2009	JOHN D. GILBERT	1.70				
2010	JOHN D. GILBERT	4.30				
2011	TOWN OF BONNEVILLE	96.10				
2012	TOWN OF BONNEVILLE	7.93				
2013	STATE OF WASHINGTON DEPARTMENT OF CORRECTIONS	0.31				
2014	JOHN D. GILBERT	7.84				
2015	JOHN D. GILBERT	0.04				



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



NOTE
The boundary of this project was computed from deed descriptions, actual survey, General Land Office plat and aerial survey.
Second class shorelands as shown on this map are defined as lands lying between the ULO master line and the line of navigability as defined by the Federal Government.

1.11 ACRES CONVEYED TO DONALD G. SHELTON, ET AL, BY DEED DATED 1960, TO BE REVERTED TO THE STATE OF WASHINGTON, CLERK OF COURT FOR THE COUNTY OF KING.

PROJECT MAP		ACQUISITION AUTHORIZATION	
STATE OF WA	LOCATION OF PROJECT	DATE OF MAP	DATE OF AUTHORIZATION
COUNTY OF KING		DATE OF MAP	DATE OF AUTHORIZATION
CITY OF PORTLAND		DATE OF MAP	DATE OF AUTHORIZATION
PROJECT AREA		DATE OF MAP	DATE OF AUTHORIZATION
SEGMENT 28		REAL ESTATE	
DEPARTMENT OF THE ARMY		BONNEVILLE LOCK AND DAM	
OFFICE OF THE PORTLAND DISTRICT ENGINEER		WASHINGTON AND OREGON	
NORTH PACIFIC DIVISION		(LAKE BONNEVILLE)	
DESIGNED BY	DATE	APPROVED BY	DATE
DRAWN BY	DATE	APPROVED BY	DATE
CHECKED BY	DATE	APPROVED BY	DATE
REVIEWED BY	DATE	APPROVED BY	DATE
APPROVED BY	DATE	APPROVED BY	DATE