

Certified to be a true and correct copy of the original filed in my office.
Dated MAR 26 1976 ATTEST:
EDGAR SCOFIELD, Clerk.

By W. H. Harrison
Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

1.31 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND DONALD C. NIEDERT,
ET UX, AND OTHER UNKNOWN OWNERS,

Defendants.

DECLARATION
OF
TAKING

CIVIL NO.

C76--73T

Original Filed
MAR 25 1976

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
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 tracts of land being taken,
the estimated just compensation therefor, and the estates 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 1.31 acres, with all buildings and
improvements thereon and all appurtenances thereto and including any and all
interests hereby taken in said land is FORTY THOUSAND AND NO/100 DOLLARS
(\$40,000.00) 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. Hoffmann, Secretary of the Army, this 26th day of February, A.D., 1976, in the City of Washington, District of Columbia.

/s/ Martin R. Hoffmann
Secretary of the Army

No. 3991
TRANSACTION EXCISE TAX

APR 7 1976
Amount Paid to Camp
Rathorn Wright
Shamona County, Tenn.
By Shamona County



BOOK 70 PAGE 903

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 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 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"

Description:

Tract 2908

A tract of land situated in Section 15, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

A plot of ground 25 feet square around and including a spring. The center of said spring being located 1,100.00 feet South 87°45'00" West of the Northwest corner of Lot 5 of the Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington.

The tract of land herein described contains 0.01 of an acre, more or less.

Tract 2920

A tract of land situated in Section 15, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Lots 3 and 4 and the Easterly 60.00 feet of Lot 5 of Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington.

The tract of land herein described contains 1.30 acres, more or less.

<u>Tract No.</u>	<u>Value</u>
2908	\$ 2,500.00
2920	\$37,500.00

Estimated compensation deposited in the registry of the court for the above described property: \$40,000.00

Estate Taken: The fee simple title to Tracts 2908 and 2920, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and address of Purported Owners: Donald C. Niedert and
Mabel E. Niedert, Husband & Wife
Route 1, Box 85C
Stevenson, Washington 98648

[illegible]

THIS PRINT REDUCED
TO THE HALF SCALE

1st ind MPO to MPD dtd 20 February 1973 2nd ind OCE to MPD dtd 15 January 1974	
ACQUISITION AUTHORIZATION	
PROJECT MAP (CONTINUATION SHEET)	
SUPC OF THE ARMY LOCATION OF PROJECT STATE COUNTY DIST. CITY PORTLAND DISTRICT AREA SYSTEM	WORKS UNDER "CRPS OF TRANSPORTATION RAILWAYS STATE ROADS FEDERAL ROADS AIRWAYS "ENGINEERS /ACQUISITION
I IND EAST PART	OF NORTH BONNEVILLE OF
SEGMENT 29	
DEPARTMENT OF THE ARMY OFFICE OF THE PORTLAND DISTRICT ENGINEER NORTH PACIFIC DIVISION	
LOCATION IN _____ M.D. TRUCKS PL. _____ M.D. CHECKED BY _____ SUBMITTING OFF _____	MAL ESTATE BONNEVILLE LOCK AND DAM WASHINGTON AND OREGON (LAKE BONNEVILLE)
ENGINE, PLANNING SECTION DISSEMINATION BY (S) _____	AIRCRAFT IN _____
1. LOCATION OF PROJECT IN STATE OF _____ 2. LOCATION OF PROJECT IN COUNTY OF _____ 3. LOCATION OF PROJECT IN DISTRICT OF _____ 4. LOCATION OF PROJECT IN SECTION OF _____ 5. LOCATION OF PROJECT IN TOWNSHIP OF _____ 6. LOCATION OF PROJECT IN RANGE OF _____ 7. LOCATION OF PROJECT IN RANGE OF _____ 8. LOCATION OF PROJECT IN RANGE OF _____ 9. LOCATION OF PROJECT IN RANGE OF _____ 10. LOCATION OF PROJECT IN RANGE OF _____	