

82156

BOOK 70. PAGE 953

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

By D. J. K. K. K. Deputy



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

4.67 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND JACK M. SCHMIDT,
ET UX, AND OTHER UNKNOWN OWNERS,

Defendants.

C76--74T

LIS PENDENS

TRACT 2922

Original Filed
MAR 25 1976

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 "B" and "D" attached hereto, or any part thereof, so far as can be ascertained from the public records, are set forth in said Schedule "B" and "D".

Page 1 - LIS PENDENS

STAN PITKIN
UNITED STATES ATTORNEY
P.O. BOX 1227
SEATTLE, WASHINGTON 98111
(206) 442-7970

3. That the object of such action is set forth in
Schedule "A" attached hereto.

DATED this 25 day of March, 1975.

STAN PITKIN
United States Attorney


WILLIAM H. RUBIDGE
Assistant U.S. Attorney

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STAN PITKIN
UNITED STATES ATTORNEY
P.O. BOX 1227
SEATTLE, WASHINGTON 98111
(206) 442-7970

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 2922

A tract of land situated in Sections 14 and 15, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Beginning at the middle point in the Southerly line of Lot 1 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, said point being marked by a county penalty monument at the intersection of the Northerly right-of-way of the Evergreen Highway (State Highway No. 14) with the section line between said Sections 14 and 15; thence North along said section line 840.00 feet; thence South 78°12'00" West 50.00 feet; thence North 78°30'00" West 159.00 feet; thence West 565.00 feet; thence South 35°15'00" East 1,145.00 feet to the Southwest corner of Lot 2 of said Normandy Tracts, said corner being at the intersection with the Northerly right-of-way line of said Evergreen Highway (State Highway No. 14); thence North 54°45'00" East along said right-of-way line to the point of beginning.

Also including the following:

Beginning at the intersection of the section line between said Sections 14 and 15, with the Northerly right-of-way line of said Evergreen Highway (State Highway No. 14); thence North 54°45'00" East 50.00 feet; thence North 35°15'00" West to the section line between said Sections 14 and 15; thence to the point of beginning.

Also including the following:

Commencing at the intersection of the section line between said Sections 14 and 15 with the Northerly right-of-way line of said Evergreen Highway (State Highway No. 14); thence North 54°45'00" East 50.00 feet to the point of beginning; thence North 35°15'00" West 70.75 feet to the said section line; thence North along said section line 772.25 feet; thence North 78°12'00" East 13.56 feet; thence East 139.62 feet; thence South 03°15'00" East 722.43 feet to the said right-of-way line; thence along said right-of-way line South 54°45'00" West 187.50 feet to the point of beginning.

Excepting therefrom the following:

That portion of the above described tract of land lying Northwesterly of a line 400.00 feet distant from and parallel to the Northerly right-of-way line of said Evergreen Highway (State Highway No. 14).

The tract of land herein described contains 4.67 acres, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$50,500.00

Estate Taken: The fee simple title to Tract 2922, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and Address of Purported Owners: Jack M. Schmidt and Gladys R. Schmidt, Husband & Wife
7539 E. Rancho Vista Drive
Scottsdale Arizona 85251

James A. Paeth and Betty A. Paeth, Husband & Wife
Box 297
Stevenson, Washington

SCHEDULE "D"

RESERVATION OF A PORTION OF TRACT 2922

A tract of land situated in Sections 14 and 15, 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 Section line between said Sections 14 and 15 with the Northerly right-of-way line of the Evergreen Highway (State Highway No. 14); thence North 54°45'00" East, 237.50 feet; thence North 03°15'00" West, 150.00 feet; thence Southwesterly to the Northwest corner of Lot 2 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; thence Southeasterly along the Westerly line of said Lot 2 to the Northerly right-of-way line of said Evergreen Highway; thence Northeasterly along said right-of-way line to the point of beginning.

Estate Taken: The fee simple title to Tract 2922, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and Address of Purported Owners: Jack M. Schmidt and Gladys R. Schmidt, Husband & Wife
7539 E. Ranch Vista Drive
Scottsdale, Arizona 85251

James A. Paeth and Betty A. Paeth, Husband & Wife
Box 297
Stevenson, Washington

82156

STATE OF WASHINGTON }
COUNTY OF SKAMANIA }

THEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF ABSTRACT FILED BY

W. B. Attorney

OF

AT 11:00 P. M. May 17, 1976

IN BOOK 70

DEEDS AT PAGE 953

OF SKAMANIA COUNTY, WASH.

W. B. Todd

COUNTY AUDITOR

E. Mesford

REGISTERED	<i>E</i>
INDEXED	<i>E</i>
FILED	<i>E</i>
RECORDED	<i>E</i>
COMPARED	<i>E</i>
MAILED	<i>E</i>