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BOOK 71 PAGE 332

Filed in District Court  
Dated MAR 26 1976 ATTEST:  
By [Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

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.

DECLARATION  
OF  
TAKING

CV 6 - 74 T

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 4.67 acres, with all buildings and  
improvements thereon and all appurtenances thereto and including any and all  
interests hereby taken in said land is FIFTY THOUSAND FIVE HUNDRED AND NO/100  
DOLLARS (\$50,500.00), 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 2<sup>nd</sup> day of March, A.D., 1976, in the City of Washington, District of Columbia.

Martin R. Hoffman  
Secretary of the Army

4162

TRANSACTION EXCISE TAX

ARC 111976

Assign, Paid, Expense  
Shamane County Insurance  
B, Family, Health, Life, Dep

## 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"

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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 1.67 acres, more or less.

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

Estates 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 N. Rancho Vista Drive  
Scottsdale Arizona 85251

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

CORPS OF ENGINEERS

ACQUISITION TRACT REGISTER			
TRACT	LAND OWNER	ACQUISITION FEE TRANS	REMARKS
2900	Yale C. Dittmer	553	
2901	Lowell H. Harrison, et al	07	
2902	W. A. Marshall	03	
2903	Robert C. Phillips	3	
2904	Clifford C. Phillips, et al	32	
2905	DeWitt	3	
2906	Mary A. Miller Bristol	07	
2907	Clifford C. Mickey, et al	05	
2908	DeWitt C. Marshall, et al	01	
2909	John L. Frye, et al	13	
2910	John E. Blocker, et al	23	
2911	Richard L. Robinson, et al	156	
2912	John Beale Woodruff	0	
2913	Reed A. Gammie	19	
2914	Norman F. Vance et al	17	
2915	Robert Eugene Phillips, et al	133	
2916	Albert Wah-man, et al	26.10	
2917	Theresa L. Johnson	16	
2918	William W. Van, et al	50	
2919	Margaret Worme	39	
2920	Donald C. Miedert, et al	130	
2921	DeWitt	3	
2922	Jack M. Schmidt, et al	4.67	
2923	John W. Gould	109	
2924	Dean Baughman, et al	144	
2925	Washington State Forestry Department	250	



T. 2 N, R. 7 E.  
W.M.

REQUIREMENT 25

COLUMBIA RIVER

[illegible]

[illegible]

**SCHEDULE C**