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BOOK 71 PAGE 344
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MAR 31 1976

Deputy Office of Clerk
 U.S. District Court

UNITED STATES DISTRICT COURT FOR THE
 WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

26.10 ACRES OF LAND, MORE OR LESS,
 SITUATE IN SKAMMIA COUNTY, STATE
 OF WASHINGTON, AND ALBERT WALKER,
 ET AL, AND OTHER UNKNOWN OWNERS,

Defendants.

DECLARATION
 OF
 TAKING

CIVIL NO. 76-307

MAR 30 1976

TO THE HONORABLE
 THE UNITED STATES DISTRICT COURT:

1. *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 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 26.10 acres, with all buildings and
 improvements thereon and all appurtenances thereto and including any and all
 interests hereby taken in said land is THIRTY THREE THOUSAND SEVEN HUNDRED AND
 NO/100 DOLLARS (\$33,700.00), 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.

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. Hoffman*, Secretary of
4 the Army, this *11* day of *March*, A.D., 1976, in the
5 City of Washington, District of Columbia.

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8 *Martin R. Hoffman*
9 Secretary of the Army

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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 23, 1911 (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. 1023), 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 94-143), 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 reserved 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 2916

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 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 of beginning being marked by a county penalty monument at the intersection of the Northerly line of the Evergreen Highway (State Highway No. 14) right-of-way with the section line between said Sections 14 and 15; thence North along the 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 North right-of-way line of said Evergreen Highway (State Highway No. 14); thence North 54°45'00" East along said right-of-way 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 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 South along said section line to the point of beginning.

Also including the following:

Commencing at the intersection of section line between said Sections 14 and 15 with the North line of the 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; thence South 54°45'00" West 187.50 feet to the point of beginning.

Excepting therefrom the following:

That portion of the above described tracts of land lying Southeasterly 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).

Also including the following:

Beginning at the Northwest corner of Lot 9 of Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington; thence North 35°15'00" West 350.20 feet; thence North 54°45'00" East 20.00 feet;

SCHEDULE "B"

Tract 2916 (Cont'd)

thence North 35°15'00" West 767.00 feet to the East line of a tract of land conveyed to Frieda Birkeland by deed dated 21 June 1929, and recorded 19 April 1934, at Page 494 of Book X of Deeds, Records of Skamania County, Washington; thence North to the South line of a tract of land conveyed to Wauna Lake Club, a corporation, by deed dated 24 November 1922, and recorded 16 February 1931, at Page 580 of Book W of Deeds, Records of Skamania County, Washington; thence East to intersection with a line running North 35°15'00" West from the Southwest corner of Lot 2 of Normandy Tracts aforesaid; thence South 35°15'00" East 927.20 feet, more or less, to the Northwest corner of the said Lot 2; thence South 54°45'00" West 700.00 feet to the point of beginning.

Also including the following:

Lots 7, 8 and 9 of said Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington.

Excepting therefrom the following:

That portion of the said Lot 7 described as follows: Beginning at the Southeast corner of said Lot 7; thence South 54°45'00" West along the South line thereof 62.00 feet; thence North 35°15'00" West parallel with the East line of said Lot 100.00 feet; thence North 54°45'00" East parallel with the South line thereof 62.00 feet to the East line of said lot; thence South 35°15'00" East along said East line 100.00 feet to the point of beginning.

The tract of land herein described contains 26.10 acres, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$33,700.00

Estate Taken: The fee simple title to Tract 2916, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines, and the right, title and interest of Wauna Lake Club, a Washington Corporation, and other unknown parties of interest, in and to an access road easement, if any.

Name and Address of Purported Owners: Albert Wahlman and
Marie Wahlman, Husband & Wife
1611 Irving Street
Astoria, Oregon 97138

SCHEDULE "B"

Tract 2916 (cont'd)

Tice Electric
2139 S.E. Bellmont
Portland, Oregon 97214

Goorin Brothers
115 Parklane
Brisbane, California

Pete Wilson Development Corporation
d/b/a Pete Wilson Realty
Registered agent and president: Orville M. Wilson
2411 S.E. 42nd Street
Portland, Oregon 97206

Walter V. Richardson and Mabel Morse Richardson
2845 S.W. Upper Drive
Portland, Oregon 98201

