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DEC 22 1974

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
BY *Bin* CLERK

Original Filed

DEC 23 1974

I hereby certify that the
attached instrument is a true
and correct copy of the original
as filed in the
U. S. District Court
Western District of Washington

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,
Plaintiff,

DECLARATION
OF
TAKING

CIVIL NO.

3.94 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY,
STATE OF WASHINGTON, AND
PART OF SKAMANIA COUNTY, A
MUNICIPAL CORPORATION,
Defendant

~~67-4-227T~~

67-4-227T

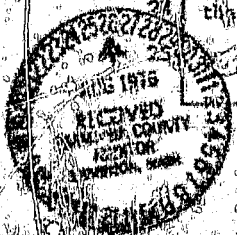
IN THE HONORABLE,
THE UNITED STATES DISTRICT COURT

I, HOWARD H. CALLAWAY

Secretary of the

And do hereby declare that:

1. (a) The land hereinafter described is taken under and in
accordance with the Act of Congress approved February 26, 1931 (45 Stat.
1421, 40 U.S.C. 258a) and acts supplementary thereto and amendatory
thereof, and under the further authority of the Acts of Congress
passed April 24, 1888 (25 Stat. 94, 33 U.S.C. 591), and March 1, 1917



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(39 Stat. 548, 33 U.S.C. 701) which acts 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 (Oregon); 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 August 28, 1974 (Public Law 93-393), which act appropriated funds for such purposes.

(b) 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 other purposes incident thereto. The said land has been selected by me for acquisition by the United States for use in connection with the reregulation of the peaking discharge which must be provided at the Bonneville Dam, and for such other uses as may be authorized by Congress or by Executive Order.

2. A general description of the land being taken is set forth in Schedule "A" attached hereto and made a part hereof, and is a description of the same land described in the complaint in the above entitled cause.

3. The estate taken for said public uses is the perpetual right, power, privilege and easement permanently to overflow, flood and submerge the land described in Schedule "A", and to maintain mosquito control, in connection with the operation and maintenance of the Bonneville Lock and Dam project as authorized by the Act of Congress

1 approved August 20, 1937, and the continuing right to clear and remove
2 any brush, debris and natural obstructions which, in the opinion of the
3 representative of the United States in charge of the project, may be
4 detrimental to the project, together with all right, title and interest
5 in and to the timber, structures and improvements situate on the land;
6 provided that no structures for human habitation shall be constructed
7 or maintained on the land, that no other structures shall be constructed
8 or maintained on the land except as may be approved in writing by the
9 representative of the United States in charge of the project, and that
10 no excavation shall be conducted and no landfill placed on the land
11 without such approval as to the location and method of excavation and/
12 or placement of landfill; the above estate is taken subject to existing
13 easements for public roads and highways, public utilities, railroads
14 and pipelines; reserving, however, to the landowners, their heirs and
15 assigns, all such rights and privileges as may be used and enjoyed
16 without interfering with the use of the project for the purposes
17 authorized by Congress or abridging the rights and easement hereby
18 acquired; provided further that any use of the land shall be subject
19 to Federal and state laws with respect to pollution.

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

22 5. The sum estimated by me as just compensation for said
23 land, including any and all interests hereby taken in said land, is
24 set forth in Schedule "A" herein, which sum I cause to be deposited
25 herewith in the registry of the said court for the use and benefit of

1 the persons entitled thereto. I am of the opinion that the ultimate
2 award for said land probably will be within any limits prescribed by
3 law on the price to be paid therefor.

4 IN WITNESS WHEREOF, the United States of America, by its
5 Secretary of the Army, thereunto authorized, has caused this
6 declaration to be signed in its name by said HOWARD H. CALLAWAY
7 Secretary of the Army, this 19TH day of NOVEMBER
8 A.D. 1974, in the City of Washington, District of Columbia.

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12 Howard H. Callaway
13 Secretary of the Army
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The land which is the subject matter of this Declaration of Taking aggregates 3.94 acres, more or less, situate and being in the County of Skamania, State of Washington. Descriptions of the land taken, and a statement of the sum estimated to be just compensation thereof is contained on the following continuation of Schedule "A", comprising eleven pages, including this page.

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

ATTEST: EDGAR S. BOYD

Clerk, U. S. District Court
Western District of Washington

By Edgar S. Boyd
Deputy Clerk

EXHIBIT "A"

TRACT 418E-3

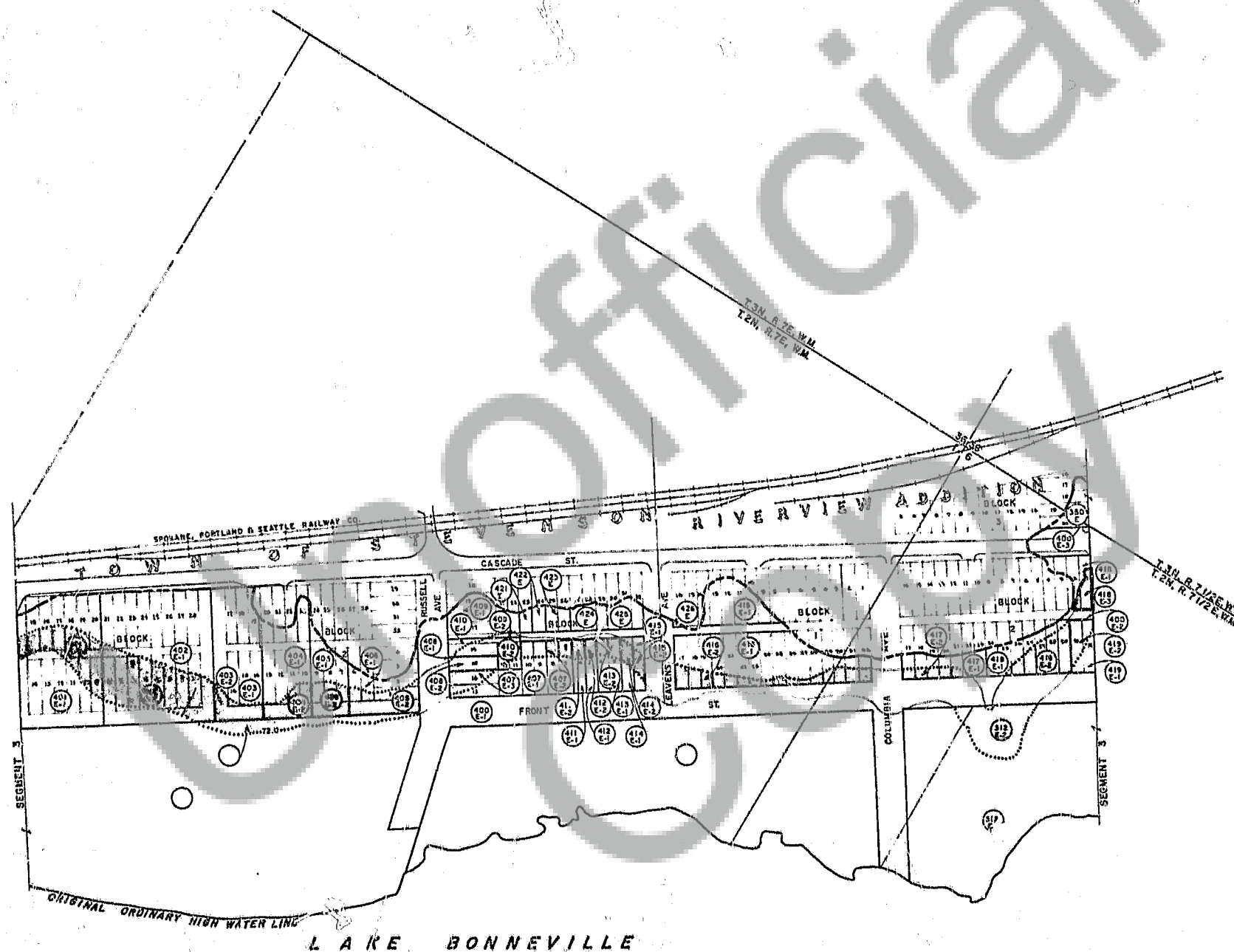
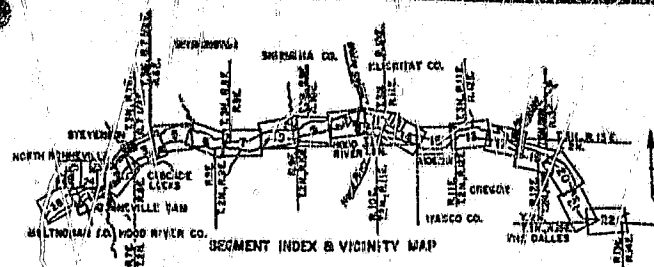
All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.40 feet Mean Sea Level, situated in Section 6, Township 2 North, Range 7-1/2 East of the Willamette Meridian, Skamania County, Washington:

Lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Block 2 of Riverview Addition to the Town of Stevenson according to the official plat thereof on file and of record at page 21 of Book "14" of Plats, Records of Skamania County, Washington.

The tract of land herein described contains 0.05 of an acre, more or less, all of which is contained in Tract 418E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 418E-3,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

The Port of Skamania
County

[illegible]

THIS PRINT REDUCED
TO ONE-HALF SCALE.

14. 2nd Int OCE to NPD dtd 1 Jun 1970
1. Public Law No 902 dtd 30 Aug 1968

ACQUISITION INFORMATION					
PROJECT MAP (CONTINUATION SHEET)					
TITLE OF THE PROJECT	DATE	CORDES OF ENGINEERS			
STATE	LOCATION	TRAINING FACILITIES			
COUNTY	DRAWN BY	A.D.S.			
CITY	SCALE	STAT			
POST	NORTH PACIFIC	DEPT			
PORTLAND	AMBL				
AT THE TOWN OF ST. PENSION					
OF					
SEGMENT 4					
DEPARTMENT OF THE ARMY					
OFFICE OF THE PORT AND DISTRICT ENGINEER					
NORTH PACIFIC DIVISION					
REAL ESTATE					
BONNEVILLE LOCK DAM					
OREGON AND WASHINGTON					
(LAKE BONNEVILLE)					
DRAWN BY	P.A.E.				
TRACKS BY	P.A.E.				
CHECKED BY	V.V.W.				
SUBMITTED BY					
OVER PLANNING SECTION					
RECORDING UNIT					
INTENT TO FILE					
OFFICE OF THE ENGINEER, WASHINGTON, D.C. 20315					
SCALE IN FEET					
1" = 100'					
NOT TO SCALE					
DATE OF ISSUE					
APPROVED BY					

SCHEDULE "A"