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BOOK 71 PAGE 525

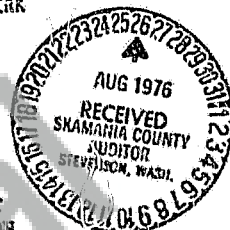
I hereby certify that the
 annexed instrument is a true
 and correct copy of the original
 on file in my office.

WITNESS: EDGAR SCORFIELD,
 Clerk, U. S. District Court
 Western District of Washington

By *[Signature]*
 Deputy Clerk

MSC 21 4 04 PM '74

RECEIVED
 DEPT. OF JUSTICE
 DIV. OF RECORDS
 BY *[Signature]* DEPUTY CLERK



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

UNITED STATES OF AMERICA,
 Plaintiff,

DECLARATION
 OF
 TAKING

074-228T
 CIVIL NO. 228T

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

~~074-228T~~
~~C74-228T~~

TO THE HONORABLE,
 THE UNITED STATES DISTRICT COURT:

I, HOWARD H. CALLAWAY, Secretary of the

Army 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 (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

Inc 1021

1 (49 Stat. 948, 33 U.S.C. 701) which acts authorize the acquisition of
2 land for flood control projects; the Act of Congress approved August 30,
3 1935 (49 Stat. 1028); which act authorizes the construction of the
4 Bonneville Lock and Dam (Oregon); the Act of Congress, approved
5 August 20, 1937 (50 Stat. 731); which act authorized completion, maintenance
6 and operation of the project, and the Act of Congress approved
7 August 28, 1974 (Public Law 93-393), which act appropriated funds for
8 such purposes.

9 (b) The public uses for which said land is taken are as
10 follows: The said land is necessary to provide for the construction of
11 a river improvement for the purposes of flood control, navigation and
12 other purposes incident thereto. The said land has been selected by
13 me for acquisition by the United States for use in connection with the
14 reregulation of the peaking discharge which must be provided at the
15 Bonneville Dam, and for such other uses as may be authorized by Congress
16 or by Executive Order.

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

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

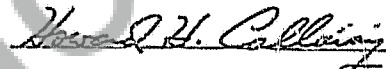
1 approved August 20, 1937, and the continuing right to clear and remove
2 any brush, debris and natural obstructions which, in the opinion of the
3 representative of the United States in charge of the project, may be
4 detrimental to the project, together with all right, title and interest
5 in and 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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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: WILLIAM B. STREIB

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

By William B. Streib
Deputy Clerk

SCHEDULE "A"

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TRACT 418E-2

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 24, 25, 26, 27, 28, 29, and 30 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 "A" of Plats, Records of Skamania County, Washington.

The tract of land herein described contains 0.20 of an acre, more or less, all of which is contained in Tract 418E-1.

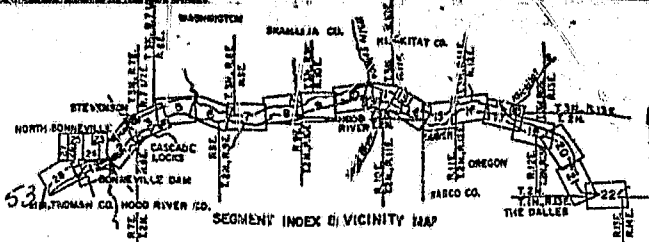
NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 418E-2,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

The Port of Skamania
County
P.O. Box 413
Stevenson, Washington 98648

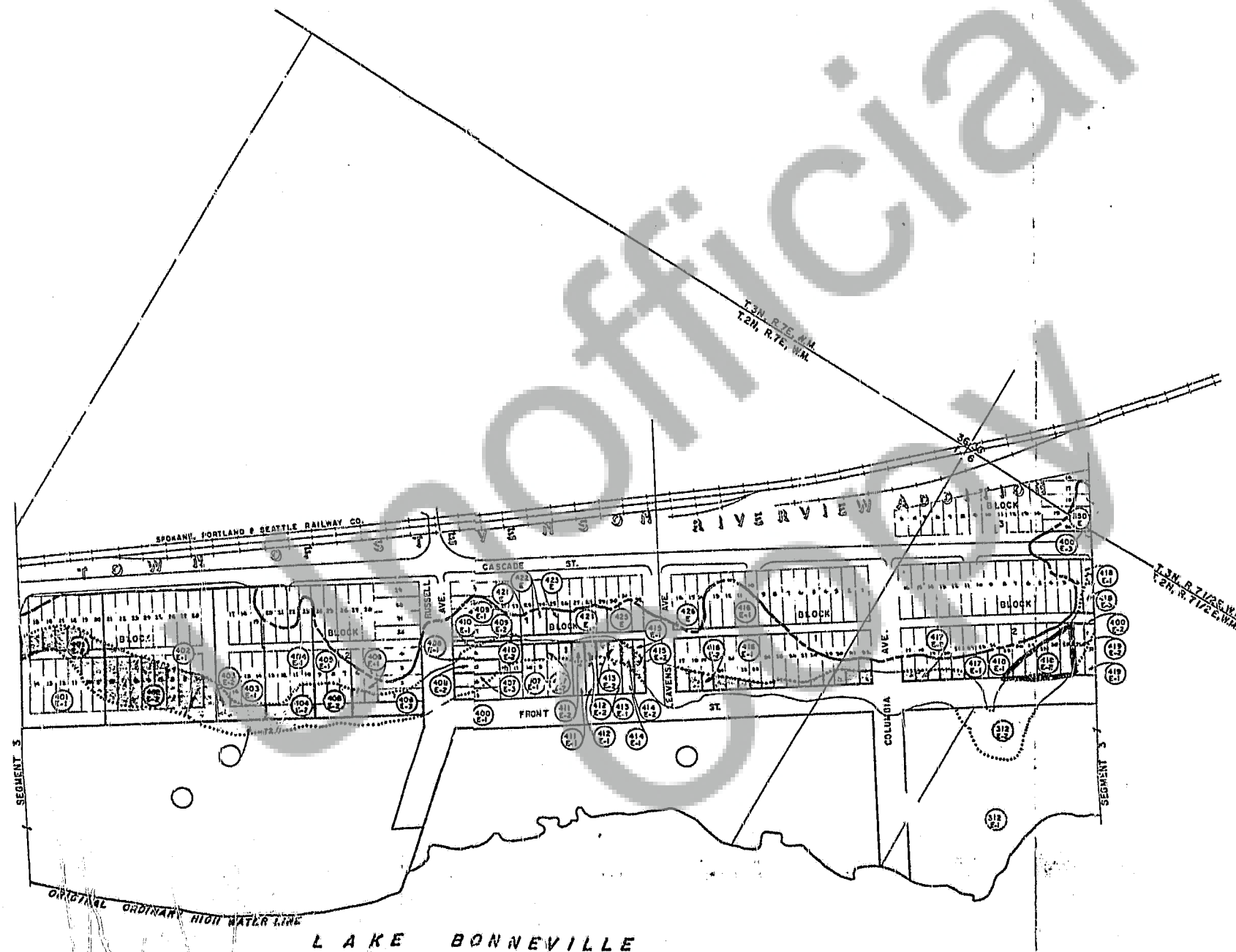
ESTIMATED COMPENSATION:

\$3,500.00

The boundary of this project was established from deed descriptions, street survey, 9-foot level office plan, and aerial survey as follows:
 The line of ordinary high water, shown partly from aerial survey and partly from office plan, was used for the lower limit of acquisition, excepting heavily eroded areas 125 14 and 125 43 where the line of low water was used.
 The upper limit of floodage easements, obtained from contour maps made by direct survey, was based upon the elevation of controlled bottomwater for a discharge of 800,000 C.F.S. plus a 3-foot freeboard for most lands; the freeboard not being used on railroads nor on a few other lands.
 The upper limit of floodage easements for Peating Storage easement, obtained from contour maps made from aerial survey was based upon the elevation of controlled bottomwater for a discharge of 378,000 C.F.S. plus a 3-foot freeboard.



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THIS PRINT REDUCED TO ONE-HALF SCALE

2d Ind OCE to NPD dtd 1 Jun 1970
 Public Law No 409 dtd 30 Aug 1965

ACQUISITION AUTHORIZATION

PROJECT MAP (CONTINUATION SHEET)

NAME OF THE ARMY	ENGINEER CORPS OF ENGINEERS
LOCATION OF PROJECT	TRANSPORTATION FACILITIES
STATE WASHINGTON	ENGINEER S.D. 11
COUNTY GRADY	ENGINEER S.D. 11
DR. NORTH PACIFIC	ENGINEER S.D. 11
MT. PORTLAND	ENGINEER S.D. 11
UNIT AREA BIRTH	ENGINEER S.D. 11

AT THE TOWN OF STEVENSON

SEGMENT 4

DEPARTMENT OF THE ARMY
 OFFICE OF THE PORTLAND DISTRICT ENGINEER
 NORTH PACIFIC DIVISION

REAL ESTATE
BONNEVILLE LOCK AND DAM
 OREGON AND WASHINGTON
 (LAKE BONNEVILLE)

DESIGNED BY: R.E.E.
 DRAWN BY: R.E.E.
 CHECKED BY: R.E.E.
 SUBMITTED BY: R.E.E.
 DATE: 1/1/71
 SCALE: PLANNING SECTION