

DOE 17 / PAGE 139

DEC 11 4 04 PM '74

EDGAR E. HOFF, D. CLERK
U.S. DISTRICT COURT
S.D. - WYOMING
BY *[Signature]* DEPUTY CLERK

Original Filed
DEC 27 1974

I hereby certify that the
instrument is a true
and correct copy of the original
on the 16th day of June
A.D. 1964.
JAMES H. S. District Court
Western District of Washington

Certified to be a true and correct copy of the original filed in my office.

By Richard J. [Signature] Deputy

IN THE UNITED STATES DISTRICT COURT
Deputy Clerk 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
PORT OF SKAMANIA COUNTY, A
MUNICIPAL CORPORATION,
Defendant

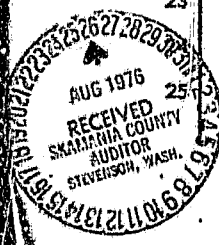
C74-230T

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



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(39 Stat. 948, 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 dam of 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 93-395), 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

SCHEDULE "A"

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.

Unofficial
Copy

SCHEDULE "A"

BOOK 71 PAGE 543

Tract 416E-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 1, Township 2 North, Range 7 East and in Section 6, Township 2 North, Range 7 1/2 East of the Williamette Meridian, Skamania County, Washington:

City Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 and 32 of Block 1 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 0.23 of an acre, more or less, all of which is contained in Tract 416E-1.

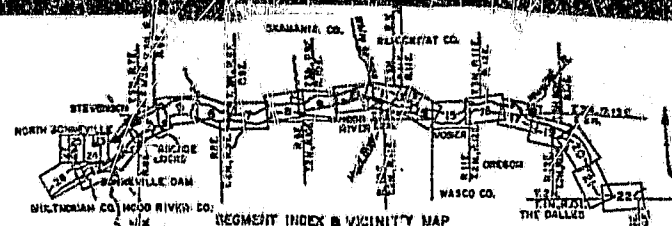
NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 416E-2,
BONNEVILLE LOCK AND DAM (LAKE
BONNEVILLE)

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

ESTIMATED COMPENSATION:

\$1,400.00

ON THE
STATE OF



SPokane, Portland & Seattle Railway Co.

TOWN OF STEVENSON

RIVER VIEW ADDITION

CASCADE ST.

FRONT ST.

COLUMBIA AVE.

ORIGINAL ORDINARY HIGH WATER LINE

LAKE BONNEVILLE

SEGMENT 3

Official

T. 3N, R. 7E, W. 12N, R. 7E, W. 12N, R. 7E, W. 12N, R. 7E, W. 12N, R. 7E, W.

14 2nd Ind OCE to NFD dtd 5 Jun 1970
1 Public Law No 409 dtd 30 Aug 1945

PROJECT MAP		ACQUISITION AUTHORIZATION SHEET	
DIV. OF THE ARMY	LOCALITY OF PROJECT	ARMY DISTRICT	CORPS OF ENGINEERS
STATE	WASHINGTON	TRANSPORTATION	FACILITIES
COUNTY	YANUANA	RAILROADS	S. P. D. S.
SEC.	NORTH PACIFIC	STATE ROADS	14
CITY	PORTLAND	FEDERAL ROADS	
MAIL AREA	WINTON	ARMS	
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)			