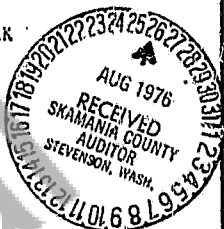


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ELMER SCOTT, JR. CLERK  
U.S. DISTRICT COURT  
WASHINGTON  
BY *[Signature]* DEPUTY CLERK

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certified to be a true and  
correct copy of the original  
filed in my office:  
Dated: 12-30-74 ATTEST:  
ELMER SCOTT, JR. CLERK  
By *[Signature]* Deputy



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

ATTEST: *[Signature]* DEPUTY CLERK  
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  
PORT OF SKAMANIA COUNTY, A  
MUNICIPAL CORPORATION.

Defendant

~~C74-226T~~  
C74-231T

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 3, 1917

2  
FILED 10/1

1 (39 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, mainte-  
6 nance 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

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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 HOWARD H. CALLAWAY  
Secretary of the Army, this 19TH day of NOVEMBER  
A.D. 1974, in the City of Washington, District of Columbia.

Howard H. Callaway  
Secretary of the Army

## SCHEDULE "A"

## Tract 409E-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 the Northeast quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington:

Lots 17, 18, 19, 20, 21 and 22 of Block 1 of the town of Stevenson according to the official plat thereof on file and of record at page 11 of Book A of Plats, Records of Skamania County, Washington.

The tract of land herein described contains 0.01 of an acre, more or less, all of which is contained in Tract 409E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 409E-2,  
BONNEVILLE LOCK AND DAM  
(LAKE BONNEVILLE)

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

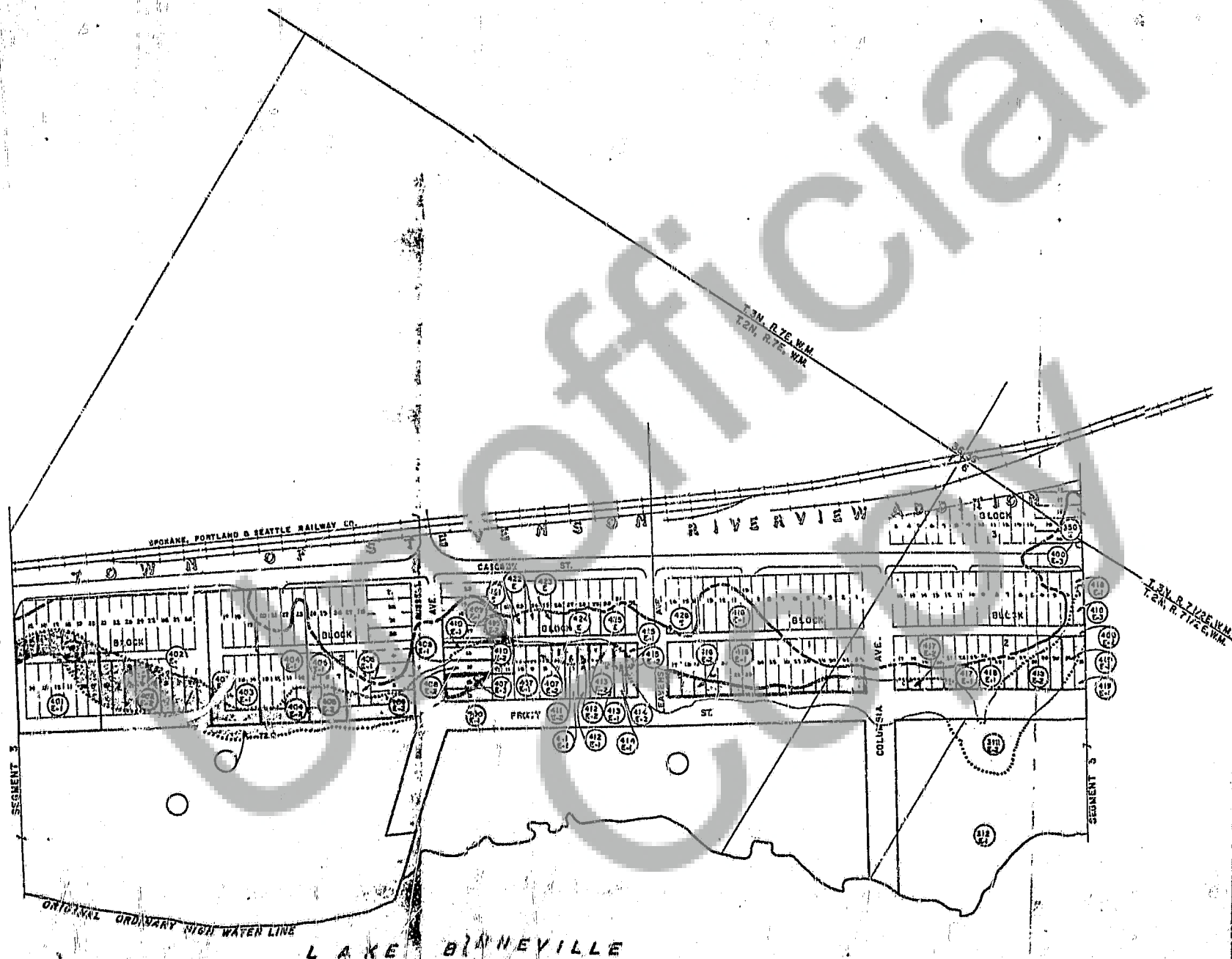
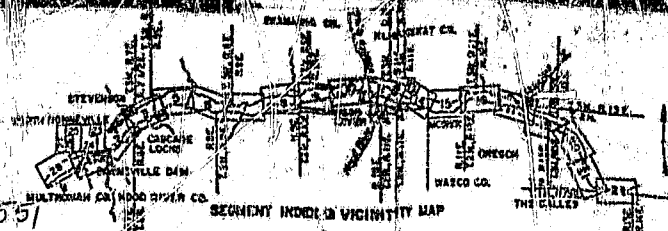
ESTIMATED COMPENSATION:

\$100.00



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



THIS PRINT REDUCED  
TO ONE-HALF SCALE

14 2nd Ind DCE to NPD dtd 9 Jun 1970  
1 Public Law No 409 dtd 30 Aug 1935

<p align="center"><b>PROJECT MAP (CONTINUATION SHEET)</b></p>	
<p>NAME OF THE AGENT  <b>UNIT</b> <u>WASHINGTON</u>  <b>ST</b> <u>NORTH PACIFIC</u>  <b>AV</b> <u>PORTLAND</u>  <b>DATE</b> <u>10/19/71</u></p>	<p><b>ENGINEER</b> <u>H. COLPIN OF ENGINEERS</u>  <b>INFORMATION FACILITY</b>  <b>ADDRESS</b> <u>R. R. 3</u>  <b>1/4 PAGE</b> <u>12</u>  <b>TIME</b> <u>11:00 AM</u>  <b>NAME</b></p>
<p align="center"><b>AT THE TOWN OF STEVENSON</b></p>	
<p align="center"><b>SEGMENT 4</b></p>	
<p align="center"><b>DEPARTMENT OF THE ARMY</b>  <b>OFFICE IN THE PORTLAND DISTRICT ENGINEER</b>  <b>NORTH PACIFIC DIVISION</b></p>	
<p><b>SAFETY</b> <u>PL. 1-1-1</u>  <b>SAFETY</b> <u>PL. 1-1-1</u>  <b>OWNER</b> <u>PL. 1-1-1</u>  <b>DESIGNED BY</b>  <b>DATE</b> <u>10/19/71</u>  <b>SAFETY PL. 1-1-1 (ACTION)</b>  <b>REMARKS</b></p>	<p align="center"><b>REAL ESTATE</b></p> <p align="center"><b>BONNEVILLE LOCK AND DAM</b>  <b>OREGON AND WASHINGTON</b>  <b>(AND BONNEVILLE)</b></p> <p align="center"><i>11/1/71</i></p>