

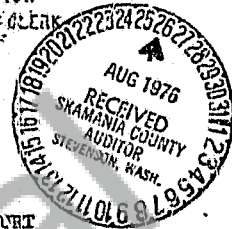
1 Certified to be a true and  
2 correct copy of the original  
3 filed in my office.

4 Dated 12-30-74 at Seattle  
EDGAR SCOFFIELD, Clerk

By Charles F. Beck Deputy

DEC 21 4 04 PM '74

EDGAR SCOFFIELD  
CLERK  
U.S. DISTRICT COURT  
BY Charles F. Beck Deputy Clerk



I, Charles F. Beck, certify that the  
above instrument is a true  
and correct copy of the original  
file in my office.

EDGAR SCOFFIELD, Clerk

U.S. District Court

Western District of Washington

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

10 UNITED STATES OF AMERICA,  
11 Plaintiff,

DECLARATION  
OF  
TAKING

CIVIL NO. 74-233T

12  
13 3.94 ACRES OF LAND, MORE OR LESS,  
14 SITUATE IN SKAMANIA COUNTY,  
15 STATE OF WASHINGTON, AND  
16 PORT OF SKAMANIA COUNTY, A  
Municipal Corporation,  
Defendant

~~C74-233T~~  
C74-233T

17 TO THE HONORABLE,  
18 THE UNITED STATES DISTRICT COURT:

19 I,

HOWARD H. CALLAWAY

, Secretary of the

20 Army do hereby declare that: ...

21 1. (a) The land hereinafter described is taken under and in  
22 accordance with the Act of Congress approved February 26, 1931 (46 Stat.  
23 1421, 40 U.S.C. 258a), and acts supplementary thereto and amendatory  
24 thereof, and under the further authority of the Acts of Congress  
25 approved April 24, 1888 (25 Stat. 94, 33 U.S.C. 591), and March 1, 1917

Inc 1031

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, 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 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

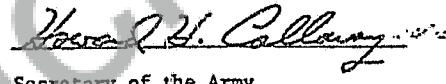
1 approved August 20, 1937, and the continuing right to clear and remove  
2 any brush, debris and natural obstructions which, in the opinion of the  
3 representative of the United States in charge of the project, may be  
4 detrimental to the project, together with all right, title and interest  
5 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 here-  
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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14 Secretary of the Army  
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## 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



30 September 1974

BOOK 7/ PAGE 307

SCHEDULE "A"

TRACT 407E-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 of the Willamette Meridian in Skamania County, Washington:

Lots 7, 8, 9 and 10 of Block One of the Town of Stevenson according to the official plat thereof on file and recorded at page 11 of Book "A" of Plats, Records of Skamania County, Washington.

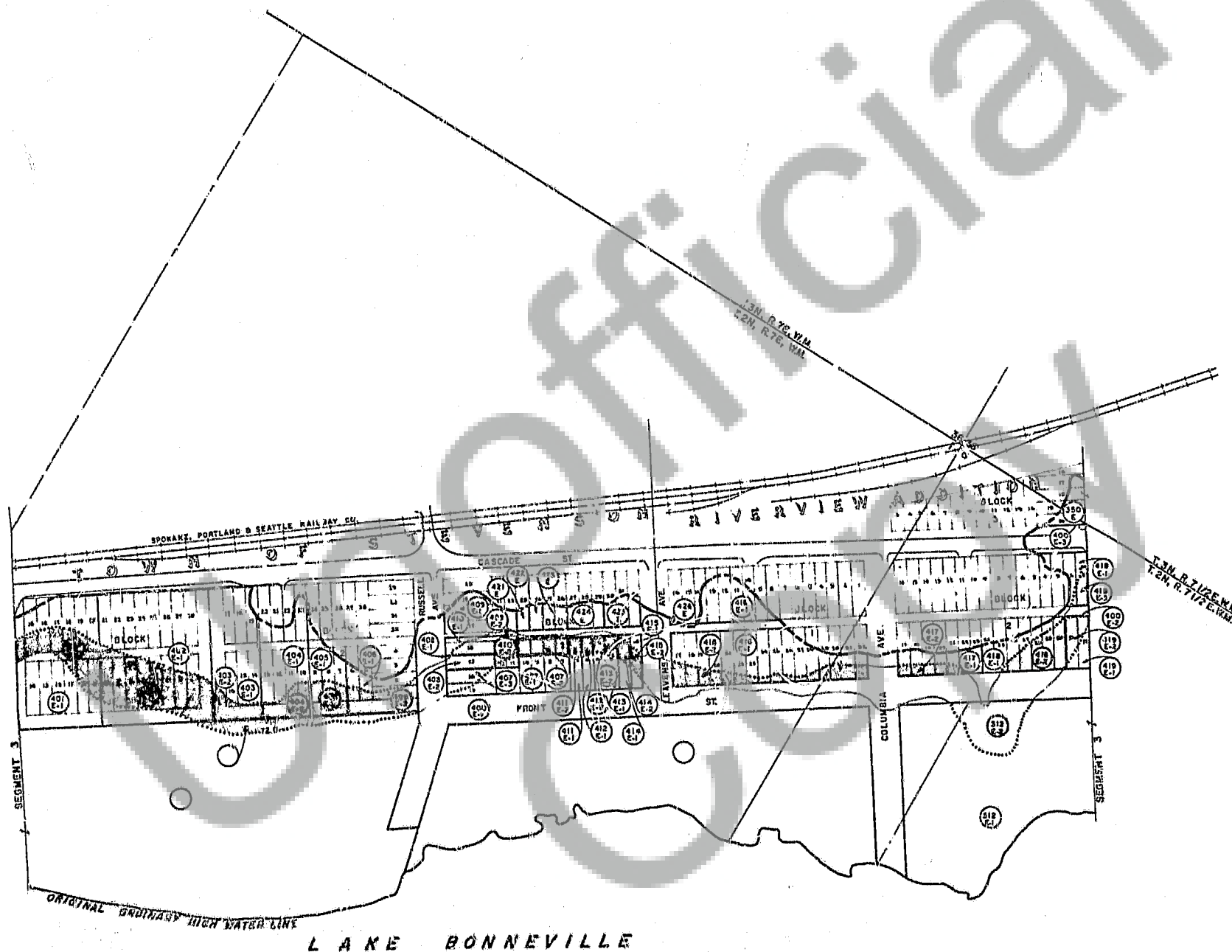
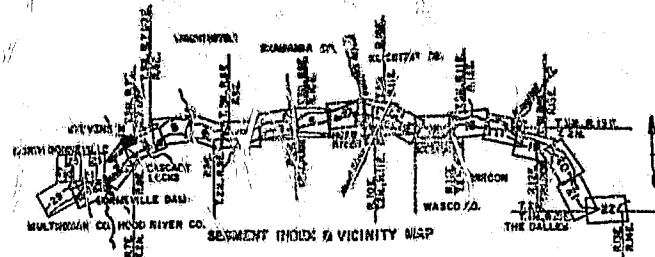
The tract of land herein described contains 0.09 of an acre, more or less, all of which is contained in Tract 407E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 407E-2,  
BONNEVILLE LOCK AND DAM  
(LAKE BONNEVILLE)

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

ESTIMATED COMPENSATION:

\$3,350.00

[illegible]

THIS PRINT REDUCED  
TO ONE-HALF SCALE

14 2nd Ind OCE to NPD dtd 1 Jun 1970  
1 Public Law No 609 dtd 30 Aug 1949

PROJECT MAP (CONTINUATION SHEET)		ACQUISITION AUTHORIZATION
NO. OF THE ADJUT.	NAME SERVICE	CORPS OF ENGINEERS
LOCATION OF PROPERTY	TRANSPORTATION FACILITIES	
CITY WASHINGTON	PAID BY	D.P.R.
COUNTY KRAMATA	STATE	IL
NO. NORTH PACIFIC	TOWNSHIP	SENE
CITY PORTLAND	COUNTY	
NO. AREA SIXTY	AT THE TOWN OF STEVENSON	
<div style="text-align: center;"> <p>SEGMENT 4</p> <p>DEPARTMENT OF THE ARMY</p> <p>OFFICE OF THE PORTLAND DISTRICT ENGINEER</p> <p>NORTH PACIFIC DIVISION</p> </div>		
REAL ESTATE		
<div style="text-align: center;"> <p>BONNEVILLE LOCK AND DAM</p> <p>OREGON AND WASHINGTON</p> <p>(LAKE BONNEVILLE)</p> </div>		
DRAWN BY: R.A.C. CHECKED BY: H.A.C. APPROVED BY: J.W.H. DATE: 11/1/54 COUNTY PLANNING DISTRICT RECOMMENDED BY:	FOR THE DISTRICT ENGINEER SCALE IN FEET 1" = 100'	

**SCHEDULE "B"**

83-4564-2000