

I hereby certify that the
 annexed instrument is a true
 and correct copy of the original
 on file in
 ATTEST: _____
 _____, Clerk of Court
 Western District of Washington
 By _____ Deputy Clerk

UNITED STATES OF AMERICA,
Plaintiff.

DECLARATION
OF
TAKING

CIVIL NO. *Q 74-235-7*

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

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Howard K. 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

Inv. 24

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 right 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. *1975*, 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 inclosure is a true
and correct copy of the original
on file in my office.

ATTEST: EDGAR SUTHERLAND

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

By George Payd
Deputy Clerk

TRACT 312E-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 East of the East line of Riverview Addition to the Town of Stevenson, in Section 6, Township 2 North, Range 7-1/2 East and Section 36, Township 3 North, Range 7-1/2 East of the Willamette Meridian, Skamania County, Washington.

Beginning at the intersection of the East line of the Shepard D.L.C. with meander line of the Columbia River, thence South 65° 30' 00" West 590.70 feet; thence West 607.53 feet to the point of beginning; thence continuing West 524.77 feet, more or less, to a point marking the intersection of division line between the North and South halves of said Shepard D.L.C. with the Southerly right-of-way line of the Spokane, Portland and Seattle Railway Company; thence Southwesterly along said right-of-way to the intersection with the East line of Kanaka Creek Road; thence Southerly and Southwesterly along said East line to the intersection with the Northeasterly extension of the South line of Block 2 of Riverview Addition to the Town of Stevenson; thence South 52° 30' 00" West along said Northeasterly extension to the Southeasterly corner of said Block; thence South 34° 30' 00" East to the Southeasterly corner of Front Street in said Riverview Addition; thence South 55° 30' 00" West along the South line of said Front Street to a point 637.00 feet from the Southwest corner of Riverview Addition; thence South to the meander line of the Columbia River; thence Northeasterly following the said meander line to a point which lies South 17° 07' 00" East of the point of beginning; thence North 17° 07' 00" West to the point of beginning.

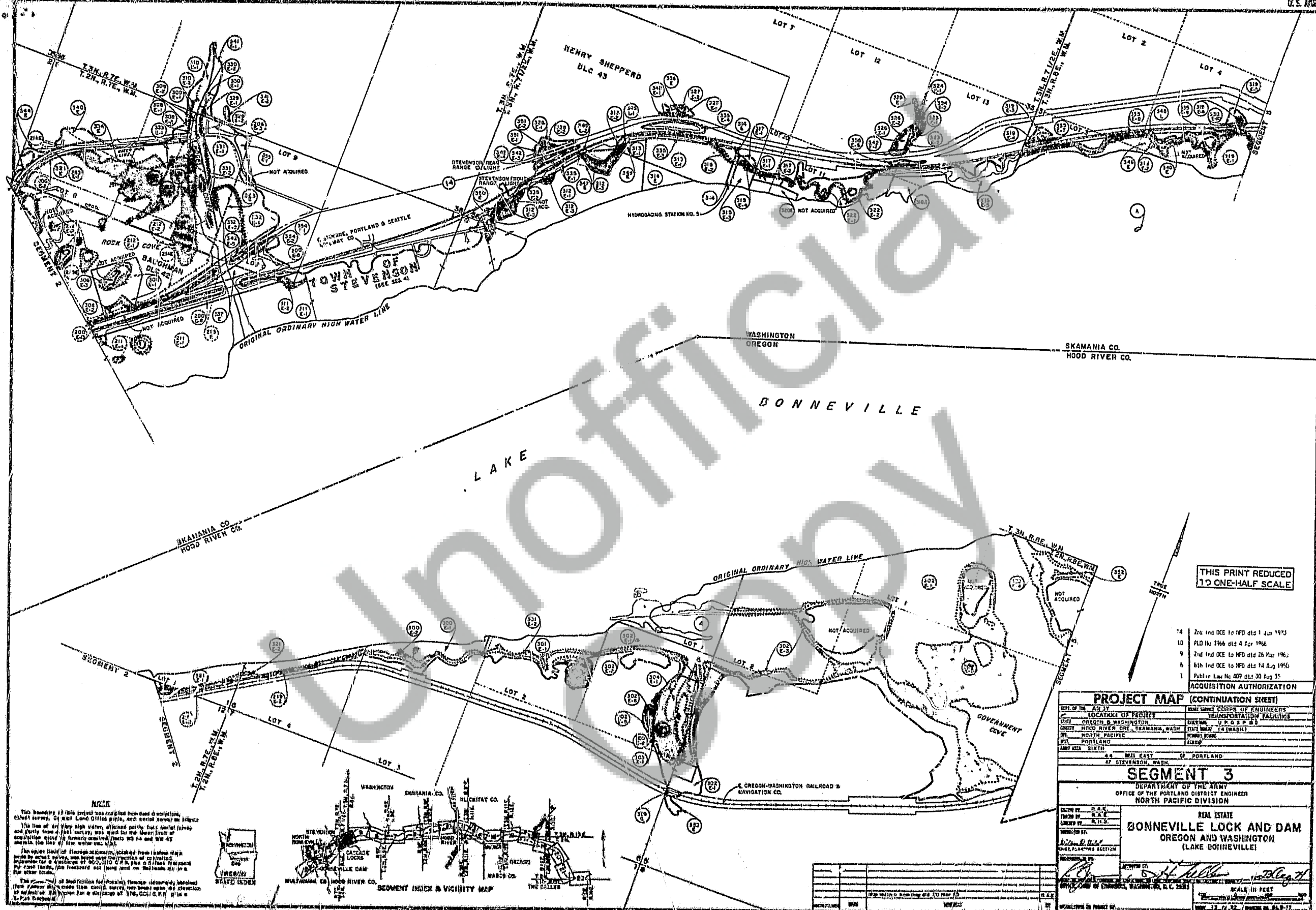
The tract of land herein described contains 2.80 acres, more or less, all of which is contained in Tract 312E-1.

NAME AND ADDRESS OF PURPORTED
OWNER(S) FOR TRACT 312E-3,
BONNEVILLE LOCK AND DAM, (LAKE
BONNEVILLE)

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

ESTIMATED COMPENSATION:

\$27,700.00



THIS PRINT REDUCED
TO ONE-HALF SCALE

- 14 2nd Ind OCE to NED dtd 1 Jun 1973
- 10 PLO No 3966 dtd 4 Apr 1964
- 9 2nd Ind OCE to NED dtd 26 Mar 1963
- 6 6th Ind OCE to NED dtd 14 Aug 1960
- 1 Public Law No 409 dtd 30 Aug 55

ACQUISITION AUTHORIZATION

PROJECT MAP (CONTINUATION SHEET)

LOC. OF THE ARMY	LOCATION OF PROJECT	ENGINEER CORPS OF ENGINEERS
STATE	OREGON & WASHINGTON	TRANSPORTATION FACILITIES
COUNTY	HOOD RIVER CO., WASH.	STATE ROAD 14 (WASH.)
DIST.	NORTH PACIFIC	PERMITS BRANCH
CITY	PORTLAND	ENGINEER
ARMY AREA	SIXTH	

4.4 MILES EAST OF PORTLAND
AT STEVENSON, WASH.

SEGMENT 3

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.A.E.
CHECKED BY: R.A.E.
DRAWN BY: R.A.E.
DATE: 1/1/55
SHEET: 1 OF 1

APPROVED BY: [Signature]
DATE: 1/1/55
SCALE: 1" = 100'

SCHEDULE "B" - 2