

82374

BOOK 71 PAGE 453

Project: Bonneville Lock and Dam  
Modification for Peaking  
Tract No. (s): 212E-2 & 620E-2

## EASEMENT DEED

FOR AND IN CONSIDERATION OF THE SUM OF THREE HUNDRED EIGHTY AND

(\$380,000.00)

NO/100

DOLLARS

) in hand paid, receipt of which is hereby acknowledged

Hegewald Timber Company, Inc., a corporation,

here/has granted, bargained, and sold and by these presents ~~do~~ does hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA and its assigns a perpetual and assignable easement and right of way for the purposes hereinafter stated in, upon, under, over, and across that certain parcel of land situate in the County of Skamania, State of Washington, as shown on Schedule "A" attached hereto and made a part hereof.

Subject only to rights outstanding in third parties and reservations, as shown on Schedule "B" attached hereto and made part hereof.

The easement and right of way hereby conveyed are for the following purposes, namely:

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 approved 20 August 1937, and the continuing right to clear and remove any brush, debris and natural obstructions which, in the opinion of the representative of the United States in charge of the Project, may be detrimental to the project, together with all right, title and interest in and to the timber, structures and improvements situate on the land; provided that no structures for human habitation shall be constructed or maintained on the land, that no other structures shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easement hereby acquired; provided further that any use of the land shall be subject to Federal and state laws with respect to pollution.

TO HAVE AND TO HOLD the said easement and right of way unto the UNITED STATES OF AMERICA and its assigns forever.

We, the grantors above named, covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land aforesaid; that the easement and right of way hereinabove described is free and clear of all encumbrances, except as above noted, and that we will forever warrant and defend the title thereof and quiet possession thereof against the lawful claims of all persons whomsoever.

~~The true and actual consideration for this transfer is~~

The foregoing recital of consideration is true as I verily believe.



The true and actual consideration for this transfer is \$380,000.00.

The foregoing recital of consideration is true as I verily believe.

IN WITNESS WHEREOF, Hegewald Timber Company, Inc., has caused these presents to be signed in its name by its Vice President and its corporate seal to be affixed, attested by its Assistant Secretary this 10 day of September 1976.

HEGEWALD TIMBER COMPANY, INC.

By R. C. Simpson  
Vice President

R. E. Erickson  
Assistant Secretary

STATE OF OREGON                    )  
  ) ss  
COUNTY OF Clatsop            )

On this 10 day of September 1976, before me personally appeared Lee C. Simpson and R. E. ERICKSON, to me known to be the Vice President and Assistant Secretary, respectively, of Hegewald Timber Company, Inc., the corporation that executed the within and foregoing instrument, and acknowledged said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that they were authorized to execute said instrument and that the seal affixed is the corporate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Notary Public in and for the  
State of Oregon

My commission expires 7.1.19

## SCHEDULE "A"

## Tract 212E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.20 feet Mean Sea Level situated in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington:

Beginning at a point 300.00 feet West of the Southeast corner of Government Lot 8 of said Section 1; thence East along the North line of Donation Land Claim No. 42 to the West bank of the Westerly outlet of Rock Creek; thence following said West bank Southerly to the Northwesterly right-of-way line of the Spokane, Portland and Seattle Railway Company; thence South  $52^{\circ}31'00''$  West along said right-of-way line to the West line of said Section 1; thence North along said West line to the centerline of that certain county road formerly designated as State Highway No. 8; thence Northerly along said centerline to the North line of D.L.C. No. 42; thence East along said D.L.C. line to the point of beginning; excepting therefrom the following described parcel:

Commencing at the North quarter corner of said Section 1; thence Southerly along the quarter Section line 1,851.60 feet; thence turning an angle of  $35^{\circ}43'00''$  to the right and running 400.00 feet; thence turning an angle of  $16^{\circ}34'00''$  to the right and running 432.00 feet to a point on the Northerly right-of-way line of State Highway No. 14 and the point of beginning; thence South  $51^{\circ}44'30''$  West along said Northerly right-of-way line 390.00 feet; thence turning an angle of  $90^{\circ}00'00''$  to the right and running 550.00 feet; thence turning an angle of  $90^{\circ}00'00''$  to the right and running 550.00 feet; thence turning an angle of  $90^{\circ}00'00''$  to the right and running 200.00 feet; thence in a straight line to the point of beginning.

The tract of land herein described contains 9.56 acres, more or less, all of which is contained in Tract 212E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 212E-2,  
BONNEVILLE LOCK AND DAM  
(LAKE BONNEVILLE)

Hegewald Timber Company, Inc.

## SCHEDULE "A"

## Tract 620E-2

All that portion of the following described tract of land lying above elevation 72.00 feet Mean Sea Level and below elevation 82.70 feet Mean Sea Level, situated in Sections 27 and 34, Township 3 North, Range 8 East of the Willamette Meridian in Skamania County, Washington:

That part of the William M. Murphy D.L.C. in said Sections 27 and 34 lying South of the South right-of-way line of the Spokane, Portland and Seattle Railway Company.

The tract of land herein described contains 7.74 acres, more or less, all of which is contained in Tract 620E-1.

NAME AND ADDRESS OF PURPORTED  
OWNER(S) FOR TRACT 620E-2.  
DORNEVILLE LOCK AND DAM  
(LAKE DORNEVILLE)

Hegewald Timber Company, Inc.

SCHEDULE "B"

Subject only to the following rights outstanding in third parties, namely:

Existing easements for public roads and highways, public utilities, railroads and pipelines, and

Reservations contained in patents from the United States of America.

Unofficial  
Copy