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Original filed
SEP 17 1976

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
Office of Clerk
District Court
Tacoma, Washington

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

DECLARATION
OF
TAKING

1.27 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY STATE OF
WASHINGTON, and UNKNOWN STOCKHOLDERS
AND SUCCESSORS IN INTEREST TO MOFFETTS
HOT SPRINGS COMPANY, a dissolved former
corporation of the State of Washington,
and OTHER UNKNOWN OWNERS,
Defendants.

CIVIL NO. C76-1287

TO THE HONORABLE
THE UNITED STATES DISTRICT COURT:

I, NORMAN P. AUGUSTINE

Acting
Secretary of the

Army, do hereby declare that:

1. The land hereinafter described is taken under and in
accordance with the authority set forth in Schedule "A" annexed hereto and
made a part hereof.

2. The public uses for which said land is taken are also set
forth in said Schedule "A".

3. A general description of the tracts of land being taken,
the estimated just compensation therefor, and the estate taken for said
public uses are set forth in Schedule "B" annexed hereto and made a part
hereof.

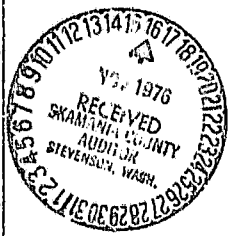
4. A plan showing the land taken is annexed hereto as Schedule "C"
and made a part hereof.

5. The gross sum estimated by me as just compensation for all
of said land, which aggregates 1.27 acres, with all buildings and
improvements thereon and all appurtenances thereto and including any and all
interests hereby taken in said land is FIVE THOUSAND SEVEN HUNDRED FIFTEEN
AND NO/100 DOLLARS (\$5,715.00), which sum I cause to be deposited herewith
in the registry of the court for the use and benefit of 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 ^{Acting} Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said ^{Acting} NORMAN R. AUGUSTINE /Secretary of the Army, this 5th day of August, A.D., 1976, in the City of Washington, District of Columbia.

/s/ NORMAN R. AUGUSTINE

Acting Secretary of the Army



SCHEDULE "A"

AUTHORITY FOR TAKING:

The authority for the taking of the land is 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 (39 Stat. 948, 33 U.S.C. 701), which 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 Bonneville Lock and Dam; 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 December 26, 1975 (Public Law 94-180), which act appropriated funds for such purposes.

PUBLIC USES:

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 for other uses incident thereto. The said land has been selected by me for acquisition by the United States for use in connection with the construction and maintenance of the Second Powerhouse which must be provided at the Bonneville Dam, and for such other uses as may be authorized by Congress or by Executive Order.

SCHEDULE "B"

Description:

Tract 2641

A tract of land situated in Section 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Commencing at the Northeast corner of said Section 21; thence South 1,257.00 feet; thence West 38.93 feet to the Southerly line of the Evergreen Highway (State Highway No. 14) right-of-way; thence North 81°00'00" West along said right-of-way 850.00 feet; thence North 79°51'00" West along said right-of-way 1,025.00 feet to the point of beginning; thence South 10°09'00" West 3.24 feet to the Northerly line of West Roosevelt Avenue right-of-way; thence North 71°40'00" West along said right-of-way to the Southerly line of the Evergreen Highway (State Highway No. 14) right-of-way; thence South 79°51'00" East along said right-of-way to the point of beginning.

Also, including one-half of the adjacent streets and alleys.

The tract of land herein described contains 0.28 of an acre, more or less.

Tract 2655

A tract of land situated in Section 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Commencing at the Northeast corner of said Section 21; thence South 441.14 feet; thence West 924.76 feet to a point as set and described by a survey made in March 1937, by Clark A. LaBarre and F. W. Lawrence; thence South 79°45'00" East 31.62 feet to the Westerly line of the Mattie L. Brown Tract; thence North 00°48'00" West along the Westerly line of said Brown Tract 163.00 feet; thence North 79°45'00" West 286.50 feet; thence South 09°18'00" East 169.60 feet to the point of beginning; thence North 09°18'00" West to the North line of said Section 21; thence Westerly along the Northerly line of said Section 21 to a point which is North of the Northeast corner of a tract of land conveyed to B. E. Whitsett, by deed dated December 12, 1947, and recorded at page 584 of Book 31 of Deeds, Skamania County, Washington; thence South to the Northeast corner of said Whitsett tract; thence South 09°18'00" East 145.87 feet; thence North 79°51'00" West 75.50 feet; thence South 00°48'00" East 60.00 feet; thence South 79°51'00" East to the point of beginning.

Excepting therefrom the following:

Commencing at a point which is 801.10 feet South and 919.18 feet West of the Northeast corner of said Section 21; thence North 00°48'00" West 360.00 feet; thence North 79°51'00" West 344.64 feet to the point of beginning; thence North 00°48'00" East 30.00 feet; thence South 79°51'00" East 60.22 feet; thence South 09°18'00" East 31.24 feet; thence North 79°51'00" West 64.92 feet to the point of beginning, said tract being designated as Lot 20 of Block Thirteen of the unrecorded plat of North Bonnaville, Washington.

SCHEDULE "B"

Tract 2655 (Continued)

Also excepting Northerly one-half of a strip of land formerly intended for use as a roadway, but not dedicated as a street by Neffatts Hot Springs Company, and lying Southerly of and adjacent to the above described real property.

Also including one-half of the adjacent streets and alleys.

The tract of land herein described contains 0.47 of an acre, more or less.

Tract 2656

A tract of land situated in Section 21, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Commencing at a point on the Northerly right-of-way line of the Evergreen Highway (State Highway No. 14) which is 1,574.00 feet West of the East line of said Section 21; thence North 250.00 feet; thence South 79°51'00" East 6.10 feet; thence North 100.00 feet; thence South 79°51'00" East to the West line of the public street; thence North 00°46'00" West to the Southerly line of a tract of land conveyed to Ray E. Zeigler and wife by deed dated May 20, 1953 and recorded at Page 424 of Book 36 of Deeds, Records of Skamania County, Washington; thence Northeasterly to the Northwest corner of a tract of land conveyed to B. E. Whitsett, by deed dated December 12, 1947, and recorded at Page 584 of Book 31 of Deeds, Skamania County, Washington; thence South 00°48'00" East along the West line of said B. E. Whitsett Tract 200.00 feet; thence Southerly to the Northerly right-of-way of West Fifth Street; thence Southwesterly along said Northerly right-of-way line to a point which is South 00°46'00" East of the point of beginning; thence North 00°46'00" West to the point of beginning.

Also including one-half of the adjacent streets and alleys.

The tract of land herein described contains 0.52 of an acre, more or less.

Tract 2641	\$ 315.00
Tract 2655	\$2,000.00
Tract 2656	\$3,400.00

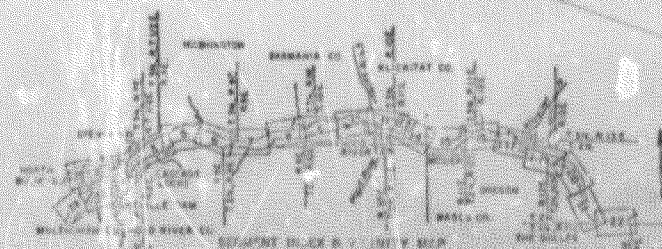
Estimated compensation deposited in the registry of the court for the above described property: \$5,715.00

Estate taken: The fee simple title to Tracts 2641, 2655 and 2656, subject, however, to existing easements for public roads, highways, public utilities, railroads and pipelines.

Name and address of purported owners: The stockholders and successors in interest to NEFFATTS HOT SPRINGS COMPANY, a dissolved former corporation of the State of Washington (names and addresses unknown)

C76-128T

TRACT REGISTER					
TRACT	LAND OWNER	ACRES	DEED	RECORD	REMARKS
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The monitoring of these projects was done by the Agency for International Development.

THE U.S. GEOLOGICAL SURVEY
ACQUISITION AUTHORIZATION

PROJECT MAP CONTINUATION SHEET

SECTION OF PROJECT

NAME OF PROJECT

DATE

COUNT

BY

FOR

DATE

AT THE SITE OF

SECTION

SEGMENT 26

DEPARTMENT OF THE ARMY
OFFICE OF THE PORTLAND DISTRICT ENGINEER
NORTH PACIFIC DIVISION

REAL ESTATE
BONNEVILLE LOCK AND DAM
WASHINGTON AND OREGON
LAKE BONNEVILLE

U.S. GEOLOGICAL SURVEY
WASHINGTON, D.C.

SCHEDULE