

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JUL 15 - 1976

EDGAR SCOFIELD, Clerk
By _____, Deputy

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

ATTEST: EDGAR SCOFIELD
Clerk, US District Court
Western District of Washington

By Clyde B. Phillips
Deputy Clerk

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

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

Defendants.

C76-123T

CIVIL NO.

LIS PENDENS

Tracts 2641, 2655 and 2656



NOTICE IS HEREBY GIVEN:

1. That the above-entitled action is pending in the
above-entitled Court.

2. That the plaintiff in such action is the United
States of America; that the names of the defendants in such
action, and of each and every owner, encumbrancer, or other
person or party interested in the land described in Schedule
"B" attached hereto, or any part thereof, so far as can be
ascertained from the public records, are set forth in said
Schedule "B".


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STAN PITKIN
UNITED STATES ATTORNEY
P.O. BOX 1227
SEATTLE, WASHINGTON 98111
(206) 442-7970

1 3. That the object of such action is set forth in
2 Schedule "A" attached hereto.

3 DATED this 2nd day of June, 1976.

4 STAN PITKIN
5 United States Attorney

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8 CHARLES PINNELL
9 Assistant U.S. Attorney

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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. 1021, 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 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"

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 830.00 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 8.24 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.

SCHEDULE "B"

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 169.80 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 S. 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 145.57 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 thereof 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" West 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 Bonneville, Washington.

Also excepting Northerly one-half of a strip of land formerly intended for use as a roadway, but not dedicated as a street by Moffett 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.

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SCHEDULE "B"

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.

SCHEDULE "B"

ESTATES TO BE TAKEN:

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

Name and address of purported owners
for Tracts 2641, 2655 and 2656,
Bonneville Lock and Dam,
Second Powerhouse Project:

The stockholders and successors
in interest to
MOFFETTS HOT SPRINGS COMPANY,
a dissolved former corporation
of the State of Washington
(names and addresses unknown)

Hon. Earnest Skala
Mayor, City of No. Bonneville
No. Bonneville, Wa. 98639

Skamania County Auditor
Skamania County Courthouse
Stevenson, Wa. 98648

Attorney General
State of Washington
Temple of Justice
Olympia, Wa. 98504