

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

ATTEST: _____
Clerk, United States District Court
Western District of Washington

Deputy Clerk

FILED IN 111
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

MAY 1977

EDGAR SCOFIELD, Clerk
By _____, Deputy

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

19.10 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, and JOHN TOL, et
ux., and OTHER UNKNOWN OWNERS,

Defendants.

077-96 T

CIVIL NO.

LIS PENDENS

(Tract No. 2826)

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".


Page 1 - LIS PENDENS

UNITED STATES ATTORNEY
10TH FLOOR - UNITED STATES COURTHOUSE
SEATTLE, WASHINGTON 98104
(206) 442-5190

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

3 DATED this 23rd day of May, 1977.

4 J. RONALD SIM
5 United States Attorney

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8 CHARLES PINNELL
9 Assistant U.S. Attorney



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32 Page 2 - LIS PENDENS

UNITED STATES ATTORNEY
10TH FLOOR • UNITED STATES COURTHOUSE
SEATTLE, WASHINGTON 98104
(206) 442-5186

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; Section 83 of the Act of Congress approved March 7, 1974 (Public Law 93-251), which authorized the relocation of the Town of North Bonneville; and the Act of Congress approved July 12, 1976 (Public Law 94-355), 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 2826

A tract of land situated in Section 20, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Commencing at the intersection of the Northerly right-of-way line of the Evergreen Highway (State Highway No. 14), with the East line of the G. W. Johnson Donation Land Claim No. 38; thence Southwesterly 374.00 feet along said Northerly right-of-way; thence North 57°58'40" West 533.50 feet to the point of beginning; thence South 47°~'00" West 257.15 feet; thence South 62°02'00" East 470.00 feet to the Northerly right-of-way of said Evergreen Highway; thence Southwesterly along said right-of-way to the West line of said G. W. Johnson D.L.C.; thence Northwesterly along said D.L.C. line to the Northerly bank of Greenleaf Slough; thence North 76°18'00" East 81.00 feet; thence North 80°23'00" East 133.00 feet; thence North 84°06'00" East 177.00 feet; thence North 77°08'00" East 357.00 feet; thence North 71°22'00" East 339.00 feet; thence East 220.00 feet; thence Southeasterly to the point of beginning.

Excepting therefrom the following:

Beginning at the intersection of the Northerly right-of-way line of said Evergreen Highway with the West line of said Johnson D.L.C.; thence Northeasterly along said right-of-way 209.78 feet; thence North 16°46'08" West 248.90 feet; thence South 75°16'42" West to a point on the West line of said Johnson D.L.C.; thence South Easterly along said D.L.C. line to the point of beginning.

The tract of land herein described contains 19.10 acres, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$73,500.00

Estate taken: The fee simple title to Tract 2826, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and address of purported owners: John Tol & Larena Tol, husband & wife
915 South Columbus Avenue
Goldendale, Washington 98620