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SEP 06 1977

UNITED STATES ATTORNEY
Seattle, Washington

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

FILED
AUG 2 1977

UNITED STATES OF AMERICA,

Plaintiff,

vs.

10.02 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND ROSE KRAETCH, ET AL.,
AND OTHER UNKNOWN OWNERS,

Defendants.

DECLARATION
OF
TAKING

CIVIL NO. C-77-145-1

Verified to be a true and
correct copy of the original
filed in my office.
SEP 6 1977 ATTEST:
ELIAS STOFIELD, Clerk
Deputy

TO THE HONORABLE
THE UNITED STATES DISTRICT COURT:

I, Clifford L. Stofield, Jr., 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 10.02 acres, with all buildings and improvements thereon and all appurtenances thereto and including any and all interests hereby taken in said land is SIXTY AND NO/100 DOLLARS (\$60.00) 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 Secretary of the Army, thereunto authorized, has caused this declaration to be signed in its name by said Clifford L. Callahan, Jr., Secretary of the Army, this 7th day of July, A.D., 1977, in the City of Washington, District of Columbia.

1/s/ Clifford L. Alexander, Jr

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. 758a), 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. 1023), 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 2819M

A tract of land situated in the North half of Section 29, 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 Section 30, Township 2 North, Range 7 East, thence Westerly along the Northerly line of said Section 30, 281.80 feet to the Westerly line of the Samuel and Mary Jane Hamilton Donation Land Claim No. 40; thence South $54^{\circ}32'00''$ East 1,040.50 feet to the centerline of an existing causeway; thence North $58^{\circ}55'00''$ East 91.82 feet to the point of beginning; thence continuing North $58^{\circ}55'00''$ East 35.98 feet; thence North $86^{\circ}18'00''$ East 452.50 feet; thence South $85^{\circ}25'00''$ East 361.80 feet; thence South $01^{\circ}58'00''$ East 481.40 feet; thence South $84^{\circ}34'30''$ West 452.30 feet; thence South $73^{\circ}54'30''$ West 393.20 feet; thence South $81^{\circ}23'30''$ West to a point which is North $81^{\circ}23'30''$ East 76.90 feet from the centerline of an existing causeway; thence North $04^{\circ}09'00''$ East parallel to the centerline of an existing causeway to the point of beginning.

Excepting therefrom all that portion lying Southerly of a line being described as follows:

Commencing at the intersection of the Northeast corner of the E. C. Hardy Donation Land Claim No. 41, and the North line of said Section 30; thence South $20^{\circ}06'00''$ East 753.70 feet to the East line of said Section 30, and the point of beginning; thence South $01^{\circ}19'12''$ West 193.45 feet; thence East 433.56 feet; thence North $30^{\circ}00'02''$ East 196.34 feet; thence East 1,263.94 feet to the point of termination of this line.

The tract of land herein described contains 4.51 acres, more or less.

SCHEDULE "B"

Description:

TRACT 2820M

A tract of land situated in the North half of Sections 29 and 30, 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 30; thence Westerly along the Northerly line of said Section 30, 281.80 feet to the Westerly line of the Samuel and Mary Jane Hamilton Donation Land Claim No. 40; thence South $54^{\circ}32'00''$ East 1,040.50 feet to the centerline of an existing causeway; thence South $60^{\circ}23'30''$ West 90.21 feet to the point of beginning; thence continuing South $60^{\circ}23'30''$ West 492.69 feet; thence South $33^{\circ}38'00''$ West 853.50 feet thence North $62^{\circ}08'30''$ East 800.00 feet; thence North $81^{\circ}23'30''$ East to a point which is South $81^{\circ}23'30''$ West 76.90 feet from the centerline of an existing causeway; thence North $04^{\circ}09'00''$ East parallel to the centerline of an existing causeway to the point of beginning.

Excepting therefrom all that portion lying Southerly of a line being described as follows:

Commencing at the intersection of the Northeast corner of the E. C. Hardy Donation Land Claim No. 41, and the North line of said Section 30; thence South $20^{\circ}06'08''$ East 753.70 feet to the East line of said Section 30, and the point of beginning; thence South $01^{\circ}19'12''$ West 193.45 feet; thence East 433.56 feet; thence North $30^{\circ}00'02''$ East 196.34 feet; thence East 1,263.94 feet to the point of termination of this line.

The tract of land herein described, contains 1.32 acres, more or less.

SCHEDULE "B"

Description:

TRACT 2829M

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

All that portion of said S. M. Hamilton D.L.C. lying Northerly of the Northerly right-of-way line of the Spokane, Portland, and Seattle Railway and Southerly of the Southerly right-of-way line of the Evergreen Highway (State Highway No. 14), and Easterly of the center of the Channel of Hamilton Creek.

The tract of land herein described contains 4.19 acres, more or less.

Estimated compensation deposited in the registry of the Court:

Tract 2819M	\$25.00
Tract 2820M	\$25.00
Tract 2829M	\$10.00
Total	\$60.00

Estate taken: All outstanding right, title and interest, subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

Names and addresses of purported owners:

Rosa Kraetch
c/o 1275 Marlene Drive
El Cajon, CA 92021

1st National Bank of Oregon
Guardian for Mary Carey
P.O. Box 2871
Portland, OR 97208

Edna L. Kraetch
1016 N.E. 11th Street
Portland, OR 97220

Robert W. Kraetch
3302 S.E. 92nd Court
Portland, OR 97266

Walter Kraetch
1060 Pinellas Point Drive
St. Petersburg, FL 33705

Lloyd Kraetch
1120 Pepper Drive
El Cajon, CA 92021

85041

STATE OF WASHINGTON
COUNTY OF SKAMANIA

I HEREBY CERTIFY THAT THE WITHIN

INSTRUMENT OF WRITING, FILED BY

R. J. Stevenson
OF Stevenson

AT 12:00 P.M. Oct. 7 1977

WAS RECORDED IN BOOK 73

OF Book AT PAGE 526

RECORDS OF SKAMANIA COUNTY, WASH.

W. J. N. N. N.
COUNTY AUDITOR

BY E. M. M. M.

REC'D

REGISTERED	<u>8</u>
INDEXED: CIR.	<u>2</u>
INDEXED:	<u>2</u>
RECORDED:	
COMPARED	
MAILED	

[illegible]

nonoperability as declared by the State of Washington		
1 MAY 77	Added Tracts 280J 2 & 281W-M2	LA
2 MAY 77	Added Tract 282Z M	LA
1 MAY 77	Revised Tracts ECHD & 281W-2 Deleted Tracts 280W-2 & 281S-M2	LA
2 APR 77	Revised Tract 282Z	LA
2 APR 77	Added Tracts 280J, 280W, 281W & 282C-1 Added Tracts 280H-2, 281C-2 & 281W-M2	LA
2 DEC 76	Added Tracts 280J, 281W, 282D-4, 282W & 282E-4 Deleted 282E-4, 282D-4 & 281W-M	LA
1 DEC 76	Revised Tract 282Z	LA
4 JUN 76	Added Tracts 281W & 280E-1, 280E-2, 282D-1, 282E-2, 282E-3 & 282E-4	LA
1 MAY 76	Added Tracts 280J, 282Z, 282Z, 282D-4, 282D-5, 282E & 282Z	LA
1 APR 76	Added Tracts 280J & 282Z	LA
21-1-76	Added Tracts 280J, 281W, 281W, 281W, 281W & 281S-3	LA
27 FEB 76	Added 282Z, 282Z, 280E-1, 281W & 281W-1	LA
23 DEC 75	Added Tract 282E-2	LA
23 DEC 75	Revised nomenclature on Tracts 280J, 280W, 281W	LA
2 MAR 75	Added 281W-2, 281W-3	LA
19 JUN 74	Added 281W, 281W, 281W, 281W, 281W, 281W	LA

PROJECT MAP (CONTINUATION SHEET)		ACQUISITION AUTHORIZATION ()	
NAME OF THE ARMY LOCATION OF PROJECT		REGIMENTAL CORPS OF ENGINEERS TRANSPORTATION FACILITIES	
STATE OF OREGON COUNTY CLATSOP DISTRICT NORTH PACIFIC DISTRICT NORTH PACIFIC DISTRICT NORTH PACIFIC		GARRISON START DATE PERSONAL MAPS COMMENTS	
MAP NO. 5174		NO. OF NORTH BEARING	
SEGMENT 28			
DEPARTMENT OF THE ARMY OFFICE OF THE PORTLAND DISTRICT ENGINEER NORTH PACIFIC DIVISION			
DRAWN BY: MJO CHECKED BY: MJO APPROVED BY:		REAL ESTATE BONNEVILLE LOCK AND DAM WASHINGTON AND OREGON (LAKE BONNEVILLE)	
CHIEF PLANNING SECTION RECOMMENDED BY:		APPROVED BY: <i>D. H. McLean</i> DISTRICT ENGINEER, PORTLAND DISTRICT ENGINEER, WASHINGTON, & CLATSOP	
REVISIONS TO PROJECT MAP		SCALE IN FEET 1" = 1000'	