

85973

BOOK 24

PAGE 457

FILED IN THE
U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

SEP 1 1977

I hereby certify that the
attached is a true
and correct copy of the original
on file in the
U.S. District Court
Western District of Washington

LEONARD DOOFIELD, Clerk

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON

By James L. Linder
Deputy Clerk

UNITED STATES OF AMERICA,

Plaintiff,

v.

26.10 ACRES OF LAND MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE OF
WASHINGTON, AND ALBERT WAHLMAN,
ET UX, AND UNKNOWN OWNERS,

Defendants.

AMENDMENT
TO
DECLARATION OF TAKING

CIVIL NO. C76-80T

TO THE HONORABLE
THE UNITED STATES DISTRICT COURT:

WHEREAS, on March 30, 1976, a proceeding was instituted by the
filing of a complaint in this Honorable Court in the name of the United
States of America for the acquisition of certain interests in land
situate in the County of Skamania, State of Washington; and

WHEREAS, on March 30, 1976, a declaration of taking including
all of the land described in the complaint was duly filed in said proceeding;
and

WHEREAS, it is necessary to amend said declaration of taking to
deposit additional funds in the amount of \$13,300.00 to increase the esti-
mated compensation for said Tract 2916.

NOW, THEREFORE, I, the undersigned,
Secretary of the Army, pursuant to the powers and authorities recited in
the complaint and declaration of taking filed in the above entitled pro-
ceeding, do hereby amend said declaration of taking as follows:

Substitute "Forty Seven Thousand and No/100 Dollars (\$47,000.00)"
in the line Nos. 28 and 29 of the first page of the said declaration of
taking in lieu of "Thirty Three Thousand Seven Hundred and No/100 Dollars
(\$33,700.00)".

Substitute Schedule "BB" attached hereto and made a part hereof
in lieu of Schedule "B" attached to and made a part of the declaration of
taking by substituting on the second page of said Schedule "BB" \$47,000.00

1 as estimated compensation in lieu of \$33,700.00 on the second page of said
2 Schedule "B".

3 The sum of \$33,700.00 has been deposited into the registry of
4 the court as the estimated just compensation for the acquisition of the
5 land included in the above mentioned declaration of taking. The sum of
6 \$47,000.00 is now estimated by me to be just compensation for the acquisition
7 of the land. Therefore, I cause to be deposited herewith in the registry
8 of this Honorable Court the additional sum of \$13,300.00 for the use and
9 benefit of the persons entitled thereto. I am of the opinion that the
10 ultimate award for said land probably will be within any limits prescribed
11 by law on the price to be paid therefor.

12 It is intended by this amendment that the aforesaid declaration
13 of taking is not changed, and is not intended to be changed, in any respect
14 except as hereinabove expressly set forth.

15 IN WITNESS WHEREOF, the United States of America, by its Secretary
16 of the Army, thereunto authorized, has caused this amendment to be signed
17 in its name by said *Clifford W. Alexander, Jr.*, Secretary of the Army,
18 this 18th day of April A.D. 1977, in the city of Washington,
19 District of Columbia.

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22 *Clifford W. Alexander, Jr.*
23 Secretary of the Army
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SCHEDULE "BB"

Description:

Tract 2916

A tract of land situated in Sections 14 and 15, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, being more particularly described as follows:

Beginning at the middle point in the Southerly line of Lot 1 of Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington, said point of beginning being marked by a county penalty monument at the intersection of the Northerly line of the Evergreen Highway (State Highway No. 14) right-of-way with the section line between said Sections 14 and 15; thence North along the said section line 840.00 feet; thence South $78^{\circ}12'00''$ West 50.00 feet; thence North $78^{\circ}30'00''$ West 159.00 feet; thence West 565.00 feet; thence South $35^{\circ}15'00''$ East 1,145.00 feet to the Southwest corner of Lot 2 of said Normandy Tracts, said corner being at the intersection with the North right-of-way line of said Evergreen Highway (State Highway No. 14); thence North $54^{\circ}45'00''$ East along said right-of-way to the point of beginning.

Also including the following:

Beginning at the intersection of the section line between said Sections 14 and 15 with the Northerly right-of-way of said Evergreen Highway (State Highway No. 14); thence North $54^{\circ}45'00''$ East 50.00 feet; thence North $35^{\circ}15'00''$ West to the section line between said Sections 14 and 15; thence South along said section line to the point of beginning.

Also including the following:

Commencing at the intersection of section line between said Sections 14 and 15 with the North line of the said Evergreen Highway (State Highway No. 14); thence North $54^{\circ}45'00''$ East 50.00 feet to the point of beginning; thence North $35^{\circ}15'00''$ West 70.75 feet to the said section line; thence North along said section line 772.25 feet; thence North $78^{\circ}12'00''$ East 13.56 feet; thence East 139.62 feet; thence South $03^{\circ}15'00''$ East 722.43 feet; thence South $54^{\circ}45'00''$ West 187.50 feet to the point of beginning.

Excepting therefrom the following:

That portion of the above described tracts of land lying southeasterly of a line 400.00 feet distant from and parallel to the Northerly right-of-way line of said Evergreen Highway (State Highway No. 14).

Also including the following:

Beginning at the Northwest corner of Lot 9 of Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington; thence North $35^{\circ}15'00''$ West 350.20 feet; thence North $54^{\circ}45'00''$ East 20.00 feet;

SCHEDULE "BB"

Tract 2916 (Cont'd)

thence North 35°15'00" West 767.00 feet to the East line of a tract of land conveyed to Frieda Birkeland by deed dated 21 June 1929, and recorded 19 April 1934, at Page 494 of Book X of Deeds, Records of Skamania County, Washington; thence North to the South line of a tract of land conveyed to Wauna Lake Club, a corporation, by deed dated 24 November 1922, and recorded 16 February 1931, at Page 580 of Book W of Deeds, Records of Skamania County, Washington; thence East to intersection with a line running North 35°15'00" West from the Southwest corner of Lot 2 of Normandy Tracts aforesaid; thence South 35°15'00" East 927.20 feet, more or less, to the Northwest corner of the said Lot 2; thence South 54°45'00" West 700.00 feet to the point of beginning.

Also including the following:

Lots 7, 8 and 9 of said Normandy Tracts according to the official plat thereof on file and of record in the office of the Auditor of Skamania County, Washington.

Excepting therefrom the following:

That portion of the said Lot 7 described as follows: Beginning at the Southeast corner of said Lot 7; thence South 54°45'00" West along the South line thereof 62.00 feet; thence North 35°15'00" West parallel with the East line of said Lot 100.00 feet; thence North 54°45'00" East parallel with the South line thereof 62.00 feet to the East line of said lot; thence South 35°15'00" East along said East line 100.00 feet to the point of beginning.

The tract of land herein described contains 26.10 acres, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$47,000.00

Estate taken:

All outstanding right, title and interest in Tract 2916, subject to existing easements for public roads and highways, public utilities, railroads and pipelines, and the right, title and interest of Wauna Lake Club, a Washington Corporation, and other unknown parties of interest, in and to an access road easement, if any.

Name and Address of Purported Owners: Albert Wahlman and
Marie Wahlman, husband and wife
1611 Irving Street
Astoria, Oregon 97138

SCHEDULE "BB"
Tract 2916 (cont'd)

Tice Electric
2139 S.E. Bellmont
Portland, Oregon 97214

Gloorin Brothers
1115 Parklane
Brisbane, California

Pete Wilson Development Corporation
d/b/a Pete Wilson Realty
Registered agent and president: Orville M. Wilson
Portland, Oregon 97206

Walter V. Richardson and Mabel Morse Richardson
2845 S.W. Upper Drive
Portland, Oregon 98201

85975

STATE OF WASHINGTON }
COUNTY OF SKAMANIA }

I HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING, FILED BY _____
R. J. [Signature]
OF Portland, Ore.
AT 9:45 A.M. Dec 22, 1978
WAS RECORDED IN BOOK 24
OF Deeds AT NO. 452
OF RECORDS OF SKAMANIA COUNTY, WASH.
BY [Signature]
COUNTY AUDITOR

| | |
|--------------------|-------------------------------------|
| REGISTERED | <input checked="" type="checkbox"/> |
| INDEXED: DIR. | <input checked="" type="checkbox"/> |
| INDEXED: [unclear] | <input checked="" type="checkbox"/> |
| RECORDED | <input checked="" type="checkbox"/> |
| COMPARED | <input checked="" type="checkbox"/> |
| MAILED | <input checked="" type="checkbox"/> |