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UNITED STATES DISTRICT COURT FOR THE MAKE 1910

WESTERN DISTRICT OF WASHINGTON

Critice of Cherk 1. 5. District Court

UNITED STATES OF AMERICA,

Plaintiff.

Defendants.

DECLARATION OF

TAKING

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Secretary of the

TO THE HONORABLE THE UNITED STATES DISTRICT COURT:

0.32 ACRE OF LAND, MORE OR LESS, SITUATE IN SKAMANIA COUNTY, STATE

OF WASHINGTON, AND RAY E. ZIEGLER, ET AL, AND OTHER UNKNOWN OWNERS,

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 tract 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 0.32 acre, with all buildings and improvements thereon and all appurtenances thereto and including any and all Interests hereby taken in said land is TEN THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$10,500.00), 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.

Page 2 - Declaration of Taking

of the Army, thereunto authorized, has caused this declaration to be signed in its name by said Martin K Maffarar . Secretary of the Army, this // day of Martin K . A.D., 1976, in the City of Washington, District of Columbia.

IN WITNESS WHEREOF, the United States of America, by its Secretary

Secretary of the Army

Benily gibrely. On

## 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.

#### RUBLIC 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 Jonneville Dam, and for such other uses as may be authorized by Congress or by Executive Order.

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# BOOK 75 PAGE 173

### SCHEDULE "B"

Description:

Tract 2600

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 1257.00 feet; thence West 38.93 feet to the Southerly right-of-way line of the Evergreen Highway (State Highway No. 14); thence North 81°00'00" West along said right-of-way 450.00 feet; thence South 09°00'00" West 160.00 feet to the point of beginning; theace North 81°00'00" West 100.00 feet; thence South 09°00'00" West 80.00 feet; thence South 81°00'00" East 100.00 feet; thence North 09°00'00" East 80.00 feet to the point of beginning, said tract being designated as Lots 2 and 3 of Block 5 of the unrecorded plat of the Town of North Bonneville, Washington.

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

The tract of land herein described contains 0.32 of an acre, more or less.

Estimated compensation deposited in the registry of the court for the above described property: \$10,500.00

Estate Taken: The fee simple title to Tract 2600, subject, however, to existing easements for public roads and highways, public utilities, railroads and pipelines.

Name and Address of Purported Owners: Ray E. Ziegler and the Heirs of Gladys Ziegler, Deceased P. O. Box 35
North Bonneville, Washington 98639

Frank E. Voorhees and
Alice E. Voorhees, Husband & Wife
423 W. Evergreen Avenue
North Bonneville, Washington 98639



