

BOOK 77

PAGE 835

Project: Bonneville Lock and Dam
Modification for Penking

Tract No.(s): 312E-4

90051

EASEMENT DEED

FOR AND IN CONSIDERATION OF the settlement of those condemnation cases designated as Civil Nos. C74-226T through C74-235T, United States District Court, Western District of Washington, collectively in the amount of SIXTY-EIGHT THOUSAND TWO HUNDRED FIFTY and NO/100 DOLLARS (\$68,250.00) THE PORT OF SKAMANIA COUNTY, a municipal corporation, has granted, bargained, and sold and by these presents does hereby grant, bargain, sell and convey unto the UNITED STATES OF AMERICA and its assigns a perpetual and assignable easement and right-of-way for the purposes hereinafter stated in, upon, under, over, and across that certain parcel of land situate in the County of Skamania, State of Washington, as shown on Schedule "A" attached hereto and made a part hereof.

Subject only to rights outstanding in third parties and reservations, as shown on Schedule "B" attached hereto and made a part hereof.

The easement and right-of-way hereby conveyed are for the following purposes, namely:

The perpetual right, power, privilege and easement permanently to overflow, flood and submerge the land described in Schedule "A" and to maintain mosquito control in connection with the operation and maintenance of the Bonneville Lock and Dam project as authorized by the Act of Congress approved 20 August 1937, and the continuing right to clear and remove any brush, debris and natural obstructions which, in the opinion of the representative of the United States in charge of the project, may be detrimental to the project, together with all rights, title and interest in and to the timber, structures and improvements situate on the land; provided that no structures for human habitation shall be constructed or maintained on the land, that no other structures shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is taken subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easement hereby acquired; provided further that any use of the land shall be subject to Federal and State laws with respect to pollution.

TO HAVE AND TO HOLD the said easement and right-of-way unto the UNITED STATES OF AMERICA and its assigns forever.

We, the grantors above named, covenant with the UNITED STATES OF AMERICA that we are lawfully seized and possessed of the land aforesaid; that the easement and right-of-way hereinabove described is free and clear of all encumbrances, except as above noted, and that we will forever warrant and defend the title thereof and quiet possession thereof against the lawful claims of all persons whomsoever.

PORT OF SKAMANIA COUNTY

By and through its Port Commissioner

No. 7376
TRANSACTION EXCISE TAX

JAN 3 1960

Amount Paid: \$5.00

Skamania County Treasurer

By William H. Gorman AttorneyBy Albert E. Smiley

Commissioner

By Robert H. Fisher

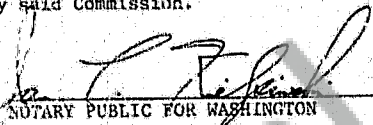
Commissioner

APPROVED AS TO FORM:

By John T. Fisher AttorneyBy Alden E. Sams Commissioner

STATE OF WASHINGTON)
) ss.
County of Skamania)

On this 21st day of November, 1979, before me personally
appeared ALBERT E. McKEE, ROBERT H. TICHENOR,
and ELDON SAMS, Port of Skamania County Commissioners, who
each being duly sworn, stated that this instrument was voluntarily signed and sealed
on behalf of the Port of Skamania County by said Commission.


NOTARY PUBLIC FOR WASHINGTON

My Commission Expires: April 28, 1982

G.S. 10. Oct 79

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SCHEDULE "A"

TRACT 312E-4

All that portion of the northwest quarter of Section 6, Township 2 North, Range 7½ East of the Willamette Meridian and the northeast quarter of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, all in Skamania County, State of Washington, lying above elevation 72.00 feet Mean Sea Level and below elevation 82.40 feet Mean Sea Level, lying within the south half of Front Street of the Riverview Addition to the Town of Stevenson, according to the duly recorded plat thereof, easterly of the west line of Leavens Avenue of said Riverview Addition, and westerly of the east line of Block 3 of said Riverview Addition and the southerly extension of said east line.

The tract of land herein described contains 0.30 of an acre, more or less, all of which is contained in Tract 312E-1.

NAME AND ADDRESS OF
PURPORTED OWNER(S) FOR
TRACT 312E-4,
BONNEVILLE LOCK AND DAM
(LAKE BONNEVILLE)

Port of Skamania County
(A Municipal Corporation)

SCHEDULE "B"

Subject only to the following rights outstanding in third parties, namely:

Existing easements for public roads and highways, public utilities, railroads and pipelines, and

Reservations contained in patents from the United States of America.

THE WASHINGTON
UNIVERSITY OF SPRINGFIELD } 55

I HEREBY CERTIFY THAT THE WITHIN

RE: THREAT OF SABOTAGE FILE NO. _____

1. 1. 1. 1. 1.

SECRET

1944 in the US

1980

AS RUC-1-103 IN FILE 2. 10-1-103

RECORDS OF A COMMITTEE

...COUNTY, WASH.

SECURITY MATTER

ST. _____

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REGISTERED
INDEXED: DIR.
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