

DEED RECORD Y

SKAMANIA COUNTY, WASHINGTON

PIONEER PRINT, STEVENSON, WASH.

Washington Railroad & Navigation Company's track from Warrendale, Multnomah County, Oregon, in the north end of a concrete culvert, at elevation 72.533 feet) will be permanently flooded; and

Whereas, the Government in operating said structures, will increase periodically the depth and duration of the overflow on a portion of said lands, later described, lying above elevation 72.0 feet; and

Whereas, the Government desires to purchase a perpetual flowage easement from the said Grantors, and said Grantors desire to sell said perpetual flowage easement to the Government;

Now Therefore, the said Grantors, for and in consideration of the sum of Thirteen Thousand Three Hundred and 00/100 Dollars (\$13,300.00) cash in hand paid by the Government, receipt whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY to the Government, its successors and assigns, forever, the full and perpetual right, power, privilege and easement to overflow as hereinbefore stated, all that portion of the following described lands lying below the 94-foot contour line as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water mark in the Columbia River, containing 100 acres, more or less, situate in the County of Skamania and State of Washington:

The William M. Murphy Donation Land Claim No. 37, Notification No. 837, and being parts of Sections 27, 28, 33 and 34, township 3 North, Range 3 East of the Willamette Meridian, Skamania County, Washington, described as beginning 4.70 chains east of the center of said section 27, and running thence west 26.60 chains; thence south 22° west 25.20 chains; thence south 33° west 6.50 chains; thence south 45° 30' West 5.50 chains; thence south 33° west 2.56 chains; thence south 24° west 5.70 chains; thence south 37° 15' West 6.20 chains; thence south 75° east 6.40 chains; thence south 66° east 2 chains; thence south 85° east 5 chains; thence south 55° east 6.70 chains; thence south 65° east 13.55 chains; thence south 73° east 12.20 chains; thence north 85° 15' East 8.60 chains, more or less, to a point due south of place of beginning; thence north 60 chains to place of beginning;

Excepting, however, from the donation land claim above described:

(a) That portion of said premises heretofore conveyed by deed dated August 18, 1903, to Wind River Lumber Company;

(b) That portion of said premises heretofore conveyed by deed dated December 16, 1905, to Portland & Seattle Railway Co. for right of way purposes;

(c) That portion of said premises heretofore conveyed by deeds (2) dated March 14, 1907, to Skamania Boom Company;

(d) That portion of said premises heretofore conveyed by deed dated December 16, 1911, to the State of Washington for fish hatchery purposes;

(e) Right of way over and across said premises heretofore conveyed by deed dated May 3, 1912, to Northwestern Electric Company for pole and power lines for transmission of electric current;

(f) That portion of said premises heretofore conveyed and relinquished to Skamania County, Washington, and the State of Washington, for road and highway purposes;

(g) Right of way over and across said premises heretofore conveyed by deed dated October 16, 1915, to the State of Washington for pipe line from a spring to said fish hatchery;

To Have and To Hold unto the Government, its successors and assigns, forever, together with the right to go upon the lands above described from time to time as the occasion may require and remove therefrom the timber and other natural growth, and any accumulations of brush, trash or driftwood;

And the said Grantors and their heirs covenant that they are in the quiet and peaceful possession of said lands, and that they will defend the title to the right, power, privilege and easement hereby granted and conveyed, as aforesaid, to the Government and its assigns, against the lawful claims of all persons whomsoever.

And the said Grantors, in consideration of the above specified sum, also hereby release the Government from all claims for damages that have accrued or may hereafter accrue to them by reason of the overflowing of the above described land.

In Testimony Whereof, the said Grantors have hereunto set their hands and affixed their