

## DEED RECORD Y

SKAMANIA COUNTY, WASHINGTON

PIONEER PRINT, STEVENSON, WASH.

John F. Sweeney, died on the 13th day of January 1931, that all debts owed by the said John F. Sweeney at the time of his death have been settled and are paid, and that there are no debts which could be liens against the property covered by said flowage right; that the right of way for highway in favor of the State of Washington, as shown by pages 140 and 160 of the abstract, refers to a highway above the lands covered by said flowage easement and in no way does said right of way conflict or interfere with the lands covered by said flowage easement.

That I am personally acquainted with the facts stated in the foregoing affidavit and that the facts therein stated are true, as I verily believe:

Charles Sweeney

Subscribed and sworn to before me this 10th day of April, 1936.

(Notarial seal affixed)

Raymond C. Sly  
Notary Public For Washington  
residing at Stevenson.  
My commission expires; January 31,  
1939.

Filed for record April 10, 1936 at 11-30 a.m. by A.B. McPherson.

*M. A. J. Case*  
Skamania County, Clerk-Auditor.

#22126

Mary E. Sweeney et al to U. S. A.

FLOWAGE EASEMENT

THIS INDENTURE, made this 21st day of January, 1936, between Mary E. Sweeney, a widow, as life tenant, and Charles Sweeney and Ida B. Dunn, as trustees under the provisions of a deed in trust from Mary Elizabeth Sweeney to Charles Sweeney and Ida B. Dunn dated January 31, 1931, and recorded February 2, 1931, in Book "W" of Deeds at page 558, in the office of the Auditor of Skamania County, Washington, which trust is in full force and unrevoked, hereinafter called the Grantors, and the United States of America, hereinafter called the Government, witnesseth:

THAT WHEREAS, the Government is constructing a dam across the Columbia River between the States of Oregon and Washington at Bonneville, Oregon, and upon the completion of said dam will operate and maintain a spillway, power house and ship lock; and

WHEREAS, under operating conditions, all lands abutting on either bank of said river from Bonneville to the Celilo Canal which are below the elevation of the backwater curve which begins at the dam at 72.0 feet above mean sea level (as determined by reference to the U. S. C. & G. S. bench mark, B. 24, situate about one mile east along the Oregon-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 Four Thousand Dollars (\$4,000.00), cash in hand paid by the Government, receipt whereof is hereby acknowledged, and pursuant to the power and authority vested in them by the terms of said deed in trust, do hereby grant, bargain and 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