

SKAMANIA COUNTY, WASHINGTON

described in and who executed the within instrument and acknowledged to me that they executed the same freely for the uses and purposes therein named and.

WITNESS my hand & official seal this 15th day of August 1917.

(Notarial seal affixed)

James N. Davis
Notary Public for Oregon
residing at Portland, Oregon
My commission expires October 29, 1920

Filed for record December 16, 1936 at 8-00 a.m. by Grantee.

Mabel J. Rose
Skamania County, Clerk-Auditor.

#23489

P. S. C. Wills to U. S. of America

FLOWAGE EASEMENT (Office Chief of Engineers Oct 23 1936 6500 (Bonneville Dam) 563/1

THIS INDENTURE, made this 31st day of August, 1936, between P. S. C. Wills, an unmarried man, hereinafter called the Grantor, 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 abackwater 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 desire to purchase a perpetual flowage easement from the said Grantor, and said Grantor desires to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said Grantor, for and in consideration of the sum of THIRTY and 00/100 DOLLARS (\$30.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell and convey to the Government or its 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, containing 2 acres more or less, situate in the County of Skamania and State of Washington:

Beginning at a point in the Baughman Donation Land Claim in Section 2, Township 2 North, Range 7 East of the Willamette Meridian, where the north line of the Spokane, Portland and Seattle Railway Company's right of way intersects the west line of the Baughman Donation Land Claim, and running thence northeasterly to the south line of the State Highway No. 8 as existing January 2, 1926, thence easterly along said south line of said State Highway No. 8 to the west line of a two acre tract conveyed to J. F. Attwell by deed recorded in Book "P" of Deeds, page 436, Records of Skamania County, Washington, thence southerly along said west line to the north line of said railroad right of way; thence westerly along said right of way to the place of beginning, containing six acres more or less;

Excepting therefrom the following:

a. A right of way 40 feet in width granted to Elizabeth Fields for a road across the above described lands on the north side of the Spokane, Portland and Seattle Railway Company's right of way to the south line of State Highway No. 8. (Book "R" of Deeds, page 79, Records of Skamania County, Wash.)

b. A perpetual right of way granted Northwestern Electric Company for the purpose of erecting, maintaining and operating thereon two pole or tower lines for transmission of electric current, together with the right to cut and remove such trees and brush as may be necessary for the constructing, maintaining and