

DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

canals constructed by the authority of the United States over said lands; that no party or parties have possession or claim right of possession of said lands other than the grantors in said Flowage Easement hereinabove mentioned; that no person or corporation has an unrecorded mechanic's lien claim on said premises, or right thereto; that no person or corporation has within the last six months performed any labor upon or furnished materials for said premises that may result in a claim or lien against said premises; also that there are no questions of survey or boundary disputes involving said lands;

That I make this affidavit at the request of the United States of America to show clear title to the said lands.

Roy Wessels

Subscribed and sworn to before me this 22nd day of July, 1936.

(Notarial seal affixed)

R. M. Wright
Notary Public for Washington
Residing at Stevenson.

Filed for record October 2, 1936 at 8-15 a.m. by U. S. Engr.

Mabel J. Osse
Skamania County, Clerk-Auditor.

#23116

Owen Smiley to United States of America

FLOWAGE EASEMENT (Office Chief of Engineers, Feb. 17, 1936, 6500(Bonneville Dam) 257/1)

THIS INDENTURE, made this 21st day of January, 1936, between Owen Smiley, 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 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 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 Four Hundred Fifty and 00/100 (\$450.00) Dollars, cash in hand paid by the Government, receipt whereof is hereby acknowledged, does 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 9 acres, more or less, situate in the County of Skamania and State of Washington:

Lots 3 and 4, Section 29, Township 3 North, Range 8 East of the Willamette Meridian, excepting right of way of the Spokane, Portland and Seattle Railway.

TO HAVE AND TO HOLD unto the Government, its successors and assigns, Forever, together