

DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

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 Hundred and 00/100 Dollars (\$400.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, do 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 95.5-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 6.58 acres, more or less, situate in the County of Skamania and State of Washington:

Parcel No. 1

Beginning at the section corner to Sections 20, 21, 28 and 29, in Township 3 North Range 10 East of the Willamette Meridian; thence north along section lines between Sections 20 and 21 aforesaid 660 feet to a point, thence east parallel with the south line of Section 21 to a point 365 feet west of the east line of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, thence south 597.5 feet to a point, thence South 49° 54' East 203 feet to a point, thence South 18° 34' East 255 feet to a point in the north right of way line of the Spokane, Portland & Seattle Railway Company's right of way, thence southwesterly along said north line of the railroad right of way to the intersection of the north line of said railroad right of way with the section line between Sections 28 and 29, thence north along said section line North 0° 5' East 620.14 feet to the point of beginning.

Parcel No. 2

Commencing at the meander post to Sections 28 and 29, Township 3 North, Range 10 East of the Willamette Meridian, thence along section line between Sections 28 and 29 North 0° 5' East 249.42 feet to a point in the south line of the Spokane, Portland & Seattle Right of way, thence along the south line of said right of way North 74° 12' East 1550.40 feet, thence South 18° 17' East 512.85 feet to the meander line, thence along said meander line west 867.80 feet, thence South 87° 15' West 602.60 feet, thence North 78° 09' West 234.30 feet to the point of beginning.

Excepting from the above parcels the following:

a. Right of way granted to Northwestern Electric Company in and over Lot 1 in Section 28, Township 3 North, Range 10 East of the Willamette Meridian, for the purpose of erecting, maintaining and operating thereon two pole or tower lines for the transmission of Electric current; together with the right to cut such trees and brush as may be necessary in constructing, maintaining and protecting such lines from damage. The south line enters said lot 1, 330 feet south of the northwest corner of the lot, thence running almost in a straight line to a point in the north line of the lot 900 feet east of the northwest corner; the second line being parallel with the first line and northerly of it.

b. Right of way granted to Drano Flume & Lumber Company.

c. A strip of land granted to State of Washington, being all those portions of parcel No. 2 that lie northwardly from a line, parallel with and distant 80 feet southwardly (measured at right angles) from the center line of State Road No. 8, Cook East to Underwood West and southwardly from a line parallel with and 50 feet northwardly from (measured at right angles) from said center line, except that from Engineering survey station 609+00 eastward to the east line of Parcel No. 2, said strip of land is 50 feet wide on each side of the center line of said State Road No. 8, Cook East to Underwood West, as surveyed over and across those portions of Government Lots 1 and 2, Section 28, Township 3 North, Range 10 East of the Willamette Meridian, designated hereinabove as Parcel No. 2.

TO HAVE AND TO HOLD unto the Government or its 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