

DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

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 by resolution duly passed on the 5th day of April, 1937, by a majority vote of the Board of County Commissioners of Skamania County, Washington, at their regular meeting, it was determined ~~that it was desirable and for the general welfare and benefit of the people of Skamania County to convey to the Government, for the purposes of flood control, navigation and power development, a perpetual flowage easement over all that portion of the following described lands lying below the 94-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the right bank of the Columbia River, containing 8.00 acres, more or less, situate in the County of Skamania and State of Washington, and belonging to the County, to-wit:~~ that it was desirable and for the general welfare and benefit of the people of Skamania County to convey to the Government, for the purposes of flood control, navigation and power development, a perpetual flowage easement over all that portion of the following described lands lying below the 94-foot contour line above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the right bank of the Columbia River, containing 8.00 acres, more or less, situate in the County of Skamania and State of Washington, and belonging to the County, to-wit:

Beginning at the quarter section corner on the north line of Section 1, Township 2 North of Range 7 East of the Willamette Meridian, running thence south 1250 feet to the center of Rock Creek, thence North 30° 22' West 1449 feet to center of Rock Creek; thence east 732½ feet to place of beginning, containing 10½ acres, more or less, except:

Commencing at a point 30 feet south of the quarter corner on the north line of Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence west to intersection with the east line of Second Street in the town of Stevenson, Washington; thence South 36° 12' East along the east line of Second Street to intersection with the center line north and south of said Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence north to the place of beginning. (Recorded in Book "S" of Deeds, page 263, April 19, 1921.)

Subject to:

a. A right of way for pipe line, said pipe line being a part of the water system of the town of Stevenson.

b. Rights of way for highways or streets to the State of Washington, Skamania County, and the town of Stevenson.

c. Any of the improvements constructed and owned by the State of Washington, situate adjacent to and northerly of the Evergreen Highway, also a 25-year unrecorded lease of October 2, 1923 to the State by the County.

d. Rights of way for transmission line of the West Coast Power Company;

AND WHEREAS, at such meeting of the Board of County Commissioners of Skamania County, Washington, it was determined that a perpetual flowage easement be granted to the Government by deed and that the consideration therefor shall be the sum of TWENTY THOUSAND SEVEN HUNDRED FIFTY and 00/100 DOLLARS (\$20,750.00);

NOW, THEREFORE, the said Grantor, for and in consideration of the sum of TWENTY THOUSAND SEVEN HUNDRED FIFTY and 00/100 DOLLARS (\$20,750.00), 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 above mean sea level, as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water line on the right bank of the Columbia River, containing 8.00 acres, more or less, situate in the County of Skamania and State of Washington: