

DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

shown of record. I further say that Skamania County, Washington has no right, title or interest in and to any of the above described land by reason of the defective deed which was given Mountain Lodge No. 172, I.O.O.F. of Stevenson, Washington, wherein A. P. Gordon, Sheriff, for and on behalf of Skamania County, Washington, was grantee, under date of August 25, 1927, said deed being recorded in Book "V" of Deeds, page 365, Records of Skamania County, which deed should have been made by the County Treasurer and attested by the County Auditor.

I further say that only the following named persons are buried within the area above described, which is to be flooded;

William P. Powers

Lawrence D. Powers

that these graves will be flooded only at infrequent intervals and that the matter has been taken up with the friends, relatives, and heirs of the above named persons who have given their written consent and a release of all damages that may be sustained by reason of the flowage easement granted the United States of America by Mountain Lodge No. 172, I.O.O.F., Stevenson, Skamania County, Washington.

That I make this affidavit for the purpose of meeting the requirements as set forth in the Attorney General's opinion of September 25, 1937, relative to the acquisition of a flowage easement over the above described lands by the United States of America.

B. T. Billington

Subscribed and sworn to before me this 20th day of October, 1937.

(Notarial seal affixed)

Raymond C. Sly
Notary Public for Washington
Residing at Stevenson.

Filed for record October 25, 1937 at 8-00 A. M. by U. S. Engr.

Mabel J. Case
Skamania County, Clerk-Auditor.

#21847 Mountain Lodge No. 172, I.O.O.F. to United States
(OFFICE CHIEF OF ENGINEERS AUG 30, 1937 6500 (Bonneville Dam) 790/2)

FLOWAGE EASEMENT

THIS INDENTURE, made this 9th day of August, 1937, between Mountain Lodge No. 172, I. O. O. F., a Washington corporation, 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 sealevel (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 72.00 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 Two Thousand and 00/100 Dollars (\$2000.00), cash in hand paid by the Government, the receipt whereof is