

SKAMANIA COUNTY, WASHINGTON

to me known to be the individuals described in and who executed the within instrument, and acknowledged to me that they signed and sealed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal, the day and year last above written.

(Notarial seal affixed)

Oscar G. Heaton
Notary Public for Washington,
residing at N. Bonneville.

[illegible]

I, the undersigned authority, do hereby certify that on this 26th day of September, 1936, before me personally appeared Ansel Kumlin, husband of Kristina Kumlin, to me known to be the individual described in and who executed the within instrument, and acknowledged to me that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

Given under my hand and official seal this the day and date in this certificate first above written.

(Notarial seal affixed)

Jos. E. Hall
Notary Public in and for the
State of Washington, residing
at Vancouver, therein.

Filed for record November 1, 1937 at 11-52 a.m. by Carl Michelson.

Mabel D'asse
Skamania County, Clerk-Auditor.

#24888

Oregon-Wash. R. R. & Nav. Co. to Union Pacific R.R. Co.

LAND AND TAX DEPT.
DEED NO. 9635

THIS INDENTURE, made this 8th day of September, 1937, by and between OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY, an Oregon corporation (hereinafter called "Grantor"), party of the first part, and UNION PACIFIC RAILROAD COMPANY, a Utah corporation (hereinafter called "Grantee"), party of the second part.

WITNESSETH, WHEREAS, the United States of America (hereinafter called "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 as represented by the Government, all lands abutting on either bank of said stream 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 U.S.C. & G. S. Bench mark, B. 24, situated about one mile east along the Grantor'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; and

WHEREAS, by indenture of lease effective January 11, 1936, the Grantor leased to the Grantee the properties of the Grantor, including the property hereinafter described, and said lease contemplates and provides that in case the Grantee shall desire to sell any portion of the demised premises under the authority therein contained, such property shall first be sold and conveyed by the Grantor to the Grantee; and