

SKAMANIA COUNTY, WASHINGTON

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Mable J. Case
Skamania County, Clerk-Auditor.

#23211

Celo Anderson to United States of America

FLOWAGE EASEMENT (Office Chief of Engineers, Aug 10, 1936 6500 (Bonneville Dam) 447/1)

THIS INDENTURE, made this 22nd day of June, 1936, between Celo Anderson, a single 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 Two Thousand and 00/100 Dollars (\$2,000.00), 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 as determined by reference to the U. S. C. & G. S. datum, and above the ordinary high water mark in the Columbia River, containing 38.5 acres, more or less, situate in the County of Skamania and State of Washington:

Commencing at the southwest corner of Section 27, Township 3 North, Range 8 East running thence N 48° E 186 feet, thence N 24° E 330 feet, thence N 78° E 458 feet, thence N 89° E 175 feet, thence S 71° E 164 feet, thence S 76° E 95 feet, thence S 78° E 151 feet, thence N 86° E 212 feet, thence N 37° E 127 feet, thence N 8° E 289 feet, thence N 44° W 44 feet, thence N 15° W 50 feet, thence N 11° E 140 feet, thence N 34° E 68 feet, thence N 26° E 100 feet, thence N 2° W 200 feet, thence N 7° E 100 feet, thence N 1° E 150 feet, thence N 2° E 100 feet, thence N 24° W 142 feet, thence N 14° W 60 feet, thence N 23° W 93 feet, thence N 26° W 100 feet, thence N 44° W 200 feet, thence N 47° W 116 feet, thence N 43° W 100 feet to oak tree standing near the southwest corner of Hatchery building, thence W 80 feet to southwest corner of Hatchery grounds, thence west to east bank of Wind River, thence southwesterly along said east bank of Wind River to the intersection with the section line between Sections 27 and 28 of Township 3 North, Range 8 East, thence south on said section line to place of beginning, excepting therefrom the following:

A. Commencing at the northwest corner of the Murphy Donation Land Claim No. 37 in Section 27, Township 3 North of Range 8 East of the Willamette Meridian, from which point bears a fir 14 inches in diameter N 46° 55' E 51.50 feet; an ash tree bears S 29° 38' W 6.90 feet, thence S 22° 0' W 201.50 feet to southwest corner; thence east 27.90 feet to a witness corner to southwest corner from which bears an ash 24 inches in diameter N 23° 40' E 67 feet, an oak 28 inches in diameter N 61° 0' E 91 feet, an oak east 80 feet, thence east 450.20 feet to southeast corner from which bears a maple 14 inches in diameter N 84° 45' E 19.70 feet, a fir 14 inches in diameter N 45° 45' W 13 feet, thence N 14° 15' E 193.50 feet to the northeast corner of the tract; a fir 8 inches in diameter S 45° W 6 feet, a fir tree S 35° 20' E 8.61 feet, thence west 450.20 feet to the place of beginning; this tract contains 2 acres more or less.

B. Beginning at the southeast corner of the above described tract of land, thence N 82° 43' E 107 feet, thence S 28° 31' W 260 feet; thence S 19° 17' E 475 feet, thence S 84° 38' W 96 feet to a cottonwood tree 40 inches in diameter, being a point on the old Wind River survey for the Skamania Boom Company; thence along the