

DEED RECORD Z

SKAMANIA COUNTY, WASHINGTON

revise and raise the present connecting road between the Evergreen Highway and Old State Road No. 8, over the lands hereinafter described, to an elevation above the 800,000 c.f.s. controlled backwater curve induced by the Bonneville Dam; and

WHEREAS, the Government desires to purchase from the said grantor a perpetual flowage easement, together with the right to revise and raise the present connecting road between the Evergreen Highway and Old State Road No. 8 to an elevation above the 800,000 c.f.s. controlled backwater curve induced by the Bonneville Dam, and said Grantor desires to sell said perpetual flowage easement and right to revise and raise the connecting road between the Evergreen Highway and Old State Road No. 8, to the Government;

NOW THEREOFRE, the said Grantor, for and in consideration of the sum of Sixty and 00/100 Dollars (\$60.00), 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, containing 2.4 acres, more or less, together with the right to revise and raise the connecting road between the Evergreen Highway and Old State Road No. 8 over and across the hereinafter described lands to an elevation above 800,000 c.f.s. controlled backwater curve induced by the Bonneville Dam, all situate in the County of Skamania and State of Washington:

All that part of the Felix G. Iman Donation Land Claim in Sections 2 and 11, Township 2 North, Range 7 East of the Willamette Meridian, lying north of the Spokane, Portland & Seattle Railway Company's right of way and south of the northerly line of the Old State Road No. 8 as the same was located and established prior to 1927, excepting therefrom

A tract of land granted the State of Washington, being all that part of the Felix G. Iman Donation Land Claim No. 44 lying between the northwesterly right of way line of the Spokane, Portland & Seattle Railway and the northwesterly right of way line of State Road No. 8 (now Evergreen Highway), as constructed over and across the above described land, except between Survey Station 68/30 and the south line of said Iman D.L.C., said tract extends to the east line of the existing County Road (Vol. "V" of Deeds, pages 285-6, Records of Skamania County, Washington);

Said lands being subject to:

a. Rights of the State of Washington for the purpose of a public road known as State Road No. 8 in and to a strip of land 60 feet wide, being 30 feet on each side of center line of said road as constructed over and across the above described land (Vol. "P" of Deeds, page 19; Vol "P" of Deeds, page 114, Records of Skamania County Washington).

b. A perpetual right of way granted the Northwestern Electric Company for the purpose of erecting, maintaining and operating 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 operating such lines (Vol. "N" of Deeds, page 603, Records of Skamania County, Washington).

c. Right of way in favor of West Coast Power Company for the purpose of constructing, maintaining and operating pole or tower lines for the transmission of electric current, together with rights incidental thereto.

d. Rights of Skamania Cooperative Telephone Association and Pacific Telephone & Telegraph Company in and to a right of way over and across the above described land for the purpose of constructing, maintaining and operating thereon pole or tower lines, together with the rights incidental thereto.

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 or driftwood;

And the said Grantor covenants that he is in the quiet and peaceful possession of said lands, and that he will and his heirs, executors and administrators shall warrant and forever defend the title to the right, power, privilege and easement, and right of way, hereby granted and conveyed, as aforesaid, to the Government or its assigns, against the lawful claims of all persons whomsoever.

And the said Grantor, in consideration of the above specified sum, also hereby releases the Government from all claims for damages that have accrued or may hereafter accrue to him by reason of the overflowing of the above described land and/or the raising and revising