

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 and 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 Grantors, and said Grantors desire to sell said perpetual flowage easement to the Government;

NOW THEREFORE, the said Grantors, for and in consideration of the sum of Three Hundred Dollars (\$300.00), cash in hand paid by the Government, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey to the Government, its successors and 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 93.8-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, situate in the County of Skamania, State of Washington:

Lots 4, 5, 6, 7, 8, 9, 10, 11, 12 and 24, 25, 26, 27, 28 and 29, Block 1, Riverview Addition to the Town of Stevenson.

TO HAVE AND TO HOLD unto the Government, its successors and 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 Grantors and their heirs covenant that they are in the quiet and peaceful possession of said lands, and that they will defend the title to the right, power, privilege and easement hereby granted and conveyed, as aforesaid, to the Government and its assigns, against the lawful claims of all persons whomsoever.

And the said Grantors, in consideration of the above specified sum, also hereby release 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.

IN TESTIMONY WHEREOF, the said Grantors have hereunto set their hands and affixed their seals on this the day and year first above written.

C. T. Smith (Seal)
Annabelle Smith (Seal)

1-50¢ Gov. Documentary stamp
duly affixed and cancelled
C.T.S. & A.S. 7/24/36

State of Oregon)
County of Wasco.) ss.

BE IT REMEMBERED, That on this 24 day of July, 1936, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named C. T. Smith and Annabelle Smith, his wife, who are known to me to be the identical individuals described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and notarial seal the day and year last above written.

(Notarial seal affixed)

Thomas R. Hudson
Notary Public for Oregon
My commission expires: 10-3-39