

93271

BOOK 80 PAGE 472

Land use No. 81162

EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that the United States of America Department of Energy, Bonneville Power Administration does hereby transfer permanent jurisdiction unto the United States Department of the Army, Corps of Engineers, and its assigns, a perpetual easement and right-of-way for the purposes hereinafter stated in, upon, under, over and across the United States of America's fee-owned land and under the jurisdiction of the Bonneville Power Administration, Tract No. BV-14, in part of the S. M. Hamilton Donation Land Claim No. 40, Section 19, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington; said land acquired by the United States in Civil Case No. 26 in the District Court of the United States for the Western District of Washington, Southern Division, said easement being described as follows:

A strip of land situated in Section 19, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, lying northerly of the northerly right-of-way line of an 87.5 foot wide Bonneville Power Administration powerline easement known as Bonneville-Vancouver 115kV double circuit No.'s 5 and 6 (via Camas), said strip also being 50.00 feet in width, lying 20.00 feet on the northerly side and 30.00 feet on the southerly side of the following described centerline:

Commencing at the Northeast corner of the E. C. Hardy Donation Land Claim No. 41; thence North 45°32'41" West 2,738.42 feet to station 0 + 00; thence North 29°07'11" West 170.56 feet to station 1 + 70.56; thence South 60°35'10" West 20.00 feet to the POINT OF BEGINNING;

thence North 60°35'10" East 298.96 feet to station 4 + 49.52;

thence North 49°03'24" East 199.90 feet to station 6 + 49.42;

thence South 89°18'04" East 82.01 feet to station 7 + 31.43;

thence North 63°20'39" East 283.09 feet to station 10 + 14.52;

thence North 83°51'12" East 65.38 feet to station 10 + 79.90 and the point of terminus.

The easement and right-of-way hereby transferred are for the following purposes, namely:

A perpetual and assignable easement and right-of-way in, on, over and across the land herein described, for the location, construction, operation, maintenance, alteration, replacement, repair and patrol of a road and appurtenances thereto, an underground water pipeline, and an underground utility line; together with the right to trim, cut, fell and remove therefrom all trees, underbrush, obstructions and other vegetation structures, or obstacles within the limits of the right-of-way; reserving, however, to the landowner, its successors and assigns, all such rights and privileges as may be used without interfering with or abridging the rights and easement hereby acquired.

Registered
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Indirect
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1972

Transaction in compliance with County subdivision ordinance.
Skamania County Assessor - By: [Signature]

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Tract No. FFE
BV-14

Reserving unto the United States and its assigns the right to operate and maintain existing electric transmission lines and facilities and to erect, operate, and maintain future transmission lines and facilities over, under, upon, and across the easement area, and also reserving the right of access to and along its transmission lines and facilities.

Subject to reservations, restrictions, and easements of record, or in use.

This instrument supersedes that certain pipeline easement dated 21 November 1980, recorded in Book 79 at Page 44, Records of Skamania County, Washington.

If, based upon the sole and unrestricted determination of the United States, the uses allowed herein interfere with the present or future use and enjoyment of the above-described land by the United States for any purpose, the said easement and utilities constructed thereon shall be relocated, removed, adjusted, or protected, all at the expense of the Grantee, or its assigns.

It is understood and agreed that the Grantee, and its assigns, shall be liable for any damage to the property of the United States, including transmission lines and structures, arising out of or resulting from negligent acts of said Grantee's employees, agents, or assigns acting within their authority in construction, reconstruction, operation, or maintenance of said easement upon the property of the United States.

Should the rights acquired herein no longer be used or needed for a road right-of-way, underground water pipeline and underground utility line, or abandonment thereof, and upon written notice by the United States to the Grantee or its assigns, all rights granted by this easement shall automatically terminate and the title thereto revert in the United States.

TO HAVE AND TO HOLD the above-described easement unto the United States Department of the Army, Corps of Engineers, and its assigns, forever.

This transfer is made pursuant to the Acts of August 20, 1937 (50 Stat. 732 16 U.S.C. § 832a), as amended, and October 23, 1962 (76 Stat. 1129, 40 U.S.C. § 319) and regulations and delegations of authority issued pursuant thereto, it having been determined that the transfer of the easement will not be adverse to the interests of the United States, Department of Energy, Bonneville Power Administration.

Dated at Portland, Oregon, this 1st day of SEPTEMBER 1981.

UNITED STATES OF AMERICA
Department of Energy
Bonneville Power Administration

By Larry L. Williams
Acting Director, Division of Land

No.
TRANSACTION EXCISE TAX

NOV 3 1981
Amount Paid Expense

Skamania County Treasurer
By Beverly J. Ballge Dep

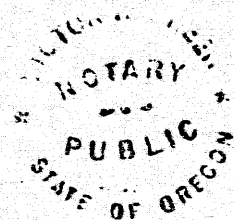
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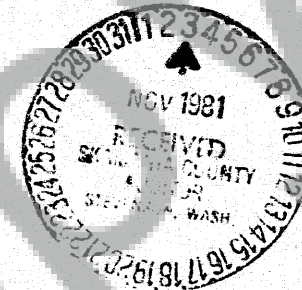
STATE OF OREGON)
)ss:
County of Multnomah)

On this day personally appeared before me, LARRY L. WILKINSON, to me known to be the Acting Director, Division of Land, Bonneville Power Administration, described in and who executed the within and foregoing instrument and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

GIVEN under my hand . . . official seal this 1st day of SEP, 1981.



Victor M. Green
Notary Public for Oregon
My Commission Expires: 11/4/84



HEREBY CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING FILED BY
Corps of Engineers
Portland, OR
9:45A Nov. 3 1981

Needs 80 472-4
COUNTY OF SKAGAMAW
Deel Messenger
B. Babcock

ROLL 111981 A
MARRIAGE APPLICATIONS
DAILY RECORDINGS
BOARD OF COUNTY COMMISSIONERS