

128867

BOOK 167 PAGE 906

FILED FOR RECORD
SKAMANIA CO. WASH
BY SKAMANIA CO. TITLE

AUG 5 4 17 PM '97

Olson
AUDITOR
GARY M. OLSON

AFTER RECORDING MAIL TO:

Name _____

Address _____

City/State _____

Document Title(s): (or transactions contained therein)

1. CLAIM OF ABANDONMENT & EXTINGUISHMENT
2. OF MINERAL INTEREST

3.

4.

Reference Number(s) of Documents assigned or released:

☐ Additional numbers on page _____ of document

Grantor(s): (Last name first, then first name and initials)

1. JOSEPH BIRKENFELD
2. WILLIAM BIRKENFELD, TRUSTEE
3. MARY LEE BIRKENFELD, TRUSTEE
4. USA

5. ☐ Additional names on page _____ of document

Grantee(s): (Last name first, then first name and initials)

1. THE PUBLIC

2.

3.

4.

5. ☐ Additional names on page _____ of document

Abbreviated Legal Description as follows: (i.e. lot/block/plat or section/township/range/quarter/quarter)

T 2N, R 6E, WM - TAX LOT 100

T 2N, R 7E, WM - TAX LOT 600

T 3N, R 7E, WM - TAX LOTS 3900, 4900 & 5000

☐ Complete legal description is on page 142 of document

Assessor's Property Tax Parcel / Account Number(s):

03-07-00-0-0-0100-00

03-07-00-0-0-0600-00

03-07-00-0-0-3900-00

03-07-00-0-0-4900-00

03-07-00-0-0-5000-00

NOTE: The auditor/recorder will rely on the information on the form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.



8/5/97
5-7-3900
4900
5000

REAL ESTATE EXCISE TAX

AUG - 5 1997
PAID *N/A*
SKAMANIA COUNTY TREASURER

After recording return to:
Michael G. Neff
Haglund & Kirtley
101 S.W. Main, Suite 1800
Portland, Oregon 97204

**CLAIM OF ABANDONMENT AND EXTINGUISHMENT
OF MINERAL INTERESTS**

Know all that Joseph Birkenfeld of P. O. Box 530,
Carson, Washington, the William and Mary Lee Birkenfeld
Charitable Remainder Unitrust, 2642 Szydlo Road, Carson,
Washington, through trustees William and Mary Lee Birkenfeld, and
the United States of America, through Ms. Jocelyn B. Somers,
Special Assistant U.S. Attorney, Office of the General Counsel,
USDA, 1734 Federal Building, 1220 S.W. Third Avenue, Portland,
Oregon, hereby file a claim of abandonment and extinguishment of
mineral interests severed from the following real property in
Skamania County, the passing of 60 days from the final
publication of this notice now having occurred:

T. 2 N., R. 6 E., W.M.

Tax Lot 100

sec. 1, Portion lying south of the BPA powerline
right-of-way;

T. 2 N., R. 7 E., W.M. - Tax Lot 600

sec. 6, Lots 3,4,5,6,7, E1/2SW1/4, SE1/4NW1/4;
sec. 7, E1/2NW1/4;

T. 3 N., R. 7 E., W.M. - Tax Lots 3900, 4900, and 5000

sec. 28, Lot 4 SW1/4SE1/4;
sec. 30, Lots 2,3, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4;
sec. 31, All;
sec. 32, N1/2;
sec. 33, Lots 1,2, W1/2NE1/4, E1/2NW1/4.

A thorough search of the Skamania County real property and mineral records for the above-described property lists the following individuals and other entities as recordholders or former recordholders of mineral interests in at least a portion of the above-described property: Abijh S. James and Frances James, husband and wife, recorded in Book I, pages 261 and 274 of the Skamania County Deed Records; Marie H. Kelly and Matthew D. Kelly, husband and wife, recorded in Book O, Page 90 of the Skamania County Deed Records; Namrogo Lumber Company, recorded in Book V, page 171 of the Skamania County Deed Records; L.B. Menefee LBR Co., recorded in Book V, Page 286 of the Skamania County Deed Records; James L. Conley and Jane E. Conley, husband and wife, recorded in Book V, Page 101 of the Skamania County Deed Records; Greenleaf Lumber Company, recorded in Book V, Page 239 and 165 and recorded in Book V, Page 582 of the Skamania County Deed Records; and E.C. Amann Trustee, recorded in Book T, Page 315 of the Skamania County Deed Records.


As these mineral interests have been unused for a period of twenty years, as the required legal notice has been provided of the surface owners' intention to extinguish these


mineral interests, and as no statement of claim in the form prescribed in RCW 78.22.040 has been filed, these mineral interests are hereby abandoned and extinguished. From the date of this document's recordation these mineral interests are revested as a matter of law in the surface owners and their successors in interest.

The date of first publication of this notice in the Skamania County Pioneer was May 20, 1997. The date of the last publication was June 4, 1997. Due diligence to determine the whereabouts of these mineral interests has been performed and is described in the attached affidavit of Michael G. Neff, which is incorporated by reference.


Joseph Birkenfeld


William A. Birkenfeld


Mary Lee Birkenfeld
As Trustees for the William and
Mary Lee Birkenfeld Charitable
Remainder Unitrust


Jocelyn B. Somers
Special Assistant U.S. Attorney
Office of the General Counsel, USDA
1734 Federal Building
1220 S.W. Third Avenue
Portland, Oregon 97204
For United States of America
USDA, USFS

STATE OF OREGON)
) ss.
County of Multnomah)

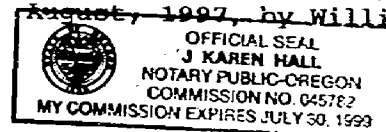
SUBSCRIBED AND SWORN TO before me this 4th day of
August, 1997, by Joseph Birkenfeld.



J. Karen Hall
Notary Public for Oregon
My Commission Expires: 7/30/99

STATE OF OREGON)
) ss.
County of Multnomah)

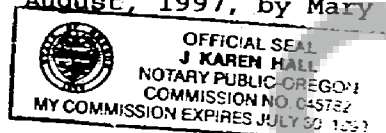
SUBSCRIBED AND SWORN TO before me this 4th day of
~~August, 1997~~, by William Birkenfeld.



J. Karen Hall
Notary Public for Oregon
My Commission Expires: 7/30/99

STATE OF OREGON)
) ss.
County of Multnomah)

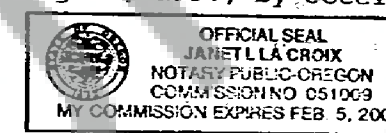
SUBSCRIBED AND SWORN TO before me this 4th day of
August, 1997, by Mary Lee Birkenfeld.



J. Karen Hall
Notary Public for Oregon
My Commission Expires: 7/30/99

STATE OF OREGON)
) ss.
County of Multnomah)

SUBSCRIBED AND SWORN TO before me this 4th day of
August, 1997, by Jocelyn Somers.



Janet L. LaCroix
Notary Public for Oregon
My Commission Expires: 2-5-2000

AFFIDAVIT OF MICHAEL G. NEFF

STATE OF OREGON)
) ss.
County of Multnomah)

I, Michael G. Neff, am over the age of 18 and am otherwise competent to testify to the matters testified to below, and first duly sworn upon oath and based upon my own personal knowledge, do hereby depose and say:

1. In January 1997, I contacted Jim Copeland, the President of Skamania County Title Company, regarding locating the record owners of mineral interests that had been severed from certain real property in Skamania County. To the best of my knowledge, Skamania County Title Company is the only title company with a physical plant located in Skamania County. Descriptions of the parcels I inquired about are listed on Attachment A.

2. Mr. Copeland responded to my inquiry on January 27, 1997. A copy of Mr. Copeland's letter response is attached.

3. I personally investigated the Direct and Indirect Indexes at the Skamania County Auditor's office on May 16, 1997. I was unable, using these indexes and Mr. Copeland's letter, to identify any other mineral interests other than those indicated by Mr. Copeland. I was also unable to identify any transfers of the mineral rights listed in Mr. Copeland's letter. I also personally inspected the Skamania County Dormant Mineral Interest Index and found no references to any of the individuals or

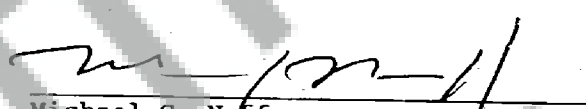
BOOK 167 PAGE 912

entities listed by Mr. Copeland or any references to the parcels described in Attachment A.

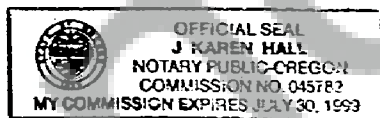
4. I also checked with the Corporation Divisions with the Oregon and Washington Secretary of States offices and was informed that none of the companies listed in Mr. Copeland's letter are currently active business entities in their original state of incorporation. I was also advised that neither office has any record of a successor to any of these three business entities.

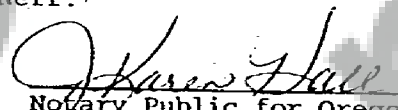
I declare under penalty of perjury that the following is true and correct.

DATED this 4th day of August, 1997.


Michael G. Neff

SUBSCRIBED AND SWORN TO before me this 4th day of August, 1997, by Michael G. Neff.




Notary Public for Oregon

My Commission Expires: 7/30/99

TABLE MOUNTAIN TRIPARTITE EXCHANGE
Skamania County, Washington

LIST OF PARCELS

T. 2 N., R. 6 E., W.M.

sec. 1	Portion lying south of powerline	472.30
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T. 2 N., R. 7 E., W.M.

sec. 7	E1/2NW1/4	80.00
sec. 6	SE1/4NW1/4, E1/2SE1/4	120.00
sec. 6	Lots 3, 4, 5, 6, 7	228.07

T. 3 N., R. 7 E., W.M.

sec. 28	Govt. Lot 4, SW1/4SE1/4	76.81
sec. 30	Lots 2 & 3, S1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, SE1/4	
sec. 31	All	448.20
sec. 32	N1/2	647.43
sec. 33	Lots 1 & 2, W1/2NE1/4, E1/2NW1/4	320.00
		235.20

ATTACHMENT A

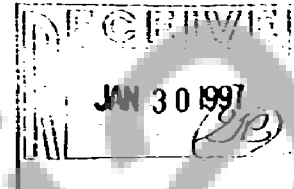
BOOK 167 PAGE 914



**SKAMANIA COUNTY
TITLE COMPANY**

(509) 427-5681
FAX (509) 427-5610

P.O. BOX 277 • 43 RUSSELL ST.
STEVENSON, WASHINGTON 98648



Haglund & Kirtley
Attorneys At Law
101 SW Main Street, Suite 1800
Portland, Or. 97204-3226

Dear Mr. Neff

January 27, 1997

On the Birkenfeld to the Forest Service Transaction on the following parcel no.'s:
02-06-00-0-0-0100, 02-06-00-0-0-0200, 02-07-00-0-0-0600, 02-07-00-0-0-2500
03-07-00-0-0-3900, 03-07-00-0-0-1700 and 03-07-00-0-0-5000

I have searched our records as we as the Assessor and the Mineral Book of the Auditors
and find the following reservations for minerals.

1. Abijah S. James and Frances James, husband and wife, recorded in Book I, Page 261
and Page 274.
2. Namrogo Lumber Company recorded in Book V, Page 171.
3. L.B. Menefee LBR. Co. recorded in Book V, Page 386
4. James L. Conley and Jane E. Conley, husband and wife, recorded in Book V, Page 101
5. Greenleaf Lumber Company, recorded in Book V, Page 239 and Page 165. Recorded
in Book U, Page 582.
6. Marie H. Kelly and Matthaw D. Kelly, husband and wife, recorded in Book O, Page
90
7. E.C. Amann Trustee, recorded in Book T, Page 315.

We have searched our General Index in our office and did not find any probates of any of
the individuals.

BOOK 167 PAGE 915

Page 2

We have not asked the Corporation Department to do a search of there records to see if they can find out what happened to any of the Companies or Corporations.

We have asked the Assessors office if they have any thing on who is paying the mineral rights on the above parcels.

I also looked at the mineral rights book and find no records going back that far as to minerals rights. I did not look under the Direct or Indirect indexes in the Auditors office.

I hope this helps in your request for finding the owners if any of the old mineral rights. If we can be of further help, please call us.

Sincerely,


Jim Copeland
President

Affidavit of Publication

STATE OF WASHINGTON)
COUNTY OF SKAMANIA) ss.

Jeanne Skamman being first duly sworn on oath, deposes and says: That she is the Publisher, Editor or Manager of the SKAMANIA COUNTY PIONEER, a weekly newspaper, which has been established, published in the English language, and circulated continuously as a weekly newspaper in the City of Stevenson, and in said County and State, and of general circulation in said county for more than six (6) months prior to the date of the first publication of the Notice hereto attached, and that the said Skamania County Pioneer was on the 7th day of July, 1941, approved as a legal newspaper by the Superior Court of said Skamania County, and that the annexed is a true copy of *Notice of*

Intention to Extinguish Mineral Rights

as it appeared in the regular and entire issue of said paper itself and not in a supplement thereof for a period of *three*

consecutive weeks commencing on the

1st day of *May*, 19*47*, and ending on the *4th* day of *June*, 19*47*

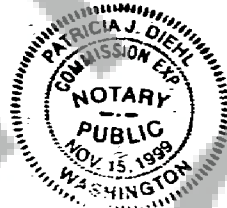
and that said newspaper was regularly distributed to its subscribers during all of this period.

That the full amount of \$ *311.25* has not been paid

Jeanne Skamman

Subscribed and sworn to before me this *3rd* day of *June*, 19*47*

Patricia J. Diehl
Notary Public in and for the State of Washington
Residing at Stevenson



NOTICES

NOTICE OF INTENTION TO EXTINGUISH MINERAL RIGHTS

Know all the people of the County of Skamania, State of Washington, that I, *John A. Skamman*, of the County of Skamania, State of Washington, do hereby give notice to all persons claiming an interest in the following real property in Skamania County, upon the passing of 60 days from the final publication of this notice:

- 1/2 N. R. 6 E. W. M. sec. 11, Portion lying south of the BPA, bearing right of way.
- 1/2 N. R. 7 E. W. M. sec. 6, Lots 3, 4, 5, 6, 7, 8, 25W1/4, SE1/4NW1/4, sec. 7, E1/2NW1/4, 1/2 sec. 8, NW1/4, sec. 9, NW1/4, sec. 10, NW1/4, sec. 11, NW1/4, sec. 12, NW1/4, sec. 13, NW1/4, sec. 14, NW1/4, sec. 15, NW1/4, sec. 16, NW1/4, sec. 17, NW1/4, sec. 18, NW1/4, sec. 19, NW1/4, sec. 20, NW1/4, sec. 21, NW1/4, sec. 22, NW1/4, sec. 23, NW1/4, sec. 24, NW1/4, sec. 25, NW1/4, sec. 26, NW1/4, sec. 27, NW1/4, sec. 28, NW1/4, sec. 29, NW1/4, sec. 30, NW1/4, sec. 31, NW1/4, sec. 32, NW1/4, sec. 33, NW1/4, sec. 34, NW1/4, sec. 35, NW1/4, sec. 36, NW1/4, sec. 37, NW1/4, sec. 38, NW1/4, sec. 39, NW1/4, sec. 40, NW1/4, sec. 41, NW1/4, sec. 42, NW1/4, sec. 43, NW1/4, sec. 44, NW1/4, sec. 45, NW1/4, sec. 46, NW1/4, sec. 47, NW1/4, sec. 48, NW1/4, sec. 49, NW1/4, sec. 50, NW1/4, sec. 51, NW1/4, sec. 52, NW1/4, sec. 53, NW1/4, sec. 54, NW1/4, sec. 55, NW1/4, sec. 56, NW1/4, sec. 57, NW1/4, sec. 58, NW1/4, sec. 59, NW1/4, sec. 60, NW1/4, sec. 61, NW1/4, sec. 62, NW1/4, sec. 63, NW1/4, sec. 64, NW1/4, sec. 65, 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sec. 889, NW1/4, sec. 890, NW1/4, sec. 891, NW1/4, sec. 892, NW1/4, sec. 893, NW1/4, sec. 894, NW1/4, sec. 895, NW1/4, sec. 896, NW1/4, sec. 897, NW1/4, sec. 898, NW1/4, sec. 899, NW1/4, sec. 900, NW1/4, sec. 901, NW1/4, sec. 902, NW1/4, sec. 903, NW1/4, sec. 904, NW1/4, sec. 905, NW1/4, sec. 906, NW1/4, sec. 907, NW1/4, sec. 908, NW1/4, sec. 909, NW1/4, sec. 910, NW1/4, sec. 911, NW1/4, sec. 912, NW1/4, sec. 913, NW1/4, sec. 914, NW1/4, sec. 915, NW1/4, sec. 916, NW1/4, sec. 917, NW1/4, sec. 918, NW1/4, sec. 919, NW1/4, sec. 920, NW1/4, sec. 921, NW1/4, sec. 922, NW1/4, sec. 923, NW1/4, sec. 924, NW1/4, sec. 925, NW1/4, sec. 926, NW1/4, sec. 927, NW1/4, sec. 928, NW1/4, sec. 929, NW1/4, sec. 930, NW1/4, sec. 931, NW1/4, sec. 932, NW1/4, sec. 933, NW1/4, sec. 934, NW1/4, sec. 935, NW1/4, sec. 936, NW1/4, sec. 937,

A thorough search of the Skamania County real property and mineral records for the above-described property lists the following individuals and other entities as recordholders or former recordholders of mineral interests in at least a portion of the above-described property: Abijh S. James and Frances James, husband and wife, recorded in Book I, pages 261 and 274 of the Skamania County Deed Records; Marie H. Kelly and Matthew D. Kelly, husband and wife, recorded in Book O, Page 90 of the Skamania County Deed Records; Namrogo Lumber Company, recorded in Book V, page 171 of the Skamania County Deed Records; L.B. Menefee LBR Co., recorded in Book V, page 286 of the Skamania County Deed Records; James L. Conley and Jane E. Conley, husband and wife, recorded in Book V, page 101 of the Skamania County Deed Records; Greenleaf Lumber Company, recorded in Book V, page 239 and 165 and recorded in Book V, page 582 of the Skamania County Deed Records; and E.C. Amann Trustee, recorded in Book T, page 315 of the Skamania County Deed Records.

Please take note that the original instruments creating the interests or potential interests in minerals may be viewed by using the Book and Page references set out above. A review of the deeds indicates: Abijh S. James and Frances James resided in Ely, Minnesota; E.C. Amann resided in Prairie Du Chien, Wisconsin; James L. and Jane E. Conley resided in Portland, Oregon; Marie H. Kelly and Matthew D. Kelly resided in Washington, Indiana. Please also take note that Greenleaf Lumber Company was incorporated in Washington and Namrogo Lumber Company and L.B. Menefee LBR Co. were incorporated in Oregon.

The date of first publication of this notice was May 21, 1997. To prevent extinguishment of any mineral interests created by the recorded instruments described above, the current mineral interest owner must file a statement of claim of mineral in-

terest in the form prescribed in RCW. 78.22.046.

Michael G. Neff
Haglund & Kirtley LLP
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Portland, Oregon 97204

For Joseph Birkenfeld and the William and Marylee Birkenfeld Charitable Remainder Unitrust

Jocelyn B. Somers
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USDA
1734 Federal Building
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Portland, Oregon 97204
For United States of America
USDA, USFS

Publ: May 21, May 28, and June 4, 1997 (6094)