

BOOK 173 PAGE 330

FEB 11 12 26 PM '98

Olson
GARY M. OLSON

Return Address

Mr. John S. Minger
Chief, Real Estate Division
U.S. Army Corps of Engineers
Portland District (CENWP-RE)
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REAL ESTATE EXCISE TAX

19314

FEB 11 1969

PAID except

W. J. R. 201, Depick
SKAMMIA COUNTY TREASURER

Document Title: Quitclaim Deed

Gary H. Martin, St. Lawrence County Assessor

Grantor: United States of America

Date 2-11-98 Parcel # See below
 Use _____

Grantee: State of Washington, through the Washington State Department of Transportation

Legal Description: A strip of land of varying width lying on each side of the centerline of the relocated Washington State Highway, State Route 14, situated in Sections 14, 15, 16, 19, 20, 21, and 22, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington, lying easterly of highway Equation Station C2 998+50.00 Ah. = SR 14 150+10.00 Bk. and westerly of highway Equation Station C2 1212+50.00 Bk. = SR 14 92+55.00 Ah., containing 80.73 acres, more or less.

Legal description is on pages 1-5 of Exhibit "A" of the Quitclaim Deed.

Assessor's Property tax parcel or Account Number:

02-07-14-00-0300

02-07-14-00-0500

02-07-15-00-0400

02-07-16-00-0702

02-07-19-00-0302

02-07-20-00-1101

02-07-20-00-1103

02-07-21-00-0100

02-07-22-00-0100

BONNEVILLE LOCK AND DAM SECOND POWERHOUSE PROJECT

QUITCLAIM DEED

UNITED STATES OF AMERICA

TO THE

STATE OF WASHINGTON

THIS INDENTURE, made and entered into this 24th day of November, 1997, by and between the UNITED STATES OF AMERICA, acting by and through its Secretary of the Army and the STATE OF WASHINGTON, acting by and through the Secretary of the Washington State Department of Transportation.

WITNESSETH:

WHEREAS, the United States of America has, under authority of Public Law 75-329 (50 Stat. 731) approved 20 August 1937 (16 U.S.C. 832), undertaken the development of a hydroelectric project known as Bonneville Lock and Dam Second Powerhouse on the Columbia River in Washington and Oregon; and under authority of Public Law 93-251, Section 83, undertaken the relocation of the City of North Bonneville, Washington which necessitated abandonment of portions of the right-of-way and the relocation and reconstruction of State Highway No. 14 in the vicinity of the City of North Bonneville, Washington; and

WHEREAS, the United States of America and the State of Washington entered into Contract No. DACW57-76-C-0241 dated 2 July 1976 as supplemented, defining the rights and obligations of the parties relating to said abandonment, relocation and reconstruction; and

WHEREAS, under Article 2 (c) of said contract, the United States of America is now obligated to convey to the State of Washington by quitclaim deed the real property necessary for the construction, maintenance and operation of said relocated State Highway No. 14, including all of the real property within the right-of-way and property line shown on Exhibit "A" referred to in Article 1 of said contract, as supplemented; and

WHEREAS, said highway has been relocated in accordance with the provisions of said contract;

NOW, THEREFORE, the United States of America, acting by and through its Secretary of the Army, pursuant to the authority in him vested by the provisions of Section 2 of the Act of Congress approved 20 June 1938 (52 Stat. 804; 33 U.S.C. 558B) as amended by the Act of Congress approved 11 August 1939 (53 Stat. 1414; 33 U.S.C. 558b-1) does by these presents remise, release, and forever quitclaim and convey unto said State of Washington, its successors and assigns, all of the grantor's rights, title, and interest in and to the land in Skamania County, State of Washington described in Exhibit "A", consisting of 5 pages, attached hereto and by this reference made a part hereof, together with the improvements constructed on said lands necessary for the right-of-way of the relocated highway. Also, the grantor herein conveys and grants to the State of Washington all rights of ingress and egress (including all existing, future or potential easements of access, light, view and air) to, from and between the right-of-way of the public way known as State Highway 14 and the remaining lands of the Bonneville Lock and Dam Second Powerhouse Project, Washington between Highway Equation Station C2 998+50.00 Ah. = SR 14 150+10.00 Bk. and Equation Station C2 1212+50.00 Bk. = SR 14 92+55.00 Ah., excepting therefrom the existing access stations described as follows:

Highway Station

Bonneville Lock and Dam Second Powerhouse and
public fishing area access C2 1091+12.53 RT

Bonneville Lock and Dam Second Powerhouse and
visitor center access West of SR 14 C2 1154+10 RT

Hiking and equestrian trail parking area
East of SR 14 C2 1154+10 LT

Bonneville Treaty Fishing Access
Well Site C2 1181+14.5 LT

Bonneville Treaty Fishing Access Site C2 1186+80 RT

SUBJECT TO the following:

Patent reservations, Indian Treaty rights, existing
easements for public roads, highway, public utilities, railroads
and pipelines.

Also subject to a perpetual easement dated 27 May 1982
granted to the City of North Bonneville (Easement No. DACW57-2-
82-0065) by the United States of America, through the U.S. Army
Corps of Engineers for a right-of-way for the operation and
maintenance of a street (Cascade Drive) and a bicycle path.

Also subject to a perpetual easement dated 27 May 1982
granted to the City of North Bonneville (Easement No. DACW57-2-
82-66) by the United States of America, through the U.S. Army
Corps of Engineers for a right-of-way for the operation and
maintenance of a bicycle path within Washington State Route 14 at
Hamilton Creek.

EXCEPTING AND RESERVING, however, unto the United States of
America:

1. Fee interest in a parcel of land containing a well site
as described in Exhibit "C", attached hereto and by this
reference made a part hereof.

2. All rights heretofore acquired by documents now recorded in the deed records of Skamania County, Washington by the United States of America, Department of Energy (formerly Department of the Interior), acting through the Bonneville Power Administration for the powerlines and other fixtures appurtenant thereto across the right-of-way described in Exhibit "A", and that all the terms and conditions contained in said documents shall remain in full force and effect.

3. All rights heretofore acquired by documents now recorded in the deed records of Skamania County, Washington by the United States of America, Department of Agriculture, acting through the U.S. Forest Service for the Pacific Crest Trail and other appurtenances thereto across the right-of-way described in Exhibit "A", and that all the terms and conditions contained in said documents shall remain in full force and effect.

4. A perpetual and assignable access easement as described in Exhibit "C" strictly for access to, maintenance and/or repair of the well site.

5. A perpetual and assignable flowage easement in, over, upon and across the right-of-way granted between Highway Station 1173+00 and Highway Station C2 1212+50.00 Bk.= SR 14 92+55.00Ah and as further described in Exhibit "B" and by this reference made a part hereof.

TO HAVE AND TO HOLD the above described and conveyed property, together with all and singular the tenements, hereditaments, and appurtenances thereto belonging, unto said State of Washington, acting by and through the Secretary of the Washington State Department of Transportation, its successors and assigns, forever.

This instrument is given pursuant to and in final performance of the obligation of the United States under said Contract No. DACW57-76-C-0241 dated 2 July 1976, as supplemented, to convey to the grantee the real property described in this instrument. No monetary consideration is being paid for this deed, the consideration being other lands previously conveyed.

IN WITNESS WHEREOF, THE UNITED STATES OF AMERICA has caused these presents to be executed in its name by Togo D. West, Jr., Secretary of the Army, and the seal of the Department of the Army to be affixed hereto this 24th day of November, 1997.

UNITED STATES OF AMERICA

Accepted and approved

DEPARTMENT OF

ARMY

By

Director, Real Estate Services

Secretary of the Army
Accepted and approved

1/29/98

STATE OF WASHINGTON

DEPARTMENT OF TRANSPORTATION

By

Director, Real Estate Services

COMMONWEALTH OF VIRGINIA)

COUNTY OF ARLINGTON)

BEFORE ME, a Notary Public in and for the Commonwealth of Virginia, County of Arlington, personally appeared

Togo D. West, Jr., to me known to be the identical person and officer whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the said instrument in the capacity therein stated for the purposes therein expressed as the act and deed of the United States of America.

GIVEN UNDER MY HAND AND SEAL, this 24th day of November, 1997.

Joel B. Hudson
Notary Public in and for
County of Arlington
Commonwealth of Virginia

My Commission Expires: September 30, 1999



Exhibit "A"

Relocated Washington State Highway SR 14

Description:

A strip of land of varying width lying on each side of the centerline of the relocated Washington State Highway, State Route 14, situated in Sections 14, 15, 16, 19, 20, 21, and 22, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, said centerline and strip being described as follows:

BEGINNING at a point on the centerline of said highway at Equation Station C2 998+50.00 Ah. = SR 14 150+10.00 Bk., said point lying in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 19, and lying N. $59^{\circ}26'40''$ W. 2,288.15 feet from the northeast corner of the E.C. Hardy Donation Land Claim No. 41;

thence N. $56^{\circ}23'44''$ E. 494.32 feet to Station C2 1003+44.32 P.C.;

thence easterly along a $3^{\circ}49'11''$ curve to the right, having a radius of 1,500 feet and a length of 1,495.43 feet to Station C2 1018+39.75 P.T.;

thence S. $66^{\circ}29'00''$ E. 436.18 feet to Station C2 1022+75.93 P.C.;

thence easterly along a $3^{\circ}49'11''$ curve to the left, having a radius of 1,500 feet and a length of 767.94 feet to Station C2 1030+43.87 P.T.;

thence N. $84^{\circ}11'00''$ E. 1,861.14 feet to Station C2 1049+05.01 P.C.;

thence easterly along a $2^{\circ}00'00''$ curve to the left, having a radius of 2,864.79 feet and a length of 1,179.17 feet to Station C2 1060+84.18 P.T.;

thence N. $60^{\circ}36'00''$ E. 6,767.44 feet to Station C2 1128+51.62 P.C.;

thence easterly along a $3^{\circ}00'00''$ curve to the right, having a radius of 1,909.86 feet and a length of 2,311.81 feet to Equation Station C2 1151+63.43 P.T. Bk. = C2 1151+43.85 P.O.T. Ah.;

Exhibit "A"

Relocated Washington State Highway SR 14

thence S. $50^{\circ}02'45''$ E. 1,209.49 feet to Station C2
1163+53.34 P.C.;

thence easterly along a $5^{\circ}00'00''$ curve to the left, having
a radius of 1,145.92 feet and a length of 1,721.76 feet to
Station C2 1180+75.10 P.T.;

thence N. $43^{\circ}52'00''$ E. 1,385.22 feet to Station C2
1194+60.32 P.C.;

thence northeasterly along a $3^{\circ}30'00''$ curve to the right,
having a radius of 1,637.02 feet and a length of 1,122.04 feet to
Station C2 1205+82.36 P.T.;

thence N. $83^{\circ}08'17''$ E. 667.64 feet to Equation Station C2
1212+50.00 Bk. = SR 14 92+55.00 Ah., and the point of terminus of
the above described centerline.

The widths (in feet) when measured at right angles, and/or
radially, from the above described centerline are as follows:

<u>From Station</u>	<u>To Station</u>	<u>Width Northerly of Centerline</u>	<u>Width Southerly of Centerline</u>
998+50	1003+44.32	50	60
1003+44.32	1005+20	50 in a straight line to 60	60
1005+20	1049+05.01	60	60
1049+05.01	1051+00	60	70
1051+00	1052+00	60	80
1052+00	1072+00	80	80
1072+00	1074+20.29	60	60
1074+20.29	1150+80.21	To Southerly R/W Line of Reloc BNRR	60

The northerly right-of-way line of said highway between
stations 1074+20.29 and 1150+80.21 is coincident with the

Exhibit "A"

Relocated Washington State Highway SR 14

southerly right-of-way line of said Burlington Northern Railroad, said southerly right-of-way line lying southerly at varying distances, measured at right angles, and/or radially, from the centerline of said railroad as follows:

From Station		To Station		Width (in feet) Southerly of Railroad Centerline
<u>Railroad</u>	<u>Highway</u>	<u>Railroad</u>	<u>Highway</u>	
2002+00 = C2	1074+20.29	2047+00 = C2	1119+24.66 BK	75
2047+00 = C2	1119+25.50 AH	2058+00 = C2	1129+93.50 BK	100
2058+00 = C2	1129+95.10 AH	2064+00 = C2	1135+46.13 BK	75
2064+00 = C2	1135+48.27 AH	2077+30 = C2	1148+14.56	50
2077+30 = C2	1148+14.56	2080+00 = C2	1150+80.21	50 in a straight line to 100

Thence continuing on said highway centerline:

<u>From Station</u>	<u>To Station</u>	<u>Width Northerly of Centerline</u>	<u>Width Southerly of Centerline</u>
1150+80.21	1159+50	60	60
1159+50	1165+25	250	60
1165+25	1166+25	250	100
1166+25	1168+00	250	200
1168+00	1171+00	250	150 in a straight line to 60
1171+00	1173+00	250	60
1173+00	1178+00	450	60
1178+00	1185+00	110	60

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Relocated Washington State Highway SR 14

<u>From Station</u>	<u>To Station</u>	<u>Width Northerly of Centerline</u>	<u>Width Southerly of Centerline</u>
1185+00	1197+41.10	110	100
1197+41.10	1203+00	110	-
1203+00	1212+50	60	-
1197+41.10	1205+94.54	-	To Northerly R/W Line of Reloc BNRR

The southerly right-of-way line of said highway between stations 1197+41.10 and 1205+94.54 is coincident with the northerly right-of-way line of said Burlington Northern Railroad, said northerly right-of-way line lying northerly a distance of 75 feet when measured at right angles from the centerline of said railroad.

Thence continuing on said highway centerline:

<u>From Station</u>	<u>To Station</u>	<u>Width Northerly of Centerline</u>	<u>Width Southerly of Centerline</u>
1205+94.54 reversed to	1205+82.36	-	130.44 in a straight line to 60
1205+82.36	1211+40	-	60
1211+40	1212+50	-	60 in a straight line to 43

There is EXCEPTED therefrom all that portion of said Sections 19 and 20, lying within the right-of-way of the Burlington Northern Railroad, said right-of-way being 75 feet on each side of the centerline of said railroad, the area being the West Highway Underpass Tunnel.

ALSO EXCEPTED therefrom all that portion of said Section 15, lying within the right-of-way of said relocated Burlington Northern Railroad, said right-of-way being 75 feet on each side of the centerline of said railroad, the area being the Fort Rains Overpass.

Exhibit "A"

Relocated Washington State Highway SR 14

ALSO EXCEPTED therefrom those portions of Open Space Lots S-26, S-33, and S-35, lying within the above described relocated SR-14 right-of-way, as said Lots are platted in the Plat of Relocated North Bonneville - CBD and Blocks 8 and 9, Sheets 9 of 10 and 10 of 10; as said plats are recorded in Book B of Plats, Pages 31 and 32, under Skamania County File No. 84429, Records of Skamania County, Washington.

ALSO EXCEPTED therefrom all that portion of said Section 20, lying within a well site as described in Exhibit "C", attached hereto.

The strip of land above described contains 80.73 acres, more or less.

Note: All bearings and distances are based on the Lambert Coordinate System, Oregon North Zone

Exhibit "B"

FLOWAGE EASEMENT

The perpetual and assignable right, power, privilege and easement in, upon, over and across the lands described as being between points E-H on Exhibit "A" dated 21 March 1980 of Relocation Contract No. DACW57-76-C-0241, as supplemented, and further defined as point E being Highway Station 1173+00 and point H being Highway Station C2 1212+50.00 Bk. = SR 14 92+55.00Ah.. for the purpose set forth below:

a. Permanently to overflow, flood, and submerge the land lying below elevation 80.7 feet mean sea level (and to maintain mosquito control), in connection with the operation and maintenance of the Bonneville Lock and Dam Project for the purpose as authorized by the Act of Congress approved 20 August 1937, together with all right, title and interest in and to the timber and the continuing right to clear and remove any brush, debris and natural obstructions which, in the opinion of the representative of the United States in charge of the project may be detrimental to the project.

b. Occasionally to overflow, flood and submerge the land lying between elevation 80.7 feet mean sea level and 83.0 feet mean sea level and to maintain mosquito control in connection with the operation and maintenance of said project.

Together with all right, title and interest in and to the structures and improvements now situated on the land, except fencing above elevation 80.7 feet mean sea level; provided that no structures for human habitation shall be constructed or maintained on the land, that no other structures shall be constructed or maintained on the land except as may be approved in writing by the representative of the United States in charge of the project, and that no excavation shall be conducted and no landfill placed on the land without such approval as to the location and method of excavation and/or placement of landfill; the above estate is reserved subject to existing easements for public roads and highways, public utilities, railroads and pipelines; reserving, however, to the landowners, their heirs and assigns, all such rights and privileges as may be used and enjoyed without interfering with the use of the project for the purposes authorized by Congress or abridging the rights and easement hereby acquired; provided further, any use of the land shall be subject to Federal and State laws with respect to pollution.

Exhibit "C"

Descriptions

Well Site:

A 50 foot by 50 foot well site in the Northeast Quarter (NE $\frac{1}{4}$) of Section 22, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington, said parcel described as follows:

Beginning at a point which is South 88°47'11" East a distance of 4158.32 feet from the Northwest corner of Section 22; said point being Northwesterly at right angles 140 feet from State Route 14 (SR 14) centerline Station 1189+50, and also being Southerly at right angles 155.5 feet from Burlington Northern Santa Fe Railroad centerline Station 2110+11.2; thence South 43°52'00" West parallel with said SR 14 centerline, a distance of 50.00 feet; thence South 46°08'00" East a distance of 50.00 feet to a point which is Northwesterly at right angles 90 feet from SR 14 centerline Station 1189+00, and also being Southerly at right angles 225.5 feet from said railroad centerline Station 2110+01.2; thence North 43°52'00" East a distance of 50.00 feet; thence North 46°08'00" West a distance of 50.00 feet to the Point of Beginning.

The area described contains 0.057 acre, more or less.

Excepting that portion of land lying north of the northerly right-of-way line of SR 14.

Access road to Well Site:

A 15 foot wide access easement being 7.5 feet on each side of centerline, in the Southeast Quarter (SE $\frac{1}{4}$) of Section 15, and the Northeast Quarter (NE $\frac{1}{4}$) of Section 22, Township 2 North, Range 7 East, Willamette Meridian, Skamania County, Washington, said centerline being described as follows:

Beginning at a point which is South 88°33'58" East a distance of 4155.69 feet from the Southwest corner of said Section 15 said Point of Beginning also being 131 feet Northwesterly at right angles from State Route 14 (SR 14) centerline Station 1189+36.5; and also at right angles 170.7 feet Southwesterly from Burlington Northern Santa Fe Railroad centerline Station 2110+05.8; thence South 43°37'02" West a distance of 90.83 feet; thence South 42°16'37" West a distance of 116.10 feet; thence South 40°49'11" West a distance of 103.02 feet; thence South 40°04'50" West a distance of 99.28 feet; thence South 36°47'05" West a distance of 96.99 feet; thence South 36°17'23" West a distance of 80.57 feet; thence South 35°21'40" West a distance of 85.22 feet; thence South 32°35'15" West a distance of 63.43 feet; thence South 24°17'38" West a distance of 66.36 feet; thence South 03°06'21" West a distance of 36.91 feet to the Northwesterly edge of pavement of said SR 14, said edge of pavement being 21.5 feet Northwesterly at right angles from SR 14 centerline Station 1181+14.5, and also at right angles 758.6 feet Southerly from Burlington Northern Santa Fe Railroad centerline Station 2104+25.7.

The area described contains 0.289 acre, more or less.

Excepting that portion of land lying north of the northerly right-of-way line of SR 14.