

Chief, Legal Branch

29 August 1956

Chief, Real Estate Division

Affidavit Regarding Acquisition of Land - Contract DA-45-164-eng-2451

1. In accordance with your request there is attached four (4) copies of an Affidavit executed by the undersigned.

2. There is also attached the letter request dated 17 August 1956, from Camp Hanford and Hanford Segment Maps, D0, EE, FF, and GG showing the present location of the highway as constructed.

JMC
PAC/on
Walt
12/1/56
MKT

3 Incls

TYSON

MAR

1. Affidavit (4)
2. Ltr dtd 17 Aug 56
3. Segment Maps

BEST AVAILABLE COPY

STATE OF WASHINGTON }
COUNTY OF WALLA WALLA } ss

MAY K. TYSON, being first duly sworn, on oath says that:

1. He is Chief of the Real Estate Division of the Walla Walla District, Corps of Engineers at Walla Walla, Washington, and has under his immediate supervision the acquisition of the necessary real estate for the construction and completion of the Hanford Operations, United States Atomic Energy Commission.

2. The files and records in the affiant's office and under his custody and control reveal that the title to the lands upon which the highway was constructed under the provisions of Contract DA-45-164-eng-2451, was acquired by the United States in the manner set forth in Exhibit "A" attached hereto and by this reference made a part hereof.

3. These records reveal that certain of the lands required for the construction of the subject highway were vested in the United States and not acquired from private owners. These lands are identified in Exhibit "A" and listed as "Government Lands".

4. He does certify based upon a review of the above mentioned records that title to all of the land located within the 60 foot right-of-way of the new highway as constructed under the terms of Contract DA-45-164-eng-2451 is vested in the United States of America.

MAY K. TYSON
Chief, Real Estate Division

SUBSCRIBED AND SWORN to before me this _____ day of _____, 1956

Notary Public in and for the State
of Washington, Residing at _____

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EXHIBIT A

ALL condemnation actions listed below were filed in the Federal District Court for the Eastern District of Washington, Southern Division. Title vested in the United States upon filing of the Declaration of Taking under the provision of Act of Congress approved 26 February 1931, 46 Stat 1421, 40 U.S.C. 258a. All Warranty Deeds are recorded in Grant County, Washington.

<u>Description of Land</u>	<u>How Acquired</u>
Tract DD-356 - SW $\frac{1}{4}$ Sec. 34, T. 15 N., R. 27 E.W.M.	Tract DD-356 - Declaration of Taking filed 13 February 1951, Civil No. 542.
Tract DD-353 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 33, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 11 January 1951, Civil No. 545
Tract DD-352 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 33, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 22 January 1951, Civil No. 539
Tract DD-351 - E. 440' of SW $\frac{1}{4}$ Sec. 33, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 22 January 1951, Civil No. 539
Tract DD-349 - SW $\frac{1}{4}$ of Sec. 33, Less E 440', T. 15 N., R. 27 E.W.M.	Warranty Deed dated 2 June 1951, executed by Edna Butler Neale, filed for record 11 June 1951, Book 94 of Deeds at Page 211.
Tract DD-346 - SW $\frac{1}{4}$ Sec. 32, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 22 January 1951, Civil No. 539.
Tract DD-400 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 31, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 21 December 1950, Civil No. 530.
Tract DD-403 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 31, T. 15 N., R. 27 E.W.M.	Declaration of Taking filed 21 December 1950, Civil No. 530
Tract DD-404 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 31, T. 15 N., R. 27 E.W.M.	Warranty Deed dated 16 February 1951, executed by D. G. Wilkinson and Helen I. Wilkinson, filed for record 30 March 1951, Book 72 of Deeds at Page 761
Tract DD-405 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 31, T. 15 N., R. 27 E.W.M.	Warranty Deed dated 4 May 1951, executed by Ledger L. Bryan and Pearl Bryan, filed for record 8 June 1951, Book 94 of Deeds at Page 177.
Tract FF-571 - SW $\frac{1}{4}$ Sec. 36, T. 15 N., R. 26 E.W.M.	Declaration of Taking filed 22 March 1951, Civil No. 554

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Exhibit A (con't)

<u>Description of Land</u>	<u>How Acquired</u>
Tract PP-569 - SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 34 T. 15 N., R. 26 E.W.M.	Declaration of Taking filed 19 January 1951, Civil No. 537
Tract PP-568 - NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 34 T. 15 N., R. 26 E.W.M.	Warranty Deed dated 5 February 1951, executed by Catherine Holz, filed for record 30 March 1951, Book 92 of Deeds at Page 776,
Tract PP-558 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 34 T. 15 N., R. 26 E.W.M.	Declaration of Taking filed 22 January 1951, Civil No. 538
Tract PP-557 - SW $\frac{1}{4}$ Sec. 34, T. 15 N., R. 26 E.W.M.	Declaration of Taking filed 15 March 1951, Civil No. 552.
Tract PP-552 - NW $\frac{1}{4}$ of SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 32 T. 15 N., R. 26 E.W.M.	Warranty Deed dated 23 September 1951, executed by Richard A. Johnson, Hazel J. Johnson and Eugene H. Peterson, filed for record 28 September 1951, Book 96 of Deeds at Page 68.
Tract PP-553 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 32 T. 15 N., R. 26 E.W.M.	Warranty Deed dated 5 May 1951, executed by Olair Macklen and Jennie M. Macklen, filed for record 11 June 1951, Book 94 of Deeds at Page 212.
Tract PP-545 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 32 T. 15 N., R. 26 E.W.M.	Declaration of Taking filed 21 April 1950, Civil No. 475
Tract QQ-600 - SE $\frac{1}{4}$ Sec. 16, T. 15 N., R. 25 E.W.M.	Declaration of Taking filed 22 March 1951, Civil No. 554
Tract QQ-612 - Government Lot 4, Sec. 6 T. 14 N., R. 26 E.W.M.	Warranty Deed dated 9 April 1951, executed by Frances Brown, filed for record 19 April 1951, Book 93 of Deeds at Page 273
Tract QQ-601 - NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 2, T. 14 N., R. 25 E.W.M.	Warranty Deed dated 6 March 1951 executed by Jaunita E. Bladgett, filed for record 19 April 1951, Book 93 of Deeds at Page 270.
Tract QQ-602 - SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 2 T. 14 N., R. 25 E.W.M.	Warranty Deed dated 9 February 1951, executed by Alva Shaw, et al., filed for record 19 April 1951, Book 93 of Deeds at Page 271

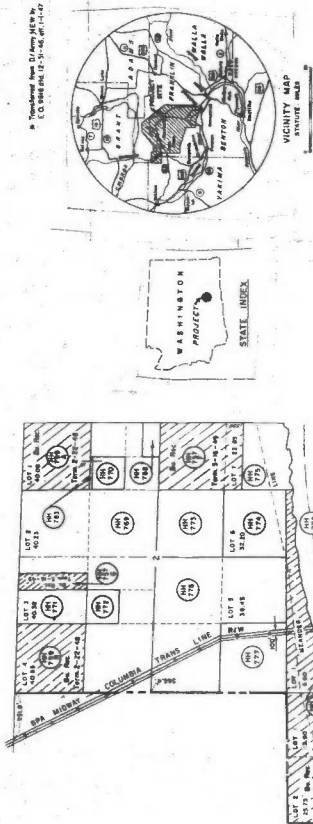
GOVERNMENT LANDS

Segment PP - SE $\frac{1}{4}$ Sec. 16, T. 15 N.,
R. 26 E.W.M.

Exhibit A

GOVERNMENT LANDS (cont.)

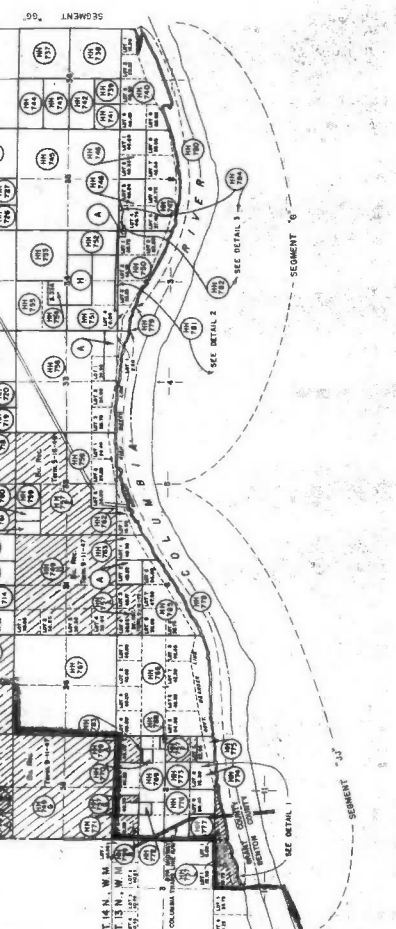
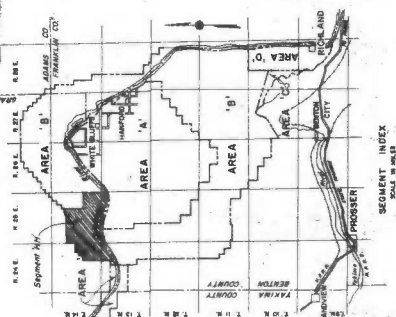
<u>Description of Land</u>	<u>How Acquired</u>
Segment FF - $2\frac{1}{2}$ Secs. 23, T. 15 N., R. 26 E.W.M.	
Segment FF - $3\frac{1}{2}$ Secs. 31, T. 15 N., R. 26 E.W.M.	
Segment GG - $2\frac{1}{2}$ Secs. 1, T. 14 N., R. 25 E.W.M.	
Segment GG - $2\frac{1}{2}$ Secs. 11, T. 14 N., R. 25 E.W.M.	
Segment HH - $2\frac{1}{2}$, $3\frac{1}{2}$ and $2\frac{1}{2}$ Secs. 15, T. 14 N., R. 25 E.W.M.	



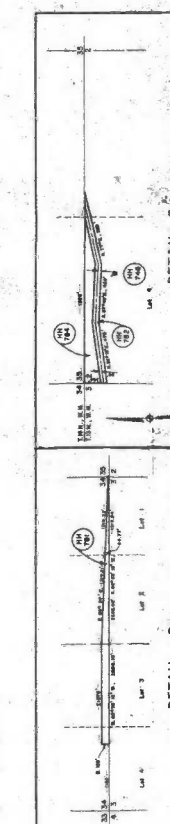
ACQUISITION	TRACT REGISTER	REMARKS
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ACQUISITION	TRACT REGISTER	REMARKS
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FINAL
PROJECT MAP
UNITED STATES
AGENCY ATOMIC ENERGY COMMISSION
LOCATION OF PROJECT
WASHINGTON
COUNTY
DISTRICT
SEATTLE
ADJUTANT AREA
SIXTH
JAMES
OF
JAMES
OF
TRANSPORTATION FACILITIES
RAILROAD
STATE ROAD
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ACQUISITION
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USE RESERVE
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NOTE: This map is a reproduction of the original map and is not to be used for any purpose other than for reference. The original map is the only authoritative source for the project area. The map is not to be used for any purpose other than for reference. The original map is the only authoritative source for the project area.



SEGMENT "H"
DISTRICT ENGINEER
NORTH PACIFIC DIVISION
REAL ESTATE
UNITED STATES ATOMIC ENERGY COMMISSION
HAFORD WORKS
AUDITED

FINAL
PROJECT M

UNITED STATES
AGENCY ATOMIC ENERGY COMMISSION

LOCATION OF PROJECT
STATE: WASHINGTON
COUNTY: GRANT
TOWNSHIP: NORTH PACIFIC
DISTRICT: SEATTLE
ARABY AREA: SIXTH

TRANSPORTATION FACILITIES
RAILROADS:
STATE ROADS:
FEDERAL ROADS:
AIR LINE:

ACQUISITION
TOTAL ACRES ACQUIRED: 12,028.45
FEE: 1,089.1
PUBLIC DOMAIN: 10,939.35
USE PERMIT:
TRANSFER: 1,089.1
LEASE:
LESSOR INTERESTS:

DISPOSAL
TOTAL ACRES DISPOSED OF: 12,028.45
SOLD:
PUBLIC DOMAIN: 10,939.35
USE PERMIT:
TRANSFERRED:
LEASES TERMINATED:
LESSOR INTERESTS TERMINATED:
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LEGEND
EXCEPT FOR THE SPECIAL SYMBOLS SHOWN BELOW
SYMBOLS ARE STANDARD IN ARMY MAP SERVICE
TECHNICAL MANUAL NO. 7
RESERVATION LINE (Land Survey)
TRACT BOUNDARY LINE
CONTOUR LINE
DISPOSAL

SEGMENT 66
UNITED STATES ATOMIC ENERGY COMMISSION
NORTH PACIFIC DIVISION
REAL ESTATE
UNITED STATES ATOMIC ENERGY COMMISSION
HANFORD WORKS

UNITED STATES ATOMIC ENERGY COMMISSION
NORTH PACIFIC DIVISION
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UNITED STATES ATOMIC ENERGY COMMISSION
HANFORD WORKS

ACQUISITION TRACT REGISTER

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ACQUISITION TRACT REGISTER

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ACQUISITION TRACT REGISTER

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ACQUISITION TRACT REGISTER

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ACQUISITION TRACT REGISTER

TRACT NO.	LAND OWNER	ACRES	REMARKS
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ACQUISITION TRACT REGISTER

TRACT NO.	LAND OWNER	ACRES	REMARKS
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Office Memorandum • UNITED STATES GOVERNMENT

TO : Chief, Cadastral Section *WJG*
 FROM : Chief, Acquisition Branch
 Chief, Planning and Control Branch
 Chief, Condemnation Section

DATE: 23 August 1956

SUBJECT: Affidavit re Condemnation on Land Used for Highway Construction - Contract DA-45-164-eng-2451, Hanford USABC

1. This office has been requested to furnish an affidavit containing information and dates concerning the condemnation of the land on which the subject road was constructed. See attached letter for details.

2. In order to determine what tracts are involved it will be necessary to secure the alignment of the road as constructed and plat it on the Hanford Segment maps. Since Mr. Tysor will be required to sign an affidavit it is not considered advisable to guess at the location of the road or the land it crosses.

3. Your section is therefore requested to secure the alignment and accomplish the necessary platting in order that the affidavit may be prepared.

McCarver
 McCARVER

Incl

Lt dtd 17 Aug 56

THE WAHLUKE HIGHWAY lies over and across the following tracts:
 TRACTS DD-356, DD-53, DD-352, DD-351, DD-349, DD-346, EE-400, EE-403,
 EE-404, EE-405, FF-571, FF-569, FF-568, FF-558, FF-557, FF-552, FF-553,
 FF-545, GG-600, GG-602, GG-601, and GG-602. And the following Government
 lands: Sec. FF, Sec. 35, T. 3 N., R. 26 E., 1/4 NW, T. 14 N.,
 R. 26 E., 1/4 NW; Sec. 14, T. 14 N., R. 26 E., 1/4 NW.

*Cadastral Section portion completed
 27 Aug. 1956 HNF*

TRUE COPY

UNITED STATES
ATOMIC ENERGY COMMISSION

HANFORD OPERATIONS OFFICE

P. O. BOX 550

RICHLAND, WASHINGTON

IN REPLY
REFER TO:

CR:NGF

January 20, 1954

Mr. Phillip Nalder
District Manager
Bureau of Reclamation
Ephrata, Washington

Subject: MEMORANDUM OF UNDERSTANDING RE HIGHWAY
EASEMENT ACROSS WAHLUKE SLOPE

Dear Mr. Nalder:

The Corps of Engineers is preparing to construct a road across the Wahluke Slope, a short distance north of, and parallel to, the present "County Line" road, for the use of the Sixth Army. This work will start near the west line of Section 34, Township 15 North, Range 27 E.W.M., and will extend westward to a point near the west line of Section 31, Township 15 North, Range 26 E.W.M., thence southwesterly across Sections 1, 2, 10, 11, 15 and 16 of Township 14 North, Range 25 E.W.M.

The Atomic Energy Commission has assured the Washington State Highway Department that the State can build a highway across the Hanford Works, including the Wahluke Slope Control Zone, such highway to include the route of the road to be constructed by the Corps of Engineers. The State is entering into a four-party agreement with the Corps of Engineers, the Sixth Army and the Atomic Energy Commission, whereby the State will reimburse the Corps of Engineers certain costs for constructing the road to State Highway specifications, so that it may be incorporated into the highway system as built.

In the four-party agreement, the Atomic Energy Commission will agree to give to the State a 150 foot right-of-way easement for a road across the Hanford Works, at such time as the State has provided connecting highways at the ends of the subject jointly constructed road.

The proposed right-of-way crosses several parcels of land in the Control Zone which the Bureau of Reclamation has not transferred to the Commission. Therefore, the Commission's ability to enter into the four-party agreement is contingent upon the Bureau's agreement to convey to the State the necessary easements across Bureau-owned lands, at

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Phillip Walder

-2-

January 20, 1954

the same time that the Commission conveys the easements on Commission-owned lands. It is understood that the Bureau has authority to make such conveyances to the State for public road purposes, in connection with the development of the Columbia Basin Project.

This letter is to request that you agree to convey directly to the State of Washington, at nominal cost, the necessary right-of-way for the 150 foot highway, with respect to Bureau lands in the Control Zone of the Hanford Works on which such highway is located, such right-of-way to be conveyed upon notice from the Hanford Operations Office that the Commission is conveying the necessary easement across Commission-owned lands. It also is requested that you agree that such easement from the Bureau will provide that the easement shall be subject to existing and future regulations of the Commission and of the Sixth Army. The same restriction will be imposed upon the State in the easement from the Commission.

If you find our request acceptable, please have all copies of this letter signed by the proper official, with the intent that this letter thereby shall become a memorandum of understanding between the Bureau and the Commission on this subject. Please return two signed carbon copies to this office for our records.

Very truly yours,

/s/ J. E. Travis

J. E. Travis
Acting Manager

ACCEPTED: FEB -3 1954 , 1954

/s/ Wm. H. Tuller

Acting Regional Director
(Title)
Bureau of Reclamation

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MEMO
JAN 20 1954
(Contract DA-35-10-eng-251)

25 January 1954

Mr. W. A. Rugg
Director of Highways
Transportation Building
Olympia, Washington

Dear Mr. Rugg:

In connection with the proposed Contract DA-35-10-eng-251 concerning the construction of a highway across the portion of the Nubia Gorge within the boundaries of the Hanford Project, this office wishes to inform you of current developments with respect to the obligations of the United States under the contract to provide the State rights of way. The Atomic Energy Commission has reviewed the proposed agreement and has advised that after an examination of the maps and ownerships, it will be necessary to coordinate with the Bureau of Reclamation, Department of the Interior, inasmuch as a portion of the lands involved are under the jurisdiction of the Bureau of Reclamation, notwithstanding the fact that these lands lie within the Hanford Project boundary. In view of Paragraph B of Article 2 of the proposed agreement wherein the Commission will grant to the State the necessary easements for right of way, and in view of the current status of ownership in the Bureau of Reclamation, a Memorandum of Understanding is being negotiated to provide that the Bureau will grant directly to the State and on behalf of the Atomic Energy Commission the necessary rights of way contemplated by the contract.

It is understood that the proposed Memorandum of Understanding must be approved by the Regional Director of the Bureau at Salt Lake; however, no serious objections are anticipated. However, it is indicated that the Bureau will request a formal request of \$100,000 in consideration of the transfer of the referenced easements. In order to provide delay in obtaining formal approval of the contract, it is considered that this matter not be included in the present draft of the contract. However, it is necessary of course,

to
JL
WAT
JL

Bugge, Mr. W. A.

26 January 1954

that an understanding be reached relative to the responsibility of payment to the Bureau of the consideration requested. It is considered appropriate that the State of Washington undertake this obligation for payment at such time as the rights of way are tendered by the Bureau.

It is therefore respectfully requested that your office direct a letter of concurrence and confirmation to this office at the earliest date possible with respect to this payment. Meanwhile, the Atomic Energy Commission has indicated that it will execute the contract in its present status as soon as the Memorandum of Understanding is signed. It is anticipated that at some future date the present agreement be supplemented or modified to incorporate the conditions stated hereinabove with the object of including the Bureau of Reclamation as a party to this agreement.

It is regretted that this development was not foreseen earlier; however, it is believed that the plans for the construction and improvements of the road may proceed as anticipated. The cooperation of the State in signing the proposed contract is sincerely appreciated and your office will be informed when formal approval thereof has been received.

Very truly yours,

MAX K. TYSON ✓
Chief, Real Estate Division

cc: Mr. Norman Fuller
Richland, Washington

A. W. Welch
Relocation and Levee Section

RECEIVED BY WASHINGTON
ENGINEERS
JAN 27 1954

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Files

DATE: 21 January 59

FROM : Coombe

SUBJECT: Wahluke Slope Quadrangulate Agreement

- ① Norman Fuller telephoned regarding proposed Quadrangulate agreement this date to advise that the AEC and Bureau of Reclamation are considering a memorandum of understanding wherein the Bureau will agree to convey right of way to State of Washington on basis of AEC work contract. But memo may have to be approved by Regional Director as State will probably have to pay \$ 100.00 to Bureau.
- ② Fuller suggested that we advise State of this development especially the payment of money.
- ③ Fuller suggested that agreement be sent to AEC for signature after all other parties have signed.
Coombe