

P. & S. Ry. Co. to Mary Sturgeon

This agreement, made and concluded this 14th day of March 1906 by and between the Portland and Seattle Railway Company, a Washington corporation, and Mary Wil-my-i-tet, now Mary Sturgeon, witnesses, that in pursuance of a stipulation made and entered in open court by the parties hereto, at the hearing of the condemnation proceedings, to acquire right of way for the Portland & Seattle Railway Company over the land of the said Mary Wil-my-i-tet, now Mary Sturgeon, the Portland & Seattle Ry Co. for and in consideration of the premises, agrees to place a three foot drain pipe within three feet of the top of its grade, at a point to be hereinafter agreed upon between the parties hereto, said point, however, to be between stations 1682 and 1685 of the railway survey of the said Portland & Seattle Railway Company, and to permit the said Mary Wil-my-i-tet, now Mary Sturgeon, her heirs and assigns, to use or to allow to be used, said drain pipe for the purpose of putting a flume through underneath the railway track of the said Portland and Seattle Railway Company at said point, with the right to construct a flume across their right of way to connect with the flume running through said drain pipe at each end; the use of said drain pipe and the use of said flume upon said right of way is not to interfere, however, with the operation of said railway, and to be subject to reasonable regulations by said right of way railway company.

The said Portland & Seattle Railway Company further agrees in consideration of the premises, that after its said road has been constructed, to give and grant unto the said Mary Wil-my-i-tet now Mary Sturgeon, her heirs and assigns, the use of the North fifty (50) feet of said right of way across the Southeast quarter of the Southeast quarter of Section Thirty-three (33), Township Two (2) North Range Six (6) East of Willamette Meridian, for a wagon road and trail.

In Witness Whereof, the parties hereto have hereunto set their hands and the day and year first above in this instrument written.

Portland and Seattle Railway Company
by James B. Kerr

Filed for record by C. D. Williams on April 24, 1906 at 3.15 P.M.

A. Perichman
Co. Auditor

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