

## DEED RECORD 27

SKAMANIA COUNTY, WASHINGTON

Mary Melonas, husband and wife, Wilda Kibler, Clarence A. Harshman, Clare A. Kibler, Lloyd T. Harshman, Lloyd T. Harshman, Administrator of the Estate of Alva A. Harshman, deceased, State of Washington, County of Skamania, State of Washington, E. A. Learned and Jane Doe Learned, husband and wife, Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, West Coast Power Company, a corporation, and C. W. Udell and Grace Udell, husband and wife,

Defendants.

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) to defendants Northwestern  
) Electric Company, a corporation,  
) Harris Trust and Savings  
( Bank, a corporation, Trustee,  
) and Howard W. Fenton, Co-  
) Trustee.  
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Now at this Time, This cause coming on to be further heard and upon consideration thereof, and the court being duly advised, and it appearing to the court that on July 19, 1937, which date the Court finds to be the correct date instead of October 11, 1937 appearing in former judgment and stipulation, petitioner filed in the above entitled action a petition asking for the condemnation of a perpetual flowage easement over certain lands described therein, and that on May 3, 1938, a stipulation was entered into between the United States of America and defendants Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, agreeing upon the amount of compensation to be paid said defendants Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, and that on May 9, 1938, this court entered a judgment on stipulation in the above entitled cause wherein the Court ordered and adjudged that on the payment into the registry of this court of the sum of Five Thousand Five Hundred Seventy-One and 28/100 Dollars (\$5,571.28) for the benefit of the defendants Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, a judgment and decree of this Court shall be entered, appropriating and condemning for the uses and purposes of the petitioner herein, United States of America, an easement and right to overflow the rights of way and property of the said defendants Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, consisting of the pole, tower, and transmission lines, over and across the lands described in the petition on file in said cause and hereinafter described;

And it appearing to the Court that on or about the 20th day of February, 1939, this Court made and entered an order, modifying that certain judgment on stipulation hereinabove referred to and filed herein on or about May 9, 1938, which said order modified and amended the judgment on stipulation under date of May 9, 1938, to provide that interest at the rate of 6 per cent per annum be awarded to said defendants upon the amount of said judgment from May 9, 1938 until paid;

And it now appearing to the Court that the amount of money above set forth, together with interest as above mentioned, has been paid into the registry of this Court and that said sum is now in the possession of the Clerk of this Court, subject to the orders of this Court;

Now Therefore, it is ordered, adjudged and directed that a perpetual easement and right to overflow the rights of way and property of the said defendants Northwestern Electric Company, a corporation, Harris Trust and Savings Bank, a corporation, Trustee, and Howard W. Fenton, Co-Trustee, consisting of the pole, tower and transmission lines, over and across the lands described in the petition on file in said cause and as follows:

All that portion of the hereinafter described lands lying below the 94-foot contour line above mean sea level, to-wit:

Tract No. 1 Beginning at a point which <sup>is</sup> 4.40 chains north of the southeast