

SKAMANIA COUNTY, WASHINGTON

Northwestern Electric Company, a corporation,) husband and wife.
 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.)

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 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 April 28, 1938 this court entered a Judgment on Verdict in the above entitled cause wherein the Court ordered and adjudged that on the payment into the registry of the Court of the sum set forth in the verdict, 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, a flowage easement mentioned and described in the said verdict and in the pleadings in said cause.

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 verdict hereinabove referred to and filed herein on or about April 28, 1938, which said order modified and amended the judgment on verdict under date of April 28, 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 December 22, 1937 until paid;

And it now appearing to the court that the amount of Seven Thousand Three Hundred Thirteen and 88/100 Dollars (\$7,313.88), 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 flowage easement 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 about mean sea level, to-wit:

Tract No. 1 Beginning at a point which is 4.40 chains north of the southeast corner of Lot 6 of Section 1, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington; running thence west 4.55 chains; thence north 5.50 chains; thence east 4.55 chains; thence south along the west line of the Shepard Donation Land Claim, 5.50 chains to the place of beginning, containing 2½ acres, more or less, except:

a. A parcel of land granted to Portland and Seattle Railway Company (now Spokane, Portland and Seattle Railway Company) and described as follows: Beginning at a point which is 290.4 feet (4.40 chains) north of the southeast corner of Lot 6 of Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence north 235 feet; thence south 52° 12' west 375 feet; thence east 300.3 feet to the point of beginning.

b. A parcel of land described as follows: Beginning at the northeast corner of the 2½-acre tract above described; thence running west 100 feet; thence south 205 feet to the railroad survey of the Spokane, Portland and Seattle Railway Company; thence following said survey in a northeasterly direction to the point of intersection with the west line of the Henry Shepard Donation Land Claim in Section 1, Township 2 North, Range 7 East of the Willamette Meridian; thence North to place of beginning, containing 3/8 of an acre, more or less.

Tract No. 2 All that piece or parcel of land known as "Rock Creek Island" situate in and being a part of the Daniel Baughman Donation Land Claim in Section 1, Township 2 North, Range 7 East of the Willamette Meridian, Skamania County, Washington, containing 15 acres, more or less, excepting

A strip of land granted to the Spokane, Portland and Seattle Railway Company, said strip of land being 200 feet in width and 100 feet in width on each side of the center line of the railroad of the Spokane Portland and Seattle Railway Company.