

153

#31802

State Forest Board et al to United States

In the District Court of the United States for the Western District of Washington
Southern Division

United States of America,

Petitioner,

v.

No. 343.

State Forest Board, State of Wash-
ington, an agency of the State of
Washington; Skamania County, a
municipal corporation; State of Wash-
ington; also all other persons or
parties unknown claiming any right,
title, estate, lien or interest in the
real estate described in the petition
herein,

Respondents.

Judgment on the Declaration of Taking

This day comes the petitioner, United States of America, by J. Charles Dennis, United States Attorney for the Western District of Washington, and John W. Fishburne, Special Attorney, Dept. Justice, Lands Division, and moves the Court to enter judgment vesting title in the United States of America in and to a perpetual easement and right-of-way in and to the property hereinafter described, for the construction, operation, and maintenance of a road by the Bonneville Power Administration in Skamania County, Washington.

Thereupon the Court proceeded to hear and pass upon said petition, motion and declaration of taking, and finds as follows:

First, That the United States of America is entitled to acquire property by eminent domain for the purpose of providing for construction, operation and maintenance of a road for access to the United States' electric power transmission line right-of-way, as set forth and prayed in said petition, under and by virtue of the provisions of the Act of Congress approved August 20th, 1937 (c. 720; 50 Stat. 731), the Act of Congress approved August 1st, 1888, (c. 728; 25 Stat. 357), and the Act of Congress approved February 26th, 1931 (46 Stat. 1421; U. S. C. Title 40, Sec. 258a), to be located upon and within the property herein and in the petition and declaration of taking described;

Second, a petition in condemnation was filed at the request of the Bonneville Power Administrator, the authority empowered by law to acquire the lands described in said petition, and also under the authority of the Attorney General of the United States;

Third, in said petition and declaration of taking a statement of the authority under which, and the public use for which, said perpetual easement and right-of-way is taken is set out, and that Paul J. Raver, Bonneville Power Administrator, is the person duly authorized and empowered by law to acquire lands such as are described in the petition for the purposes described in said petition, and that the Attorney General of the United States is the person authorized by law to direct the institution of such condemnation proceedings;

Fourth, A proper description of the property over which the easement is sought to be taken, sufficient for the identification thereof, is set out in said declaration of taking;

Fifth, A statement of the estate or interest in said property for said public use is set out in said declaration of taking;

Sixth, A plat showing the property over which the easement is taken is annexed to and incorporated in said declaration of taking;

Seventh, A statement of the sum of money estimated by the acquiring authority to be just compensation for the taking of said perpetual easement and right-of-way is contained in said declaration, and said sum, to-wit: \$54.00, has been deposited into the Registry of this Court;

Eighth, There is a statement in said declaration of taking that the estimated ultimate