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#31806

Beacon Lake Corp. to United States

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

United States of America,)
Petitioner)

vs)

Beacon Lake Corporation; Sam Sampson)
and Flora Sampson, husband and wife;)
Fannie E. Watson, a widow; Mell Mory)
and AnneMory, husband and wife; Andrew)
Carroll and Mildred Carroll, husband and wife;)
Skamania County, a municipal corporation;)
State of Washington, a municipal corporation;)
Also all other persons or parties unknown)
claiming any right, title, estate, lien,)
or interest in the real estate described in)
the petition herein.)

No. 391

Judgment on the Declaration of Taking

Respondents)

The petitioner herein, the United States of America, by and through its attorneys, F. P. Keenan, Special Assistant to the Attorney General, and John W. Fishburne and Frank Pellegrini, Special Attorneys for the Department of Justice, having made oral motion in the above entitled cause, praying the court to enter judgment vesting in the United States a perpetual easement and right-of-way in and to the property hereinafter described, said property being the identical property described in the declaration of taking and in the petition for condemnation, and praying the court for an order fixing the date when the United States of America shall have the right to enter upon said land and exercise the rights and privileges received by it by virtue of such easement; and a hearing having been held in open court on said motion and declaration of taking, and the court having considered the petition filed herein, the court finds:

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 electric power transmission lines by the Bonneville Power Administration as set forth and prayed in said petition.

Second. That 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 authority of the Attorney General of the United States.

Third. That said petition and declaration of taking state the authority under which and the public use for which said perpetual easement and right-of-way was taken, and that the 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 the 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. That a proper description of the property over which the easement is sought to be taken, sufficient for identification thereof, is set out in said declaration of taking.

Fifth. That said declaration of taking contains a statement of the estate or interest in the said property taken for said public use.

Sixth. That a plat showing the property over which the easement is taken is incorporated by reference in said declaration of taking and attached thereto.

Seventh. That a statement is contained in said declaration of taking of a sum of money estimated by said acquiring authority to be just compensation for the perpetual easement and right of way, the amount being One Hundred Eighty-five Dollars (\$185.00).

Eighth. That a statement is contained in said declaration of taking that the ultimate award of damages for the taking of said easment and right-of-way, in the opinion of the said