



UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SOUTHERN DIVISION

Redmayne

UNITED STATES OF AMERICA,

Plaintiff,

v.

CERTAIN TRACT OF LAND SITUATE
IN SKAMANIA COUNTY, WASHINGTON;

WILLIAM MARGASON and EMMA
MARGASON, his wife, et al., and

UNKNOWN OWNERS.

Defendants.

No. 1787

JUDGMENT

ON

DECLARATION OF TAKING

THIS CAUSE coming on to be heard on motion of plaintiff, United States of America, for entry of a judgment on the declaration of taking which was filed in the above entitled cause on May 3, 1954, a hearing having been held in open Court on said motion and declaration of taking, and the Court being fully advised in the premises, does hereby find:

1. That a complaint was filed on May 3, 1954, at the direction and under the authority of the Attorney General of the United States of America, pursuant to the request of the Bonneville Power Administrator, who has the power to acquire for the United States the land and rights described in said complaint.
2. That the United States is entitled to acquire property by eminent domain for the purposes described in said complaint.
3. That a proper description of the estate and land sought to be condemned herein, sufficient for the identification thereof, is set forth in said declaration of taking.
4. That said declaration of taking contains a statement of the estate in said land taken for the public use.
5. That a plat showing the land sought to be condemned herein is incorporated in said declaration of taking.

6. That a statement is contained in said declaration of taking of the sum of money estimated by the Bonneville Power Administrator to be just compensation for the taking of the estate condemned herein, to-wit, the sum of Four Hundred Fifteen Dollars (\$415.00), and said sum has been deposited in the registry of this Court, and the Court being fully advised in the premises,

NOW, THEREFORE, IT IS HEREBY ORDERED, ADJUDGED and DECREED as follows:

1. That there is vested in the United States of America the perpetual easement and rights described in Exhibit A attached hereto and by this reference made a part hereof, over, across and upon the property situate in Skamania County, Washington, designated Tract Mc-R-134 and more particularly described in said Exhibit A.

2. That possession of the land described herein be and it is hereby granted to the United States of America on May 3, 1954.

DONE IN OPEN COURT this 3 day of May, 1954.

GEO. H. BOLDT

~~GEORGE H. BOLDT~~

United States District Judge

Presented by:

GEORGE E. HEIDLEBAUGH

Special Assistant to the
United States Attorney

1 A perpetual easement for the following purposes, namely:
 2 the perpetual right to enter and to construct, maintain, repair,
 3 rebuild, operate, and patrol not more than two lines of electric
 4 power transmission structures with conductor and necessary appurte-
 5 nances, and the further right to clear the land hereinafter de-
 6 scribed and to keep the same clear of brush, timber, inflammable
 7 structures and fire hazards (provided, however, that the words
 8 "fire hazards" shall not include growing crops), and to dispose
 9 of such brush, timber and inflammable structures by sale or
 10 other means in such a manner as shall not create a fire hazard;
 11 subject, however, to the rights of the public in and to all
 12 public roads; subject also to the continued use and maintenance
 13 of existing pipes and conduits, irrigation and drainage lines,
 14 ditches and canals, and public utility lines, to the exercise
 15 of existing easements and licenses therefor, and to the exercise
 16 of existing mineral rights; over and across the following de-
 17 scribed land, to-wit:

18 Tract Mc-R-134

19 That portion of the $E\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ of Section 24, Township 3
 20 North, Range 7 East of the Willamette Meridian, Skamania
 21 County, Washington, which lies within a strip of land 300
 22 feet in width, the boundaries of said strip lying 87.5 feet
 23 distant southeasterly from and 212.5 feet distant northwest-
 24 erly from and parallel to the survey line of the Bonneville
 25 Power Administration McNary-Ross transmission line as now
 26 located and staked on the ground over, across, upon and adja-
 27 cent to the above described property, said survey line being
 28 more particularly described as follows:

24 Beginning at survey station 7596 + 31.1, a point on the
 25 east line of said Section 24, said point being N. $0^{\circ} 30' 20''$
 26 E. a distance of 632.2 feet from the quarter section corner
 27 on the east line of said Section 24; thence S. $61^{\circ} 43' 30''$ W.
 28 a distance of 1028.9 feet to survey station 7606 + 60.0;
 29 thence S. $65^{\circ} 01' 50''$ W. a distance of 4930.7 feet to survey
 30 station 7655 + 90.7, a point on the west line of said Sec-
 31 tion 24, said point being N. $1^{\circ} 47' 00''$ E. a distance of 558.6
 32 feet from the southwest corner of said Section 24.

29 Also, within a strip of land 75 feet in width on each
 30 side of and contiguous to said Tract Mc-R-134, the right to

1 fell, limb, or top all trees and snags which are located on
2 lands of the same ownership as said Tract Mc-R-134 and are,
3 at the date of filing the declaration of taking in the above
4 entitled proceeding, of such height and location that they
5 could fall within the limits of said Tract Mc-R-134 and
6 damage the transmission line facilities to be erected thereon,
7 together with the right to sell, burn, or otherwise destroy
8 said danger trees; provided, however, that said rights shall
9 only be exercised in such a manner that no fire hazard shall
10 be created.
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