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SEATTLE, WASHINGTONUNITED STATES ATTORNEY
Seattle, Washington 98101

5-305-76

AUG 1976

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SKAMANIA
AUG 1976
STEVENSUNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

1.76 ACRES OF LAND, MORE OR LESS,
SITUATE IN SKAMANIA COUNTY, STATE
OF WASHINGTON, AND ESTATE OF
EUGENE PHILLIPS, also known as
GENE PHILLIPS, deceased, and
UNKNOWN OWNERS,

Defendants.

NO. C75-2T

ORDER OF DISMISSAL AS TO
TRACT NO. 105E-2On this day came on to be heard the stipulation and joint
motion of the plaintiff, United States of America, and defendantsRobert E. Phillips; Melvin Phillips;
Norman Hash and Susan K. Esch, his wife; and
Skamania County, Washingtonfor an Order of Dismissal as to Tract No. 105E-2 in this proceeding;
and it appearing to the Court that:1. This suit was instituted by Complaint, that no Declaration
of Taking has been filed, and that title to the estate described in
said Complaint has not vested in the United States; and2. On January 6, 1975, the Court entered its Order giving
possession to the plaintiff of the estate described in the Complaint;
however, the United States no longer requires such estates in Tract
No. 105E-2; and3. Both the plaintiff and defendants have stipulated that the
Court may recite such Order of Possession; and, it is the opinionORDER OF DISMISSAL AS
TO TRACT 105E-2 - Page 1STAN PITKIN
UNITED STATES ATTORNEY
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of the Court that such Order should be vacated; and

It further appearing to the Court that there are no existing claims for compensation with respect to said tract of land, and that both plaintiff and defendants have stipulated and jointly moved that said tract be dismissed from this proceeding, and that such motion should be granted.

It is therefore ordered, adjudged and decreed that the Order of Possession entered herein be vacated as to Tract No. 106E-2.

It is further ordered, adjudged and decreed by the Court that this proceeding be and it is hereby dismissed as to said tract and the Clerk is hereby directed to pay the \$4,000.00 now on deposit to the credit of Civil No. C75--2T to the United States Treasurer, for the use of the United States Department of the Army, Corps of Engineers.

Entered this 26th day of July, 1976.

Stanley B. Pitkin
United States District Judge

Presented by:

Stanley B. Pitkin
Assistant U. S. Attorney

Certified to be a true and
correct copy of the original
filed in my office.
Dated JULY 15, 1976.
HODAR SCOTT, CLERK

By

ORDER OF DISMISSAL . . . Page 2

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