

COPY RECEIVED

LODGED

MAY 18 1976

OFFICE OF THE CLERK
U. S. DISTRICT COURT
SEATTLE, WASHINGTONUNITED STATES ATTORNEY
Seattle, Washington Original Filed

S. D. C. 7.6

UNITED 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. 106E-2

On this day came on to be heard the stipulation and joint
motion of the plaintiff, United States of America, and defendants

Robert E. Phillips; Melvin Phillips;
Norman Esch and Susan K. Esch, his wife; and
Skamania County, Washington

for an Order of Dismissal as to Tract No. 106E-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; and

2. 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. 106E-2; and

3. Both the plaintiff and defendants have stipulated that the
Court may vacate such Order of Possession; and, it is the opinion

ORDER OF DISMISSAL AS
TO TRACT 106E-2 - Page 1

STAN PITKIN
UNITED STATES ATTORNEY
P.O. BOX 1327
SEATTLE, WASHINGTON 98111
(206) 442-7870

1 of the Court that such Order should be vacated; and

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

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

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

15 Entered this 20th day of July, 1976.

16
17
18 W. C. [Signature]
United States District Judge

19 Presented by:

20
21 [Signature]
22 WILLIAM H. ROBERTS
Assistant U. S. Attorney

23
24 Certified to be a true and
25 correct copy of the original
filed in my office.
26 Dated JULY 18 1976 ATTEST
EDGAR SCOTFIELD, Clerk

27 By [Signature]
28 Deputy
29
30
31

32 ORDER OF DISMISSAL . . . Page 2

STAN PITKIN
UNITED STATES ATTORNEY
P.O. Box 1227
SEATTLE, WASHINGTON 98111
(206) 442-2970