

Decree

In the Superior Court of the State of Washington, For the County of Skamania
 Portland and Seattle Railway Company, a corporation, Petitioner,
 vs.
 The State of Washington, Plaintiff.

Judgment and Decree of Appropriation.

The cause coming on regularly for trial on the 20th day of December, 1905, at the hour of ten o'clock A. M. before the judge of the above entitled court, sitting without a jury, at Vancouver, Clark County Washington, the parties to said proceedings appearing by their respective attorneys and having it worthily waived a jury and consenting to trial of said cause for the purpose of fixing and ascertaining the damages, at this time and place, And it appearing to the court that heretofore and on the 24th day of October, 1905, the court duly entered an order herein adjudging and finding that the contemplated use for which the land, real estate and premises hereinafter described, is sought to be appropriated is really a public use and that the public interest required the prosecution of such enterprise, and that the said premises were required and necessary for the purpose of said enterprise. And the parties now appearing in court and presenting their evidence and the court having duly heard said evidence and being fully advised as to the premises, and having found and assessed the amount of damages to be paid by the petitioner for the taking of said premises hereinafter more specifically described, at the sum of \$250.00 and having directed the entry of judgment against the petitioner requiring it to pay the said sum of for the appropriation of said premises. And it further appearing to the court that the petitioner has paid to the clerk of the said court the said sum, being the amount of the damages assessed and allowed as aforesaid, together with costs of said proceedings, due the plaintiff herein. And it further appearing to the court that all the steps required by law to secure the appropriation of the property hereinafter described, have been duly taken and followed by the petitioner herein, and that the court has jurisdiction of the subject matter of this proceeding and of the parties thereto; and that the said parties constitute all of the persons interested in said property or any part thereof as owners, tenants, encumbrancers or otherwise. It is therefore ordered, adjudged, constituted and decreed that the land, real estate and premises hereinafter more particularly described be and the same are hereby appropriated for the purpose of a right of way for the railroad lines of said petitioner, and for the construction and operation of its railroad through, over and across said premises, and for all other of its corporate purposes in connection therewith, and that the legal title of said premises be and the same is hereby vested in the said petitioner, its successors and assigns, for said purposes. The following is a description of the premises hereby condemned and appropriated for the uses of the petitioner as heretofore specified:

All of the shore lands lying in front of Lots 1, 2 and 3 of Section 16 T. 1 N. R. 5 E. W. 46., that are contained within the boundaries of a strip of land across said premises 100 feet in width, the central line of which said strip is more particularly described to-wit: Beginning at a point on the West boundary of Section 16 T. 1, N. R. 5. E. W. 46., known and designated as Station 1286.700 of said survey which is 5080 feet south of the north west corner of said section 16, thence on a curve to the right with a radius of 1910 feet 1222.5 feet, thence on a spiral curve to the right 228 feet; thence north 84 deg. 12' east 59.5 feet; thence on a spiral curve