

they executed the said instrument as their free and voluntary act and deed for the uses and purposes therein set forth.

In Witness Whereof I have hereunto set my hand and affixed my official seal.

(Notarial Seal) L.T.Smith, Notary Public in and for Washington
residing at Carson, Wash.

Filed for record by L.T.Smith on Febry .16th 1907 at 1.15 P.M.

A.Fleischhauer
Co.Auditer.

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR THE COUNTY OF SKAMANIA.

Portland and Seattle Railway Company, Petitioner

vs

Decree of Appropriation.

The State of Washington, Claimant.

This cause came on regularly to be heard before the Court above named by stipulation of the parties at the Court House in the City of Vancouver, in the County of Clarke, at 2 o'clock P.M., on the 16th day of February, 1907, the petitioner appearing by James B. Kerr, its attorney, and the claimant appearing by John D. Atkinson, its attorney, and the Court having heard the testimony introduced by the respective parties, and being advised in the premises, it is now ORDERED and FOUND by the Court that the contemplated use for which the premises hereinafter described are sought to be appropriated by the petitioner, is for the purpose of constructing and operating thereover a railroad to form a part of a line of railroad which the petitioner is now building down the north bank of the Columbia River from a point near Kennewick to Vancouver, Washington, and that said contemplated use is really a public use and that the public interest requires the prosecution of such enterprise, and that the premises hereinafter described are necessary for the construction and operation of said railroad and said premises are hereby condemned to the use of the petitioner for any and all of its corporate purposes. And the parties hereto having stipulated in writing as to the compensation to be made therefor, the Court now finds that the value of said premises so appropriated, including damages to adjacent lands, is the sum of Thirty-five (\$35.00) Dollars, and it appearing that said petitioner has duly paid to said claimant the said sum of Thirty-five (\$35.00) Dollars, it is now ORDERED, ADJUDGED and DECREED that the title to said premises be and the same is hereby vested in said petitioner for any and all of its corporate purposes. The premises hereinbefore referred to and hereby condemned, appropriated and vested in said petitioner, are described as follows, to-wit:

A strip of land 200 feet in width, being 100 feet on each side of the center line of the railroad of the petitioner, as the same is now located, staked out upon the ground and to be constructed over and across the shore lands lying on each side of the Wind River in Section 27, township 3 North of Range 8 East of the Willamette Meridian.

Dated February 16, 1907.

By the Court:

W.W. McCredie, Judge.

State of Washington)
County of Skamania) ss.

I, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears and is of record in Journal No 2,