

page 401, records of Superior Court, Skamania Co. Wash.

Witness my hand and official seal this 20 day of Febry 1907.

(Sup. Court Seal)

A. Fleischhauer, Clerk of Sup. Court
Skamania Co. Wash.

Filed for record by P. & S. Ry. Co. on Feb. 20, 1907 at 1:15 P.M.

A. Fleischhauer,
Co. Auditor.

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

PORTLAND AND SEATTLE RAILWAY COMPANY, a corporation, Petitioner,

vs

THE OREGON LUMBER COMPANY, a corporation, Claimant.

COLUMBIA VALLEY RAILROAD COMPANY, a corporation, Intervenor.

JUDGMENT and
DECREE of
Appropriation

The above-named Columbia Valley Railroad Company having filed herein its verified petition of intervention, stating that it is the sole owner of the premises sought to be appropriated hereby, and the claimant above named, The Oregon Lumber Company, not having appeared and being now in default herein, and claiming no interest in said premises; and the court having entered a decree herein adjudging that the premises herein described be appropriated to the use of the petitioner above named, and directing the assessment of damages therefor; and the Portland and Seattle Railway Company and Columbia Valley Railroad Company, respectively petitioner and intervenor herein, having entered into a stipulation in writing duly filed herein, whereby it is agreed that the damages sustained by the Columbia Valley Railroad Company by reason of the appropriation of said premises amount to the sum of One thousand dollars, and the court having considered said stipulation, and being fully advised, the court does now find that The Oregon Lumber Company, named as claimant herein, has no interest in the land, real estate, and premises hereinafter described, and that by reason of the appropriation of said land, real estate, and premises by petitioner for any and all of its corporate purposes, the intervenor, the Columbia Valley Railroad Company, will be damaged in the sum of One thousand dollars, irrespective of any benefit from any improvement proposed by said petitioner. Wherefore it is ORDERED, ADJUDGED and DECREED: That said The Oregon Lumber Company is in default herein, and that it has no interest in the premises hereinafter described; and That the Columbia Valley Railroad Company, a corporation, have and receiver of and from the petitioner, Portland and Seattle Railway Company, the sum of One thousand dollars. And it further appearing to the court that said petitioner, Portland and Seattle Railway Company, has paid into court, for the benefit of said intervenor, Columbia Valley Railroad Company, the full amount of damages, it is ORDERED ADJUDGED, and Decreed that the following described strip of land situated in Skamania County, Washington, be and the same is hereby appropriated to the use of the Portland and Seattle Railway Company, and the legal title thereto is hereby vested in said corporation, Portland and Seattle Railway Company, for any and all of its corporate purposes,- subject, however, to the right of the Columbia Valley Railroad Company to use, without cost to it, for a railway on the south side of petitioner's railway, within one year after the construction of petitioner's railway from Kennewick to Vancouver, such portion of said premises heretofore