

Company by reason of the appropriation of said premises amount to the sum of One Hundred dollars; and the court having considered said stipulation and being fully advised the Court does now find that, by reason of the appropriation of said land, real estate and premises hereinafter described by petitioner for any and all of its corporate purposes, the Claimant, Columbia Valley Railroad Company, will be damaged in the sum of One Hundred Dollars, irrespective of any benefit from any improvement proposed by said petitioner.

Whereof it is ordered, adjudged and decreed that the Columbia Valley Railroad Company a corporation have and recover of and from the petitioner, Portland and Seattle Railway Company the sum of One Hundred 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 Claimant, 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 petitioners railway, within one year after the construction of petitioners railway from Kennewick to Vancouver, such portion of said premises heretofore owned by the Columbia Valley Railroad Company as shall not be necessary for the maintenance and operation of petitioners railway, the location and extent thereof to be determined by the court in an appropriate proceeding, the institution of which proceeding and its diligent prosecution within one year shall preserve the right hereby reserved. The following is a description of the land, real estate and premises hereby appropriated to the use of petitioner:

A strip of land one hundred fifty feet in width, being seventy-five feet in width on each side of the center line of petitioners railway as said center line is now staked out upon the ground and as the same is hereinafter described, over and across the James M. Findley Donation Land Claim, in Section 31 of township 3 north of range 8 east of the Willamette Meridian. Said center line above referred to is particularly described as follows:

Commencing on the section line on the east side of Section 31 at a point four thousand seven hundred and eighty-one feet south of the Northeast corner of said section; thence southwesterly at an angle of 93° with said section line, a distance of nine hundred and nineteen and six tenths feet to the beginning of a spiral curve to the right; thence on said spiral curve one hundred and sixty-eight feet; thence on a curve to the right, with a radius of two thousand eight hundred and sixty-five feet, seven hundred and fifty feet; thence on a spiral to the right one hundred and sixty-eight feet; thence on a tangent to said curve six hundred and eighteen and four tenths feet to the beginning of a spiral curve to the left; thence on said spiral curve to the left one hundred and sixty-eight feet; thence on a curve to the left, having a radius of two thousand eight hundred and sixty-five feet, six hundred and forty feet, more or less, to the east line of the James M. Findley Donation Land Claim in section 31 township 3 north of range 9 east Willamette Meridian, being the place of beginning; thence continuing on same curve to the left one thousand and five feet; thence on a spiral to said curve one hundred and sixty-eight feet; thence on a tangent to said curve five hundred and twenty-six and seven tenths feet; thence on a spiral curve to the right two hundred and twenty-eight feet; thence on a curve to the right, having a radius of one thousand nine hundred and ten feet, one thousand nine hundred and eighty three and three tenths feet, thence on a spiral to the right two hundred and twenty eight feet; thence on a tangent to said curve six hundred and sixty four feet to the beginning of a spiral curve to the left; thence on said spiral curve to the left two hundred feet to the beginning of a curve to the left a distance of one thousand and forty feet, more or less, to the west line of the James Findley Donation Land Claim in section