

Superior Court to P. & S. Ry. Co.

In the Superior Court of the State of Washington for the County of Skamania.

Portland and Seattle Railway Company, a corporation, Petitioner

vs.

Oregon Railroad and Navigation Company, a corporation,

C.T. Belcher and Jennie Belcher his wife, Claimants.

The Court having heretofore entered a decree of appropriation in the above entitled cause and having directed that the damages sustained by the claimants above named, be ascertained and the petitioner above named and the claimant, Oregon Railroad and Navigation Company, having agreed in writing as to the amount of the damages sustained herein by Oregon Railroad and Navigation Company by reason of the appropriation of the premises described in said decree of appropriation in the sum of three thousand dollars and said parties having entered into certain stipulations as to the terms of this decree;

It is now ordered adjudged and decreed that by reason of the appropriation and use of the land, real estate and premises of the claimant, Oregon Railroad and Navigation Company hereinafter described for any and all the corporate purposes of the petitioner, the claimant Oregon Railroad and Navigation Company, will be damaged in the sum of three thousand dollars by the taking and injuriously affecting said land real estate and premises, irrespective of any benefits from any improvements proposed by said petitioner, Portland and Seattle Railway Company; It is therefore ordered, adjudged and decreed that the claimant Oregon Railroad and Navigation Company, have and recover from the petitioner, Portland Seattle Railway Company the sum of three thousand dollars for the taking and injuriously affecting said land real estate and premises.

It is further ordered, adjudged and decreed that upon the payment of said three thousand dollars to the claimant, Oregon Railroad and Navigation Company, or to the Clerk of this Court for the benefit of said claimant, all the title held by said Claimant in and to said premises shall vest in said corporation, Portland and Seattle Railway Company, for any and all of its corporate purposes. The following is a description of the land, real estate and premises herein referred to, to-wit:

A strip of land one hundred and 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 thirty six, township three north, range eight east and section thirty one township three north range nine east of the Willamette Meridian. Said center line above referred to is particularly described as follows, to-wit:

Commencing on the section line on the east side of section thirty one, 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 twenty 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 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 twenty 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 thirty one, township three north range nine east Willamette Meridian, being the place of beginning;