

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

PORTLAND AND SEATTLE RAILWAY COMPANY,  
 Petitioner,

vs.

OREGON RAILROAD & NAVIGATION COMPANY,  
 a corporation, COLUMBIA VALLEY  
 RAILROAD COMPANY, a Corporation,  
 NEW YORK TRUST COMPANY, a Corporation,  
 C.T. BELCHER and JENNIE BELCHER, Husband  
 and Wife, CASCADE RAILROAD COMPANY, a Corporation,  
 COUNTY OF SKAMANIA, FRANK WARREN and ANNA  
 WARREN, Husband and Wife, LOZIA JONES and  
 MINNIE STEVENSON,

Claimants.

ORDER

This cause came on regularly to be heard before the court above named on the 2nd day of July, 1908, in pursuance of notice to all of the claimants above named, duly given as required by law, and by consent of all of the parties hereto claiming any interest in the premises hereinafter described, was heard before the judge of said court at the court house in the city of Vancouver, Washington;

And the court being satisfied by due proof that the petitioner is a corporation organized and existing under and by virtue of the laws of the state of Washington, and that before the institution of this proceeding by petitioner all of its capital stock was duly subscribed;

And the court being further satisfied by competent proof that the contemplated use for which the land, real estate and premises sought to be appropriated by this proceeding is for the construction and operation thereof of a railroad to form a part of a line of railroad which petitioner is now constructing down the north bank of the Columbia river from Kennewick, Washington, to Vancouver, Washington, and thence across the Columbia river to Portland, Oregon, and that said contemplated use is really a public use, and that the public interest requires the prosecution of such enterprise, and that the land, real estate and premises sought to be condemned and appropriated herein are required and necessary for the purposes of said enterprise.

IT IS FOUND, ORDERED AND ADJUDGED by the court that the contemplated use for which said land, real estate and premises are sought to be appropriated herein is really a public use, and that the public interest requires the prosecution of such enterprise, and that said land, real estate and premises are required and necessary for the purposes of such enterprise.

The premises herein referred to are described with reference to the located line of the petitioner as the same is located and staked out upon the ground over and across the Chenowith donation land claim; and further by reference to that certain decree of condemnation entered by the court above named, of which a certified copy is recorded in Book "K" at page 157 of Deeds in the office of the auditor of the county of Skamania in the state of Washington; the line above referred to extending over and across the Chenowith donation land claim being coincident with the center of the railroad constructed and now in operation over and across said Chenowith donation land claim.

And the land, real estate and premises hereby appropriated and situated within the Chenowith donation land claim, being part of sections twenty-one (21) and twenty-two (22), in township two (2) north of range seven (7) east of the Willamette meridian, are described as follows, to-wit: A strip of land lying adjacent to and on the north side of the strip of land heretofore condemned for the use of the petitioner, and described in that certain decree above referred to, recorded in Book "K" at page 157 of Deeds, which said strip of land is bounded on the east by a line drawn at right angles to the located and now constructed line of railroad of the Portland and Seattle Railway Company, which line crosses the said located and now constructed line at station 230, and bounded on the west by a line drawn at right angles to said center line at station 275 thereof, and bounded on the north by a line