

said fill may be made the petitioner will provide or construct pipes or culverts of lesser dimensions under and across said fill upon obtaining or receiving the written consent or approval of Portland Railway Light and Power Company, one of the claimants, to such lesser dimensions.

8. In case the claimants or any of them shall build such power or generating plant in the last paragraph herein described, the petitioner will permit claimants or any of them to convey material to the location of said generating plant from the river over or under the railway tracks and embankment of petitioner as the same is constructed over said lot five (5), provided the same is done in such manner as not to interfere with the operation of the railway of petitioner and shall not endanger the property of petitioner.

NOW THEREFORE, The court finds that the damages sustained by the claimants and all of them on account of the taking by the petitioner of the following strips and tracts of land situated in the county of Skamania in the state of Washington, particularly described as follows: A strip of land one hundred fifty (150) feet wide, being seventy-five (75) feet on each side of the center line of the railroad track of petitioner as the same is located, staked out and in operation, over and across lot one (1) section thirty-six (36) township three (3) north range nine (9) east Willamette Meridian.

And on account of any and all damages to the residue of the land owned by claimants the taking of said strip or parcels of land being subject to the rights reserved by the claimants as hereinbefore provided, is the sum of three hundred ninety-five (\$395.00) dollars.

It further appearing by the stipulation filed herein that the claimant, New York Trust Company, is entitled to all of the damages awarded the claimants in this cause, to-wit: the sum of three hundred ninety-five (\$395.00) dollars, and that said sum has been paid to the New York Trust Company, and that a receipt therefor has been filed herein,

Now therefore,

IT IS ORDERED AND ADJUDGED that the said lands and premises herein described be and the same are hereby condemned and appropriated by the petitioner for the purpose of constructing, operating and maintaining thereover a line of railroad and the said claimants and each of them above named are hereby divested of all right, title and interest in and to said strip or parcels of land and every part and parcel thereof, save and except the rights reserved by the claimants as in this final order designated, and the sum of three hundred ninety-five (\$395.00) dollars heretofore paid to the New York Trust Company under the written consent of all of the parties hereto, is hereby adjudged as full and complete compensation for all of the interest of the claimants in and to said parcels of land except the rights reserved by the claimants.

Dated this 30th day of July 1914.

Wm. T. Darch Judge.

STATE OF WASHINGTON,)
COUNTY OF SKAMANIA.) SS

I, the undersigned authority, do hereby certify that the foregoing Decree is a full, true and correct copy of the original thereof as same appears on record in Vol. No. 4 page 51 Records of Superior Court of Skamania County, Washington.

Witness my hand and official seal this 4th day of August, 1914.

(Seal of Superior Court)

H. Swisher
Clerk of Superior Court,
Skamania County, Wash.

Filed for record by Carey & Kerr on August 5, 1914 at 1:30 P.M.

H. Swisher
Co. Auditor.

1908