

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the right of the County of Skamania hereunder to occupy and use the parcels of land above described is expressly limited as follows.

1. Wherever the highway to be constructed and used under the terms hereof shall be within a distance of 20 feet or less of the center line of the railway track of the Spokane, Portland and Seattle Railway Company, as the Highway shall at no such point be more than six (6) feet higher than the top of the northerly rail of said railway and wherever the said highway shall be within twenty-five (25) feet or less of the said center line the grade of said highway shall at no such point be more than ten (10) feet higher than the top of the Northerly rail of said railway.

2. The County of Skamania shall, at its own expense, and at the time of the construction of said highway, and before the same shall be used for public travel, construct and thereafter maintain upon the parcels of land above described along the southerly side of said highway at all points where said highway shall be within twenty-five (25) feet of the center line of said railway track and where the grade of said highway shall be higher than the top of the Northerly rail of said railway and where the grade of said highway shall not be more than four (4) feet below the top of said rail a fence or barrier of wood or some other suitable material not less than six (6) feet nor more than seven (7) feet in height, reasonable sufficient to serve as a screen between said highway and trains operated on said railway, which barrier shall be constructed wholly upon the parcels of land above described and shall be constructed and maintained under the supervision and subject to the approval of the Chief Engineer of the said Railway Company.

3. The work of construction of said highway and the work of maintaining the same shall be done under the supervision and so far as the safety of the track and the trains of the said Railway Company is concerned, subject to the approval of the Chief Engineer of said ~~highway~~ Railway Company and during such work of construction the said County of Skamania shall, at its own expense, provide all necessary watchmen and patrolmen to protect the track and trains of the Railway Company from danger and damage on account of such construction work and ^{of} all ~~such~~ watchmen and patrolmen shall be subject to the orders and direction of the Chief Engineer of said Railway Company, and no such watchman or patrolman shall be employed in such work unless he shall be approved by such ^{Chief} Engineer.

4. In addition to the ~~construction tax~~ compensation hereinafter specified the County of Skamania shall reimburse the said Railway Company for all loss or damage sustained by its track, road-bed or trains on account of ~~the~~ the construction or maintenance of said highway.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court does hereby fix as the damages sustained by the claimant above named and as compensation for the appropriation of a right of way over the parcels of land above described the sum of ten dollars (\$10.00) and upon payment of said sum ^{to} the said claimants the County of Skamania be and it is hereby authorized to enter upon the premises above described and to occupy the same subject to the conditions and limitations above prescribed.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Court does hereby retain jurisdiction of this cause and reserves the right in the event of disagreement between the parties hereto as to the location of the right of way hereby condemned, as to the alleged failure of the County of Skamania, or of any person or corporation claiming under it or acting for it or on ^{its} behalf hereunder, to do or perform any ~~matter~~ or thing required by the terms hereof as a condition of occupying said premises, or otherwise, or as to any