

STATE OF WASHINGTON
SKAMANIA COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

Petitioner,

vs.

GENE E. STONE and JANICE E. STONE,
husband and wife; TIMBER COMMUNITY
BANK; and SKAMANIA COUNTY,

Respondents.

NO. 08-2-00097-6

NOTICE AND SUMMONS IN
CONDEMNATION

TO THE ABOVE-NAMED RESPONDENTS:

A lawsuit has been started against you in the above-entitled court. The Petitioner's claim is stated in the Condemnation Petition, a copy of which is served upon you with this Notice and Summons in Condemnation and which has been filed with the clerk of the court.

Notice is hereby given that the Petitioner will, on June 12, 2008, at 1:30 p.m., or as soon after as can be heard, seek an order of public use and necessity as described in RCW 8.04.070. The hearing will take place at the courthouse in Stevenson, Skamania County, Washington.

You are hereby notified that the determination of a public use is for the court to make, and at the time and place indicated above, you may appear and resist that determination. After the determination by the court that this project is for a public use, the Petitioner will ask the court to

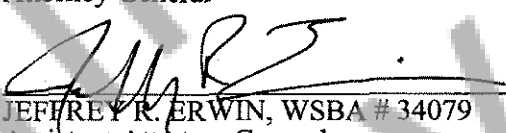
1 set a trial date for determination of the amount of just compensation to be paid for the taking or
2 damaging of the land, property, and property rights.

3 You are required to file a notice of appearance and serve it on the undersigned, or an order
4 of default can be entered against you. If you wish to seek the advice of an attorney in this matter,
5 you should do so promptly so that your appearance, if any, may be served on time.

6 This notice and summons is issued pursuant to Rule 4 of the Superior Court Civil Rules of
7 the State of Washington and RCW 8.04.020.

8 DATED this 22nd day of May, 2008.

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10 ROBERT M. MCKENNA
Attorney General

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12 JEFFREY R. ERWIN, WSBA # 34079
13 Assistant Attorney General
14 Attorney for Petitioner State of Washington
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Rob McKenna

ATTORNEY GENERAL OF WASHINGTON

Transportation & Public Construction Division
PO Box 40113 • Olympia WA 98504-0113 • (360) 753-6126

May 22, 2008

TO ALL RESPONDENTS

Re: REQUEST FOR IMMEDIATE POSSESSION AND USE
State of Washington v. Stone, et al.
Skamania County Superior Court Cause No. 08-2-00097-6
Parcel No. 4-07641
SR 14

The Department of Transportation needs the property or property rights being acquired through this lawsuit. The Department may need to enter and perform the work planned for the property in order to meet construction schedules prior to the time we can reach an agreement concerning the value of the property being acquired. Therefore, we hereby request immediate possession and use of the lands which are the subject of this lawsuit.

This request is being made pursuant to RCW 8.25.070, which also governs the possible payment of attorney and expert witness fees. If you refuse to grant the Department the right to possess and use the property by the deadline, you will be ineligible to have the Department reimburse your attorney and expert witness fees.

If a Stipulated Order of Immediate Use and Possession is agreed to and signed by all required parties, the State will pay into the registry of the court the amount of money it has offered for the purchase of the property and property rights. This money will then be available to you and the other respondents in the case according to your respective interests and may be drawn out upon application to the court. The State will not have the right to take possession of the property until this money is paid into court, and its payment will in no way prejudice your rights in the condemnation suit. The legal process by which the Department may obtain possession and use is further prescribed in RCW 8.04.090 and RCW 8.04.094.

Again, the statute (RCW 8.25.070) requires a timely response to this request. If you wish to grant the Department the right to possess and use your property, please notify this office as soon as possible. We will prepare and forward the necessary papers for your signature.

Sincerely,

JEFFREY R. ERWIN, WSBA# 34079
Assistant Attorney General
Attorney for Petitioner State of Washington