

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

ORDER ADJUDICATING PUBLIC USE
AND NECESSITY
[PROPOSED]

THIS MATTER came on regularly to be heard on this day on the motion of the State of Washington, appearing by and through Robert M. McKenna, Attorney General, and Jeffrey R. Erwin, Assistant Attorney General, respondents Gene E. Stone and Janice E. Stone, ☐ appearing ☐ not appearing; Timber Community Bank, ☐ appearing ☐ not appearing; and Skamania County ☐ appearing ☐ not appearing by and through its Deputy Prosecuting Attorney; for an order adjudicating that the lands and property rights sought to be appropriated are really necessary for the public use of the State of Washington. The court having considered the evidence and being advised in the premises, finds:

I.

That the Secretary of Transportation of the State of Washington, as authorized by the Washington State Transportation Commission, has surveyed, located, selected and adopted part of State Route 14, which is a State highway, over, across and/or adjacent to those lands, real estate, premises and property described in the attached Exhibit "A."

II.

That the property and/or property rights described in Exhibit "A" are necessary for the construction, maintenance and operation of SR 14, which is a public use.

III.

That the following named encumbrancers, owners, or other persons interested in the described lands or property so far as can be ascertained from the public records, have been served with the condemnation petition and notice of this motion:

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

IT IS THEREUPON ORDERED, ADJUDGED AND DECREED:

1. That the State highway for which the lands, premises and other property are sought to be appropriated is really a public use of the State of Washington, and that the property and/or property rights described in Exhibit "A" are necessary for that highway;

2. That a trial be held at such time as scheduled by the court, to determine the compensation and damages to be paid all interested parties for the taking of the property and/or property rights described in the attached Exhibit "A."

DATED this _____ day of June, 2008.

JUDGE/COURT COMMISSIONER

Presented by:

ROBERT M. MCKENNA
 Attorney General



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

SINGLE

Parcel Number: 4-07641

DESCRIPTION:

The temporary right to enter upon the following described lands during weekdays between 8:00 am and 5:00 pm to conduct geotechnical, cultural, hydraulic and environmental exploration. This includes drilling boreholes, installing and periodically checking piezometers, digging test holes two feet deep and surveying. All test holes will be backfilled. These temporary rights will begin on the date hereof and terminate three years from the date hereof:

A portion of the Southwest quarter of Section 16, Township 1 North, Range 5 East of the Willamette Meridian, Skamania County, Washington, described as follows:

BEGINNING at a point that is the PC of a road centerline, which point is South $0^{\circ}08'39''$ East 3041.30 feet (Washington Coord System, South Zone) from the Northwest corner of said Section 16; thence along the arc of a 400 foot radius curve to the left (the incoming tangent of which is North $77^{\circ}56'00''$ East) for an arc distance of 191.99 feet; thence North $50^{\circ}26'00''$ East 115.10 feet; thence leaving said centerline East 1515.09 feet, more or less, to the North right of way line of State Highway 14; thence following said right of way line, Southerly and Westerly to a point South $5^{\circ}00'00''$ East of the Point of Beginning; thence North $5^{\circ}00'00''$ West 333.84 feet, more or less, to the Point of Beginning.