

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR COWLITZ COUNTY.

COMPLAINT

COWLITZ COUNTY, Petitioner,
acting in behalf of Consolidated
Logging Improvement District No. 1
of Cowlitz County,

v.

THE LONG-BELL LUMBER COMPANY, a
corporation; and THE R. A. LONG
PROPERTIES, an association created
by a written agreement,

Respondents.

5362

JUDGMENT

FILED

J. H. [Signature]
Clerk

THIS ACTION having been brought to a trial by the Court on the 16th day of November, 1923, trial by jury having been duly waived, and the Petitioner appearing by its attorneys, Fisk and McCarthy, and each of the Respondents appearing by its attorneys, Baker, Botta, Parker and Garwood, and the Court having heard the evidence and arguments of counsel and duly considered the same, and made and filed its findings of fact and conclusions of law;

NOW, THEREFORE, pursuant to said findings of fact and conclusions of law and on motion of Fisk and McCarthy, attorneys for the Petitioner,

IT IS ORDERED, ADJUDGED AND DECREED that the Petitioner herein pay to the Respondent, The Long-Bell Lumber Company, the sum of \$967,647 ⁵³, and to the Respondent, The R. A. Long Properties, the sum of \$175,270 ¹¹, and to each of said Respondents its costs and disbursements herein, and that on the payment of said sums to the said Respondents, respectively, or into the

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registry of this Court, the Petitioner herein, for the benefit of Consolidated Diking Improvement District No. 1 of Cowlitz County, shall acquire and possess and be entitled to the full and complete enjoyment of an easement in the following described real property for the construction, completion, maintenance, repair and replacement of dikes, ditches and any and all manner of diking and drainage improvements, together with the right to retain intact and preserve on said premises, as a part of the system of improvement of the above named district, all dikes, ditches and diking and drainage works heretofore constructed thereon by the Respondents, or either of them.

The said real property is described as follows, reference being made for the purposes of this description to the authorized plans for construction of improvements in Consolidated Diking Improvement District No. 1 of Cowlitz County as the same appear in the following public documents: (a) the findings and resolutions of the Board of County Commissioners of Cowlitz County made and passed on November 15, 1923, entitled "In the Matter of the Organization of Consolidated Diking Improvement District No. 1 of Cowlitz County-Findings and Resolutions Made and Passed at Hearing on Engineer's Report," and on file in the office of the County Auditor of Cowlitz County; (b) the engineer's report referred to and adopted in said findings and resolutions, the same being on file in the office of said County Auditor, entitled "In the Matter of the Organization of Consolidated Diking Improvement District No. 1 of Cowlitz County-Detailed Report of Special Engineer," and dated, October 13, 1923; certified and authentic copies of which documents are annexed to and form a part of the petition herein:

(1) All that portion of the right of way described in said report as "Dike Right of Way No. 1" lying on the westerly side of a line drawn across said right of way at right angles to the "center line" described in said report and crossing said "center

line" at the point therein designated as "Station 79 plus 00, 'L' line," and all that portion lying between two lines drawn in like manner through Station 315 plus 40 "L" line and Station 413 plus 70 "L" line, respectively.

(2) All that tract or strip of land described in said report as "Dike Right of Way No. 8."

(3) All those tracts or strips of land described in said report as "Drainage Ditch Right of Way No. 1", "Drainage Ditch Right of Way No. 2", "Drainage Ditch Right of Way No. 3", "Drainage Ditch Right of Way No. 4", "Drainage Ditch Right of Way No. 5", "Drainage Ditch Right of Way No. 6", "Drainage Ditch Right of Way No. 8", "Drainage Ditch Right of Way No. 10", and "Drainage Ditch Right of Way No. 11."

(4) All that tract or strip of land described in said findings and resolutions as the right of way of "Drainage Ditch No. 9."

(5) All that portion of the right of way described in said report as "Dike Right of Way No. 1", lying between two lines drawn across said right of way at right angles to the "center line" described in said report and crossing said center line at the points designated therein as "Station 79 plus 00, 'L' line" and "Station 315 plus 40 'L' line", respectively.

Said tracts of land being more fully described as follows.

The following description is made by reference to what is called a "center line", said line, however, not being always equidistant from the boundaries of said right of way. Said center line is the line established in the survey made by Wesley Vandercook for purposes of diking and drainage construction in Consolidated Diking Improvement District No. 1 of Cowlitz County, and referred to in the report of said Wesley Vandercook above mentioned. Said center line is divided into sections, designated, respectively, as "L line", "L' line", "LW line", "Lw' line", etc. For the purpose of indicating distances along said center line, reference is made to certain points referred to as "stations" on said lines and established by the said special engineer in his survey of said right of way. The intervals at which said stations are set are indicated in hundreds and in units

of feet by the numbers by which said stations are designated, the number used in designating each station before the word "plus" indicating the number of hundreds of feet of distance along said center line between the station indicated and Station 0 plus 00 of said center line, and the figure following the word "plus" indicating the number of additional feet in such distance, or, in the case of certain stations which are located on subdivisions of said center line, the figures indicate the relative position of the points designated to other points similarly designated on such line:

Dike Right of Way No. 1:

A strip of land 250 feet wide for a distance of 4500 feet, being 150 feet inside and 100 feet outside of the center line described as follows:

Beginning at a point designated in the above mentioned survey and report of Wesley Vandercook, special engineer, as Station 0 plus 00 "L" line, and also Station 0 plus 00 "R" line of said survey, which point is 1237.5 feet West and 237.3 feet South of the corner common to Sections 31 and 32, Township 8 North, Range 2 West, W. M.;

Thence following along the "L" line of said survey, on a 5 deg curve to the right, having a back semi-tangent of South 63 deg 23 $\frac{1}{2}$ ' East, 282.3 feet to Station 2 plus 22.3;

Thence South 45 deg 10 $\frac{1}{2}$ ' East to Station 5 plus 16.3;

Thence thru a 5 deg curve to the right to Station 8 plus 26.8;

Thence South 44 deg 15 $\frac{1}{2}$ ' East to Station 9 plus 30.5;

Thence thru a 3 deg and 38' curve to the left to Station 11 plus 59.4;

Thence South 50 deg 45 $\frac{1}{2}$ ' East to Station 25 plus 34.6, passing between fractional Sections 5 and 6, Township 7 North, Range 2 West, W. M., at Station 24 plus 25.2;

Thence thru a 3 deg and 30' curve to the left to Station 28 plus 49.8;

Thence South 39 deg 45 $\frac{1}{2}$ ' East to Station 33 plus 43.9;

Thence thru a 3 deg curve to the left to Station 36 plus 59.4;

Thence South 46 deg 02 $\frac{1}{2}$ ' East to Station 37 plus 29.5;

Thence thru a 2 deg and 30' curve to the right to Station 40 plus 77.8;

Thence South 38 deg 50 $\frac{1}{2}$ ' East to Station 45 plus 30.

Also a strip of land 300 feet wide for a distance of 6000 feet, being 200 feet on the inside and 100 feet on the outside of a center line described as follows:

Beginning at Station 45 plus 00 mentioned above and running

Thence South 38 deg 50 $\frac{1}{2}$ ' East to Station 38 plus 30.6;

Thence thru a 2 deg and 30' curve to the left to Station 36 plus 57.5;

Thence South 45 deg 30 $\frac{1}{2}$ ' East to Station 65 plus 05.8;

Thence thru a 4 deg curve to the right to Station 66 plus 31.8; passing at Station 66 plus 10 the line between fractional Sections 5 and 8, Township 7 North, Range 2 West; Thence South 38 deg 26 $\frac{1}{2}$ ' East to Station 71 plus 65.5; Thence thru a 3 deg curve to the left to Station 74 plus 94.1; Thence South 42 deg 21 $\frac{1}{2}$ ' East to Station 79 plus 00, at which point said center line intersects the property line separating a tract owned by The Long-Bell Lumber Company, which tract includes all of the right of way hereinabove described, from a tract owned by The R. A. Long Properties; Thence continuing along the same course to Station 79 plus 47.4; Thence thru a 5 deg curve to the left to Station 81 plus 69.1; Thence South 50 deg 26 $\frac{1}{2}$ ' East to Station 85 plus 25.3; Thence thru a 3 deg curve to the left to Station 84 plus 39.2; Thence South 55 deg 54' East to Station 105 plus 00, passing at Station 102 plus 60 the line between fractional Sections 8 and 9, Township 7 North, Range 2 West, W. M.

Also a strip of land 275 feet wide for a distance of 2500 feet, being 175 feet on the inside and 100 feet on the outside of a center line described as follows:

Beginning at Station 105 plus 00 mentioned above and running thence South 55 deg 54' East to Station 118 plus 10.6; Thence thru a 4 deg curve to the left to Station 118 plus 63.1; Thence South 64 deg 60' East to Station 130 plus 00.

Also a strip of land 325 feet wide for a distance of 5000 feet, being 175 feet on the inside and 150 feet on the outside of a center line described as follows:

Beginning at Station 130 plus 00 mentioned above and running thence South 64 deg 60' East to Station 144 plus 69.3; Thence thru a 5 deg curve to the left to Station 143 plus 66.8; Thence South 35 deg 53 $\frac{1}{2}$ ' East to Station 154 plus 67.8; Thence thru a 5 deg curve to the left to Station 158 plus 57.6; Thence North 78 deg 13' East to Station 180 plus 00, passing the line between fractional Sections 9 and 10, Township 7 North, Range 2 West, W. M., at Station 161 plus 10.

Also a strip of land 275 feet wide for a distance of 3400 feet, being 175 feet on the inside and 100 feet on the outside of a center line described as follows:

Beginning at Station 180 plus 00, mentioned above; Thence North 78 deg 13' East to Station 183 plus 57.5; Thence thru a 5 deg curve to the left to Station 187 plus 99.8; Thence North 56 deg 09' East to Station 190 plus 20; Thence thru a 3 deg curve to the right to Station 198 plus 45.6;

Thence North 62 deg 55' East to Station 209 plus 78.6;
Thence thru a 5 deg curve to the right to Station 214 plus 92.9;
Thence North 88 deg 38' East to Station 216 plus 00.

Also a strip of land ³¹⁰ 210 feet wide for a distance of 400 feet, being 175 feet on the inside and 135 feet on the outside of the center line described as follows:

Beginning at Station 216 plus 00 mentioned above;
Thence North 88 deg 38' East to Station 220 plus 00, passing at Station 218 plus 20, the line between fractional sections 10 and 11, Township 7 North, Range 2 West, W. M.

Also a strip of land 350 feet wide for a distance of 1500 feet, being 175 feet on the inside and 175 feet on the outside of the center line described as follows:

Beginning at Station 220 plus 00 mentioned above;
Thence North 88 deg 38' East to Station 222 plus 47.5;
Thence thru a 1 deg curve to the left to Station 235 plus 00.

Also a strip of land 275 feet wide for a distance of 1500 feet, being 175 feet on the inside and 100 feet on the outside of the center line described as follows:

Beginning at Station 235 plus 00, mentioned above, and continuing on a 1 deg curve to the left to Station 236 plus 12.4;
Thence North 74 deg 59½' East to Station 242 plus 21.5;
Thence thru a 4 deg curve to the left to Station 250 plus 00.

Also a strip of land 325 feet wide for a distance of 2000 feet, being 175 feet on the inside and 150 feet on the outside of the center line described as follows:

Beginning at Station 250 plus 00 mentioned above, and continuing on a 4 deg curve to the left to Station 270 plus 00.

Also a strip of land 275 feet wide for a distance of 1000 feet, being 175 feet on the inside and 100 feet on the outside of the center line described as follows:

Beginning at Station 270 plus 00 mentioned above, and continuing on a 4 deg curve to the left to Station 275 plus 34.6, passing at Station 273 plus 75 the line between fractional Sections 2 and 11, Township 7 North, Range 2 West, W. M.;
Thence North 57 deg 32½' West to Station 280 plus 00.

Also a strip of land 235 feet wide for a distance of 3340 feet, being 135 feet on the inside and 100 feet on the outside of the center line described as follows:

Beginning at Station 280 plus 00 mentioned above and running thence North 57 deg 32½' West to Station 282 plus 08.4;

Thence thru a 2 deg curve to the left to Station 289 plus 25.1;
 Thence North 72 deg 00' West to Station 293 plus 57.5;
 Thence thru a 3 deg curve to the left to Station 296 plus 46.6;
 Thence North 80 deg 40' West to Station 297 plus 62.5;
 Thence thru a 3 deg curve to the right to Station 300 plus 38.0;
 Thence North 72 deg 24' West to Station 304 plus 08.7;
 Thence thru a 4 deg curve to the left to Station 307 plus 52.9, passing at Station 305 plus 30, the line between fractional Sections 3 and 2, Township 7 North, Range 2 West, W. M.;
 Thence North 86 deg 10' West to Station 308 plus 93.3;
 Thence thru a 3 deg curve to the right to Station 313 plus 40;
 Thence continuing along said curve to the right to Station 323 plus 06.9, passing at Station 315 plus 40 the line between the property of The R. A. Long Properties and the property of The Long-Bell Lumber Company;
 Thence North 43 deg 42' West to Station 337 plus 40.4;
 Thence thru a 2 deg and 30' curve to the right to Station 341 plus 47.1;
 Thence North 32 deg 32' West to Station 345 plus 22.2;
 Thence thru a 4 deg curve to the right to Station 350 plus 62.2;
 Thence North 14 deg 20' West to Station 354 plus 22.1;
 Thence thru a 3 deg curve to the right to Station 356 plus 47.6;
 Thence North 7 deg 34' West to Station 360 plus 00.

Also a strip of land 200 feet wide for a distance of 4000 feet, being 100 feet wide on each side of the center line described as follows:

Beginning at Station 360 plus 00 mentioned above and running thence North 7 deg 34' West to Station 360 plus 22.6;
 Thence thru a 4 deg curve to the right to Station 363 plus 99.6, passing at this point the line between fractional Section 34, Township 8 North, Range 2 West, and Section 3, Township 7 North, Range 2 West, W. M.;
 Thence North 5 deg 40' East to Station 365 plus 26.4 "L" line which is identical with Station 365 plus 28.2 "L" line;
 Thence along the "L" line thru a 5 deg curve to the left to Station 367 plus 62.8;
 Thence North 6 deg 2' West to Station 372 plus 08.1;
 Thence thru a 6 deg curve to the right to Station 375 plus 81.4;
 Thence North 16 deg 22' East to Station 393 plus 70.4;
 Thence thru a 1 deg curve to the right to Station 396 plus 53.7;
 Thence North 19 deg 12' West to Station 397 plus 45.9;
 Thence thru a 2 deg curve to the left to Station 399 plus 54.2;
 Thence North 13 deg 2' East to Station 400 plus 00;
 Save and except therefrom a strip of land about 100 feet wide lying on the West side of the dike center line between

459
127.5
Stations 383 plus 76 and 385 plus 63.5, containing 0.30 acres, more or less.

Also a strip of land 175 feet wide for a distance of 2650 feet, being 75 feet on the inside and 100 feet on the outside of the center line described as follows:

Beginning at Station 400 plus 00 mentioned above and running thence North 15 deg 02' East to Station 411 plus 80.3;
Thence thru a 3 deg curve to the right to Station 415 plus 04.2;
Thence North 24 deg 45' East to Station 418 plus 70, at which point the center line intersects the South line of a tract of land known as the Taylor Mill property.

Dike Right of Way No. 2:

Beginning at the point hereinabove mentioned and designated as the beginning point of the dike right of way, said point being designated as Station 0 plus 00 "L" line, and also as Station 0 plus 00 "LR" line of the dike right of way survey, which point is 1837.3 feet West and 447.3 feet South of the corner common to Sections 31 and 32, Township 8 North, Range 2 West, W. M.;
Thence following the stationing of the "LR" line North 63 deg 26½' West to Station 1 plus 85.5;
Thence thru a 3 deg curve to the right to Station 6 plus 85.5;
Thence North 43 deg 26½' East to Station 15 plus 44.0, passing at Station 10 plus 59.0 the line between fractional Sections 31, Township 8 North, Range 2 West, W. M., and 6, Township 7 North, Range 2 West, W. M.;
Thence thru a 5 deg curve to the right to Station 19 plus 93.0;
Thence North 25 deg 59½' West to Station 20 plus 51.2.

Also a strip of land 240 feet wide for a distance of 477.3 feet, being 150 feet on the inside and 90 feet on the outside of the center line described as follows:

Beginning at Station 20 plus 51.2 mentioned above;
thence thru a 3½ deg curve to the left to Station 25 plus 28.5.

Also a strip of land 250 feet wide for a distance of 933.3 feet, being 150 feet on the inside and 100 feet on the outside of the center line described as follows:

Beginning at Station 25 plus 28.5 mentioned above;
Thence North 42 deg 42' West to Station 32 plus 51.1;
Thence thru a 5 deg curve to the left to Station 38 plus 53.6;
Thence North 72 deg 43½' West to Station 43 plus 33.7;
Thence thru a 7 deg curve to the right to Station 48 plus 43.5;
Thence North 37 deg 3' West to Station 48 plus 83.3;

Thence thru a 4 deg curve to the left to Station 50 plus
 33.8 "LW" line which point is identical with Station 19
 plus 33.0 "LW" line;
 Thence along the "LW" line North 46 deg 09' West to Station
 29 plus 01.1;
 Thence thru a 2 deg curve to the left to Station 33 plus
 46.1;
 Thence North 59 deg 5' West to Station 42 plus 34.6;
 Thence thru a 1 deg and 30' curve to the left to Station
 48 plus 23.7;
 Thence North 67 deg 7½' West to Station 50 plus 00.

Also a strip of land 325 feet wide for a distance of
 3000 feet, being 175 feet on the inside and 150 feet on the
 outside of the center line described as follows:

Beginning at Station 50 plus 00 mentioned above;
 Thence North 67 deg 57½' West to Station 62 plus 42.8;
 Thence thru a 3 deg curve to the left to Station 68 plus
 09.5;
 Thence North 75 deg 7½' West to Station 80 plus 00, passing
 at about Station 70 plus 20 the line between fractional
 Sections 35 and 36, Township 8 North, Range 3 West, T. M.

Also a strip of land 375 feet wide for a distance of
 3300 feet, being 200 feet on the inside and 175 feet on the
 outside of the center line described as follows:

Beginning at Station 80 plus 00 mentioned above;
 Thence North 75 deg 7½' West to Station 102 plus 35.1, pass-
 ing at Station 84 plus 37.0 the line between fractional
 Sections 26 and 35, Township 8 North, Range 3 West, T. M.;
 Thence thru a 4 deg curve to the right to Station 107 plus
 30.1;
 Thence North 55 deg 07½' West to Station 119 plus 69.1;
 Thence thru a 4 deg curve to the right to Station 124 plus
 21.6;
 Thence North 34 deg 01½' West to Station 147 plus 49.4;
 Thence thru a 4 deg curve to the right to Station 150 plus
 49.4;
 Thence North 22 deg 1½' West to Station 136 plus 66.2;
 Thence thru an 8 deg curve to the right to Station 195 plus
 65.0;
 Thence North 51 deg 18½' East to Station 200 plus 00.

Also a strip of land 425 feet wide for a distance of
 2500 feet, being 225 feet on the inside and 200 feet on the
 outside of the center line described as follows:

Beginning at Station 200 plus 00 mentioned above;
 Thence North 51 deg 18½' East to Station 203 plus 22.7;
 Thence thru an 8 deg curve to the right to Station 207 plus
 33.2;
 Thence North 34 deg 16½' East to Station 216 plus 62.7 & 216
 plus 37.8;
 Thence thru an 8 deg curve to the left to Station 221 plus
 33.4;
 Thence North 41 deg 3½' East to Station 225 plus 00.

Also a strip of land 200 feet wide for a distance of 5455.8 feet, being 100 feet on each side of a center line described as follows:

Beginning at Station 225 plus 00 mentioned above, and running thence North 41 deg 54' East to Station 230 plus 83.9;
Thence thru a 7 deg curve to the left to Station 234 plus 22.9;
Thence thru a 12 deg and 10' curve to the left to Station 237 plus 36.2;
Thence North 20 deg 47½' West to Station 241 plus 10.8;
Thence thru a 12 deg curve to the right to Station 246 plus 01.9, which is identical with Station 33 plus 53.4 "12" line;
Thence along the "12" line North 38 deg 09' East to Station 29 plus 65.9;
Thence thru an 8 deg curve to the left to Station 26 plus 44.4;
Thence North 12 deg 26½' East to Station 25 plus 81.5;
Thence thru a 10 deg and 50' curve to the right to Station 22 plus 74.4;
Thence thru a 10 deg curve to the left to Station 17 plus 82.1;
Thence North 3 deg 30½' West to Station 4 plus 00.

Also a strip of land 200 feet wide, being 100 feet on each side of the center line described as follows:

Beginning at Station 4 plus 00 above mentioned and running thence South 83 deg 48' East 2070 feet;
Thence North 67 deg 45' East 620 feet, connecting at said point with the walls of the pump house hereinabove mentioned, the front wall of which pump house will connect with the 23 feet elevation of the foothills.

Drainage Ditch Right of Way No. 1:

A strip of land 80 feet wide being 40 feet on either side of the center line described as follows:

Beginning at a point 2321.32 feet South and 379.43 feet West of the corner common to Sections 28, 29, 32 and 33, Township 8 North, Range 2 West, W. M.; thence South 81 deg 02' West 3712.9 feet to a point which is 1851.32 feet North and 1597.34 feet West of the one quarter (¼) corner between Section 32, Township 8 North, Range 2 West, and Section 3, Township 7 North, Range 2 West, W. M., containing 6.82 acres, more or less.

Drainage Ditch Right of Way No. 2:

A strip of land 100 feet wide, being 50 feet on either side of the center line described as follows:

Beginning at a point 1761.65 feet South and 1116.2 feet East of the corner common to Sections 19, 20, 29 and 30, Township 8 North, Range 2 West, W. M., which point is at the intersection of Ditch No. 7 and Ditch No. 2, and running thence along the center line of a slough in a southerly direction to a point 1231.32 feet North and 1527.34 feet West of the (1/4) corner between Sections 32, Township 8 North, Range 2 West, and Section 5, Township 7 North, Range 2 West, W. M., containing 15.24 acres, more or less.

Drainage Ditch Right of Way No. 3:

A strip of land 80 feet wide, being 40 feet on either side of the center line described as follows:

Beginning at a point 761.1 feet South and 1506.9 feet West of the one quarter (1/4) corner between Sections 31 and 32, Township 8 North, Range 2 West, W. M., said point being at the intersection of the center lines of Ditch No. 5 and Ditch No. 3;

Thence South 49 deg 05' East 7915.57 feet to a point on the South line of Alder Street produced West which is ditch survey Station 85 plus 85.6;

Thence East 5969.4 feet to Station 125 plus 85.0;

Thence on a 22 deg 57' curve to the left to Station 128 plus 58.65;

Thence North 20 deg 19' East to Station 140 plus 75.0;

Thence North 70 deg 19' East to Station 150 plus 63.5, which is identical with Station 235 plus 43.0 of the located line of the Longview, Portland & Northern Railway;

Thence North 70 deg 18' East to Station 150 plus 55, which is the intersection of the center line of Ditch No. 3 and the center line of Ditch No. 4, which point is 1187.8 feet South and 854.3 feet East of the corner common to Sections 33 and 34, Township 8 North, Range 2 West, and Sections 3 and 4, Township 7 North, Range 2 West, W. M., containing 30 acres, more or less.

Drainage Ditch Right of Way No. 4:

A strip of land, the center line of which is described as follows:

Beginning at a point on the right of way of the Longview, Portland and Northern Railway 1187.8 feet South and 854.3 feet East of the corner common to Sections 33 and 34, Township 8 North, Range 2 West, W. M., and Sections 3 and 4, Township 7 North, Range 2 West, W. M., said point being at survey Station 150 plus 55 of the ditch center line location of Ditch No. 3;

Thence thru an angle of 91 deg 59' to the left on a curve having a radius of 41.87 feet, a distance of 65.2 feet, which curve has for a back semi-tangent a course of North 70 deg 19' East to Station 151 plus 00.2 (point of reverse curve);

Thence on a 2 deg 8' and 21' curve to the right thru a central angle of 36 deg 46' to Station 163 plus 18.94 (point of compound curvature)

Thence on a 52° curve to the right with a central angle of 13° to Station 188 plus 45.9;
 Thence North 15 deg 19' East a distance of 3741.8 feet;
 Thence on a 2 deg and 15' curve to the left thru a central angle of 2 deg and 15' to a point opposite Station 290 plus 50 of the located center line of the Longview, Portland & Northern Railway;
 Thence North 13 deg 04' East 251 feet;
 Thence thru a 2 deg curve to the right with a central angle of 1 deg and 58' to a point South 74 deg 58' East 78 feet from Station 293 plus 99.0 of the located center line of the Longview, Portland & Northern Railway;
 Thence North 15 deg 02' East 1696 feet to a point on the South line of Washington Street, West Kelso, South 74 deg 58' East 78 feet from Station 310 plus 95 of the located center line of said Longview, Portland & Northern Railway.

The aforesaid strip being of the following widths:

From the starting point to a point opposite Station 293 plus 99.0 on the located center line of the Longview, Portland & Northern Railway, being 50 feet wide and lying on the right of the above described center line of ditch.

From the point last mentioned above northerly to a point on the South line of Washington Street in West Kelso opposite Station 310 plus 95 of the located line of the Longview, Portland & Northern Railway, said strip of land being 30 feet wide and lying on the right of the aforementioned ditch center line.

Also an easement for right of way along the Longview, Portland & Northern Railway as now located from Station 233 plus 45 to Station 310 plus 95, a strip of land 50 feet wide, parallel to the railroad center line and the westerly line of which strip is 50 feet easterly from the located center line of said railway.

The above descriptions embracing 8.11 acres, more or less, outside the Longview, Portland & Northern Railway right of way, and 8.89 acres, more or less, easement inside said right of way.

Drainage Ditch Right of Way No. 5:

A strip of land, the center line of which is described as follows:

Beginning at a point 751.1 feet South and 1506.9 feet West of the quarter ($\frac{1}{4}$) corner between Sections 31 and 32, Township 8 North, Range 2 West, W. M., and running thence North 49 deg 05' West a distance of 3900 feet.

Also a strip thence due North 3300 feet which is a point approximately 440 feet East and 2350 feet North of the corner common to Sections 30 and 31, Township 8 North, Range 2 West, and Sections 25 and 36, Township 8 North, Range 3 West, W.M.

Said strip being 80 feet wide, 40 feet on each side of the center line, for the first 3300 feet, and 100 feet wide, 50 feet on each side of the center line, for the second 3300 feet, containing 15.70 acres, more or less.

Drainage Ditch Right of Way No. 6:

A strip or parcel of land of varying width, lying on each side of the center line described below, the widths of said strip of land being as follows:

100 feet in width, being 50 feet wide on each side of said center line and extending from the beginning of said center line to the East line of Section 29, Township 8 North, Range 2 West, W. M.; 80 feet in width, being 40 feet on each side of said center line and extending from the East line of said Section 29, to the East line of the West $\frac{1}{2}$ Section 28, Township 8 North, Range 2 West, W. M.; 60 feet in width, being 30 feet wide on each side of said center line and extending from the East line of the West $\frac{1}{2}$ of said Section 28 to the East line of said Section 29; 40 feet in width, being 20 feet wide on each side of said center line and extending from the said East line of Section 28 to the end of said center line.

The following is a description of the center line of courses and distances:

Beginning at a point in Section 14, Township 8 North, Range 3 West, W. M., 1723.9 feet South and 1335.0 feet East of the section corner common to Sections 14, 15, 10 and 11, Township 8 North, Range 3 West, W. M.; running thence North 89 deg 47' 09" East 1984.53 feet; thence South 77 deg 12' East 507.85 feet; thence Easterly on a 573.69 feet radius curve to the left, having a total angle of 41 deg 09' 03", a distance of 411.35 feet; thence North 61 deg 59' 52" East 277.05 feet; thence Easterly on a 410.23 feet radius curve to the right, having a total angle of 89 deg 10' 54", 422.72 feet; thence South 59 deg 09' 14" East 430 feet more or less to a point in the East line of aforesaid Section 14, at a point approximately 1350 feet South of the Northeast corner of said Section 14, running thence South 59 deg 09' 14" East 186.62 feet; thence Southeasterly on a 955.37 feet radius curve to the left having a total angle of 24 deg 32' 46", 409.10 feet; thence South 25 deg 42" East 1701.43 feet; thence Southeasterly on a 2365.00 feet radius curve to the right having a total angle of 12 deg 41", 234.17 feet; thence South 71 deg 01' East 524.96 feet; thence Easterly on a 955.37 feet radius curve to the left having a total angle of 44 deg 43', 746.67 feet;

Thence North 64 deg 11' East 149.10 feet;
 Thence Easterly on a 955.00 foot radius curve to the right
 having a total angle of 71 deg 29', 1191.59 feet;
 Thence South 44 deg 30' East 172 feet more or less to a
 point in the East line of Section 15, Township 8 North, Range
 3 West, W. M., approximately 2490 feet North from the South-
 east corner of said Section 15;
 Thence South 44 deg 20' East 275.70 feet;
 Thence Easterly on a 281.6 foot radius curve to the left
 having a total angle of 30 deg 55' 30", 475.90 feet;
 Thence South 75 deg 16' 30" East 189.11 feet;
 Thence Southeasterly on a 1910.0 foot radius curve to the
 right having a total angle of 26 deg 10', 372.22 feet;
 Thence South 49 deg 06' 30" East 446.00 feet;
 Thence Southeasterly on a 1637.2 foot radius curve having a
 total angle of 21 deg 26', 612.33 feet;
 Thence South 70 deg 32' 30" East 46.12 feet;
 Thence Southeasterly on a 1910.0 foot radius curve to the
 right having a total angle of 23 deg 17' 30", 775.39 feet;
 Thence South 47 deg 15' East 620 feet more or less to a
 point in the South line of Section 18, Township 8 North,
 Range 2 West, W. M., approximately 1110 feet East from the
 Southeast corner of said Section 18;
 Thence South 47 deg 15' East 227.09 feet;
 Thence Southeasterly on a 1910.00 foot radius curve to the
 right having a total angle of 23 deg 33', 954.44 feet;
 Thence South 18 deg 57' East 250 feet more or less to a
 point in the East line of Section 19, Township 8 North,
 Range 2 West, W. M., approximately 1290 feet South from
 the Northeast corner of said Section 19; -
 Thence South 18 deg 57' East 303.02 feet;
 Thence Southeasterly on a 819.02 foot radius curve to the
 left, having a total angle of 30 deg 31', 564.52 feet;
 Thence South 58 deg 08' East 343.33 feet;
 Thence Southeasterly on a 5730 foot radius curve to the
 left having a total angle of 19 deg 40', 1066.67 feet;
 Thence South 63 deg 48' East 1166.66 feet;
 Thence Southeasterly on a 635.66 foot radius curve to the
 right having a total angle of 62 deg 32', 472.59 feet;
 Thence South 23 deg 16' East 16.74 feet;
 Thence on a 1432.7 foot radius curve to the left having a
 total angle of 15 deg 50', 345.25 feet;
 Thence South 40 deg 06' East 256.73 feet;
 Thence Southeasterly on a 1146.00 foot radius curve to the
 right, thru an angle of approximately 23 deg 30', a distance
 of 570 feet, more or less, to a point in the South line of
 Section 20, Township 8 North, Range 3 West, W. M., approxi-
 mately 1005 feet West from the Southeast corner of said
 Section 20;
 Thence continuing on a 1146.00 foot radius curve to the right,
 tangent at its point of beginning with end of last above
 described curve and having a total angle of 3 deg 56', a
 distance of 63.65 feet;
 Thence South 3 deg 10' East 351.26 feet;
 Thence Southeasterly on a 637.27 foot radius curve to the
 left, having a total angle of 49 deg 22', 542.52 feet;
 Thence South 37 deg 32' East 115.95 feet;

Thence Southeasterly on a 1432.69 feet radius curve to the left having a total angle of 14 deg 01', 350.42 feet;
 Thence South 71 deg 33' East 250 feet more or less to a point in the East line of Section 29, Township 8 North, Range 2 West, W. M., approximately 1175 feet South from the Northeast corner of said Section 29;
 Thence South 71 deg 33' East 26.80 feet;
 Thence Southeasterly on a 935.00 feet radius curve to the right, 409.44 feet;
 Thence South 48 deg 59' East 86.13 feet;
 Thence Southeasterly on a 955.00 feet radius curve to the left having a total angle of 20 deg 11', 386.39 feet;
 Thence South 67 deg 10' East 321.03 feet;
 Thence Southeasterly on a 955.00 feet radius curve to the right having a total angle of 32 deg 34', 542.78 feet;
 Thence South 34 deg 36' East 258.02 feet;
 Thence Southeasterly and Easterly on a 410.28 feet radius curve to the left having a total angle of 65 deg 45', 689.64 feet;
 Thence North 79 deg 59' East 120.73 feet;
 Thence Easterly on a 1432.5 feet radius curve to the right having a total angle of 25 deg 46', 644.15 feet;
 Thence South 74 deg 35' East 140.39 feet;
 Thence Southeasterly on a 2365 feet radius curve to the right having a total angle of 6 deg 15', 312.55 feet;
 Thence South 68 deg 20' East 663.60 feet;
 Thence on a 2364.93 feet radius curve to the left with a total angle of 12 deg 44', 636.67 feet;
 Thence South 91 deg 04' East 303.50 feet;
 Thence Easterly on a 819.02 feet radius curve to the left thru an approximate angle of 41 deg 26' for a distance of 592 feet more or less to a point in the East line of Section 26, Township 8 North, Range 2 West, W. M., at a point approximately 360 feet South from the quarter section corner common to Sections 27 and 28, Township 8 North, Range 2 West, W. M.;
 Thence continuing Easterly on a 819.02 feet radius curve to the left, tangent at its point of beginning to last described curve and having a total angle of 8 deg 05', 115.37 feet;
 Thence North 49 deg 25' East 10.34 feet;
 Thence Easterly on a 716.78 feet radius curve to the right having a total angle of 45 deg 20', 541.67 feet;
 Thence South 87 deg 15' East 670.17 feet;
 Thence Easterly and Northeasterly on a 410.28 feet radius curve to the left with a total angle of 62 deg 16' 30", 587.63 feet;
 Thence North 10 deg 23' 30" East 46.72 feet;
 Thence Northeasterly on a 573.69 feet radius curve to the right with a total angle of 57 deg 12', 572.00 feet;
 Thence North 67 deg 40' 30" East 306.07 feet;
 Thence Easterly on a 521.67 feet radius curve to the right with a total angle of 45 deg 41', 397.12 feet;
 Thence South 68 deg 33' East 201.44 feet to a point approximately 1925 feet South and 2910 feet East from the Section corner common to Sections 22, 21, 28 and 27, Township 8 North, Range 2 West, W. M.

Said strip of land lying and being a part of Sections 13 and 14, Township 8 North, Range 3 West, W. M., and a

part of Sections 18, 19, 20, 27, 28 and 29, Township 8 North, Range 2 West, W. M., containing 68.90 acres of land, more or less.

Drainage Ditch Right of Way No. 8:

A strip of land 80 feet wide, being 40 feet on each side of a center line which is parallel to and 70 feet South of the center line of Ocean Beach Highway, said center line of Ocean Beach Highway being described as follows:

Beginning at a point about 503.4 feet South and 1002.6 feet East of the corner common to Sections 14, 15, 22 and 23, Township 8 North, Range 3 West, W. M., said point being designated as Station 0 plus 00' R and D line, and running thence South 12 deg 47' 15" East 1539.54 feet to Station 15 plus 89.54;
Thence thru a 5 deg 14' curve to the left to Station 32 plus 29.32;
Thence North 21 deg 23' 45" East 1812.87 feet to Station 50 plus 42.19 R and D line, which is identical with Station 193 plus 36.75 O.B. line;
Thence on the O.B. line on a 5 deg 20' curve to the right to Station 181 plus 66.67;
Thence South 62 deg 52' East 105.76 feet to Station 180 plus 62.91;
Thence on a 1 deg 00' curve to the left to Station 178 plus 62.91;
Thence South 64 deg 52' East 4745.15 feet to Station 131 plus 17.76;
Thence thru a 1 deg 50' curve to the right to Station 124 plus 77.95;
Thence South 53 deg 02' East 1098.72 feet to Station 113 plus 79.23;
Thence thru a 0 deg 28' 26" curve to the left to Station 93 plus 38.25.

At the station last mentioned above the ditch center line turns Northerly and leaves Ocean Beach Highway. The center line of ditch is described from here as follows:

Beginning at a point South 34 deg 56' 04" West 70 feet from Station 93 plus 38.25 O.B. line and running thence North 34 deg 56' 04" East 2165.0 feet to an intersection with Ditch No. 7 at a point which is 106.0 feet North and 1545.7 feet West of the corner common to Sections 19, 20, 29 and 30, Township 8 North, Range 2 West, W. M., containing 23.84 acres, more or less.

Drainage Ditch Right of Way No. 9:

A strip of land 60 feet wide being 30 feet on each side of the following described center line:

Beginning at a point on the South line of the right of way of Ditch No. 1, said point being approximately 2043 feet

North and 2986 feet West of Long-Bell Monument No. 64 which marks the corner common to Sections 32 and 33, Township 8 North of Range 2 West, W. M., and Sections 4 and 5, Township 7 North of Range 2 West, W. M., and running thence South 8 deg 39' 45" East 1768 feet; thence South 57 deg 58' East 2450 feet, containing 5.81 acres, more or less.

Drainage Ditch Right of Way No. 10:

A strip of land 80 feet wide, being 40 feet on either side of the center line, which is approximately described as follows:

Beginning at a point about 2300 feet South and 1000 feet East of the corner common to Sections 14, 15, 22 and 23, Township 8 North, Range 3 West, W. M., said point being in Ditch No. 8;

Thence Southeasterly on the Northeast side of the road and following approximately a line at an elevation 10 feet above mean low water (Slaughter's Bar Datum), along the South line of Mt. Solo crossing the line between Sections 26 and 23, Township 8 North, Range 3 West, W. M., at a point 3100 feet East of the West line of said Sections, crossing the line between Sections 25 and 26, Township 8 North, Range 3 West, at a point approximately 2900 feet South of their North line;

Thence Easterly thru Section 25, Township 8 North, Range 3 West, crossing the line between Section 25, Township 8 North, Range 3 West and Section 30, Township 8 North, Range 2 West, at a point approximately 1700 feet South of their North lines;

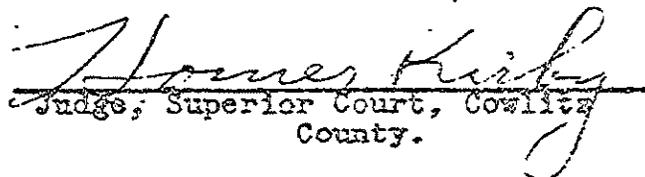
Thence Southeasterly to a point approximately 1650.0 feet East and 2300 feet South of the Northwest corner of Section 30, Township 8 North, Range 2 West, W. M., being in all a length of approximately 14,000 feet, containing 25.7 acres, more or less.

Drainage Ditch Right of Way No. 11:

An easement for ditch right of way over the Longview, Portland & Northern Railway right of way, being a strip of land 60 feet in width, the center line of which is described as follows:

Beginning at a point on the East side of the Longview, Portland & Northern Railway right of way, said point being the beginning point of Ditch No. 4; and being opposite Station 253 plus 48 of the Longview, Portland & Northern Railway survey;

Thence Southeasterly along the Longview, Portland & Northern Railway parallel to and 70 feet distant from the center line of said Longview, Portland & Northern Railway to a point opposite Station 173 plus 54.7 of said railway center lines, containing 8.26 acres, more or less.


Judge, Superior Court, Cowitz
County.