

1981-025

BE IT REMEMBERED, that at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 21st day of October, A.D., 1981, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable	Earle C. Misener	County Judge
	F. Joe Garlitz	Commissioner
	Mike Caldwell	Commissioner
	Shirley Bolin	Clerk
	Robert Price	Sheriff
	Barbara Dean	Tax-Treasurer

WHEN, on Wednesday, the 21st day of October, A.D., 1981 or the 3rd Judicial day of said term, among others, the following proceedings were had, to-wit:

IN THE MATTER OF LEGALIZING)	
THE MOUNT EMILY ROAD SECTION)	COURT ORDER NO. 81-28
"A" AS A COUNTY ROAD)	COUNTY ROAD LEGALIZATION

On this day this matter came on for hearing and the Court in session pursuant to ORS 368.585 through ORS 368.610 did consider the matter of the legalizing the Mount Emily Road, Section "A" as a County Road beginning at a point 143.24 feet southeast of the northeast corner of Section 19 of Township 2 South, Range 38 East of the Willamette Meridian, in Union County, running thence 1.47 miles from the north end of Owsley Canyon Road to the south end of Section "B" of Mount Emily County Road, and terminating at a point 245 feet west of the southeast corner of the southwest quarter of the northeast quarter of Section 18, Township 2 South, Range 38 East of the Willamette Meridian, as the same appears on the attached Exhibit #1 (map) and #2 (filed legal description).

FINDINGS OF FACT

The County Court finds that as a result of extensive research in the County Clerk's and County Roadmaster's records and files the field notes of the original survey and the Court action designating Section "A" of Mount Emily Road a County Road have been either lost or destroyed.

The Court further finds the Union County Surveyor has resurveyed Section "A" of Mount Emily Road and developed a legal description which is attached as Exhibit #2.

The Court further finds that public notice of a hearing legalizing Section "A" of Mount Emily Road as a County Road has been posted in three public places in the vicinity of the road and one additional notice posted at the Union County Courthouse.

ORDER

IT IS HEREBY ORDERED that Section "A" of Mount Emily Road beginning at a point 143.24 feet southeast of the northeast corner of Section 19 of Township 2 South, Range 38 East of the Willamette Meridian, in Union County, running thence 1.47 miles from the north end of Owsley Canyon Road to the south end of Section "B" of Mount Emily County Road, and terminating at a point 245 feet west of the southeast corner of the southwest quarter of the northeast

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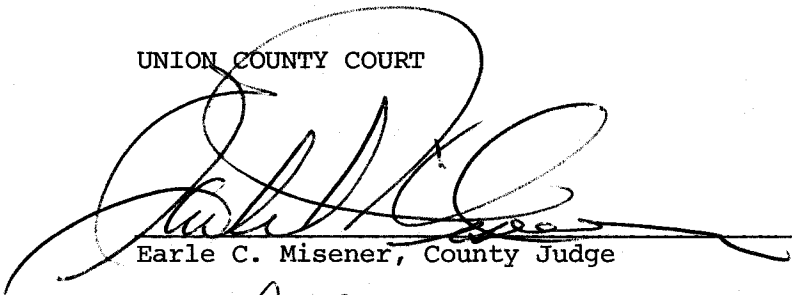
quarter of Section 18, Township 2 South, Range 38 East of the Willamette Meridian, is legalized as a County Road and recognized as a part of the County Road System.

BE IT FURTHER ORDERED the County Court will entertain a petition to reduce the livestock district in the vicinity of Section "A" of the Mount Emily Road and if any road widening activity is initiated necessitating timber removal, the timber will be delivered to a local Grande Ronde Valley lumber mill of Mr. Donald Shaw's choice; payment for sale of timber to be remitted to Mr. Donald Shaw.

BE IT FURTHER ORDERED the September 2, 1981, survey of the Mount Emily Road, Exhibit #2, be recorded with the County Clerk.

DATED at La Grande, Oregon, this 21st day of October, 1981.

UNION COUNTY COURT



Earle C. Misener, County Judge



F. Joe Garlitz, County Commissioner



Mike Caldwell, County Commissioner

EXHIBIT # 1

SECTION "A"

Mt. EMILY RD.

See Document for survey
map. Court order # 81-28

EXHIBIT #2

OFFICE OF THE UNION COUNTY SURVEYOR

P. O. Box 1107

La Grande, Oregon 97850

September 2, 1981

Job No. 686-10

Union County Court
P. O. Box 1479
La Grande, Oregon 97850

Attn: Judge Earle Misener

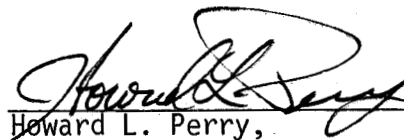
Dear Judge Misener:

As requested, I have surveyed and used existing survey records to describe that portion of the existing Mt. Emily Road referred to as Segment "A" in the Union County Road Records. The plat and description submitted at this time accurately depict the actual location of the existing roadway.

Please contact me if I can be of further assistance.

Thank you.

Very truly yours,



Howard L. Perry,
Union County Surveyor

HLP/jb

A parcel of land located in Sections 18 and 19, Township 2 South, Range 38 East, Willamette Meridian, Union County, Oregon, said parcel being 60 feet in width, lying 30 feet on either side of the following described centerline as depicted on Union County Surveyor's Record Survey No. 63-81:

Beginning at a point on the East boundary of Section 19, T.2S., R.38E., W.M., from which said point the corner common to Sections 17, 18, 19 and 20, T.2S. R.38E., W.M., bears N 0°11'56" W 143.24 feet;

THENCE WEST 67.34 feet to a 5/8" x30" Iron Rod buried along the centerline of the existing Mt. Emily Forest Road;

THENCE continuing along said centerline of the existing Mt. Emily Forest Road the following courses and distances:

S 62°17'41" W	272.29 ft.
S 81°16'03" W	195.01 ft.
S 50°19'05" W	261.46 ft.
S 30°48'20" W	270.04 ft.
S 87°23'22" W	74.54 ft.
N 49°30'54" W	116.28 ft.
N 86°31'07" W	311.06 ft.
S 51°37'51" W	96.37 ft.
S 18°10'57" W	315.03 ft.
S 44°42'32" W	158.59 ft.
S 61°31'42" W	313.47 ft.
S 75°18'40" W	117.06 ft.
N 72°08'24" W	215.82 ft.
N 61°05'12" W	51.07 ft.
N 44°30'39" E	51.47 ft.
N 69°19'31" E	245.97 ft.
N 30°48'05" E	166.06 ft.
N 4°10'13" W	254.74 ft.
N 27°55'25" E	323.61 ft.
N 3°48'54" W	322.15 ft.

To a point from which the corner common to Sections 17, 18, 19, and 20 bears N 88°42'57" E 1775.53 feet;

THENCE continuing along said centerline the following courses and distances by reference to Union County Surveyor's Record Survey No. 75-72 of Mt. Emily Acres as follows:


N 2°23' W	75.9 ft.
N 34°44' E	134.7 ft.
N 84°20' E	139.8 ft.
N 53°09' E	289.5 ft.
N 10°09' E	105.0 ft.
N 33°29' E	248.5 ft.
N 6°33' W	268.7 ft.
N 19°05' W	164.1 ft.
N 5°05' W	298.6 ft.
N 9°13' W	394.7 ft.
N 49°22' W	99.2 ft.
N 88°07' W	113.0 ft.
S 67°26' W	220.0 ft.
N 71°36' W	100.0 ft.
N 38°47' W	137.2 ft.
N 42°43' E	189.6 ft.
N 45°03' E	100.0 ft.

THENCE northeasterly to the Point of Beginning of Segment "B" of Mt. Emily Forest Road as said Segment "B" was declared a public road of Union County, Oregon on April 3, 1931 by the Union County Court.

SURVEYOR'S CERTIFICATE

I, Howard L. Perry, Union County Surveyor, in accordance with Oregon Revised Statutes Chap. 368, have surveyed and monumented the centerline of the existing Mt. Emily Road and I hereby certify that the attached description is a true and accurate representation of said survey.

September , 1981


Howard L. Perry
Union County Surveyor