

No. *101*

IN THE MATTER OF A
COUNTY ROAD

PETITION OF

G E Stoddard et al

Beginning at a point 500 ft. or west
of the Southwest corner of the
N E 1/4 N E 1/4 Sec 35 T 2 S R
37 E 1/4 W

Petition filed *Jan 3* 19*21*

Affidavit of Posting filed *Jan 3* 19*21*

Bond filed *January 3* 19*21*

Order Appointing Viewers and Surveyor
made *January* Term 19*21*

Page Vol Commissioners Journal

Oaths filed 1

Viewers Reports filed *Jan 22* 19*21*

Viewer Reports filed 1

Order of Court made *Apr 12* 19*21*

opening road

11 1 1 f b l p p d f t t t f l l t t l l s g t

Petition for County Road

To the Honorable County Court, for Union County, Oregon:

The undersigned freeholders, of Union County, Oregon, residing in the Road District where the hereinafter described road is proposed to be, respectfully petition your honorable body to lay out, alter and establish a County Road within said county, on the following line or route, to-wit:

..... Commencing at a point in the present County Road
 approximately 550 ft. Northwest of the Southwest corner of the
 NE $\frac{1}{2}$ NE $\frac{1}{2}$ thence in a Southerly direction following the course
 of what is commonly known as "Bear Canyon"..... connecting with
 the "Old Oregon Trail"..... at a point approximately 700 ft.
 Southeast of the Southwest corner of the NE $\frac{1}{2}$ all in Section 35
 Township 2 S.R. 37 E.W.M. in Union County, Oregon.

And in duty bound, your petitioners will ever pray, &c.

NAMES:	NAMES:
<i>W. W. ...</i>	
<i>W. W. ...</i>	
<i>W. W. ...</i>	
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<i>W. W. ...</i>	
<i>W. W. ...</i>	
<i>W. W. ...</i>	

In re proposed
County Bond petition
Lawley & F. Stetland
behalf of

Debit

Filed Jan 3, 1915
W. H. McCormick
County Clerk

BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, G. L. Larson
and J. G. Snodgrass of the county of Union and State of Oregon, are held and firmly bound unto said County of Union in the full sum of ~~ONE~~ ^{ONE} HUNDRED DOLLARS (\$100.00), the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 31st day of January, A. D. 1921.

Now, the conditions of the above obligation are such, that whereas, _____
_____ and others have petitioned the County Court of said County of Union, at the _____ term, 1921, thereof, for a County Road, described in the petition and notice hereto annexed, as follows:

Commencing at a point in the present County Road approximately 550 ft. Northwest of the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, thence in a Southerly direction following the course of what is commonly known as "Bear Canyon", connecting with the "Old Oregon Trail" at a point approximately 700 ft. Southeast of the Southwest corner of the Northeast quarter, all in Section 35 Township 2 S.R. 37 E.W.M. in Union County, Oregon.

Now, if the above named G. L. Larson & J. G. Snodgrass shall well and truly pay, or cause to be paid, all costs and expenses that may be incurred by reason of the view or review of said road, in case the prayer of the petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and wirtue.

G. L. Larson (Seal.)
J. G. Snodgrass (Seal.)

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, G. L. Larson and J. G. Snodgrass each for himself, say I am worth the sum of ~~TWO~~ HUNDRED DOLLARS (~~\$200.00~~) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and State.

G. L. Larson
J. G. Snodgrass

Subscribed and sworn to before me this 31 day of January, A. D. 1921.

W. H. Webber
Notary Public for Oregon

For me prepared
County Board petition
for the J. C. Blackland
mine

Book

Rec'd Jan 3, 1951
C. H. M. & Co. Inc.
County Board

STATE OF OREGON, }
County of Union: } ss.

I, _____ being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of the proposed road therein described, to-wit: One _____;
_____ at the _____ of the Highway, _____ the _____ Street _____
_____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
_____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____
_____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____ _____

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the _____ day of _____ 190____, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the _____ day of _____ 190____, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of Union, in said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

G. E. Stoddard

Subscribed and sworn to before me this *3rd* day of *January* 190*2*.

J. K. McCormick
County Clerk

In re proposed road
positioned for by
J. E. Hendrickson

Applicant of road

Filed Jan 2, 1921
@ K. B. & Co. Inc.
County Clerk

In re proposed
road petition for
the J. G. Standish
Co.

Deanna Beane.

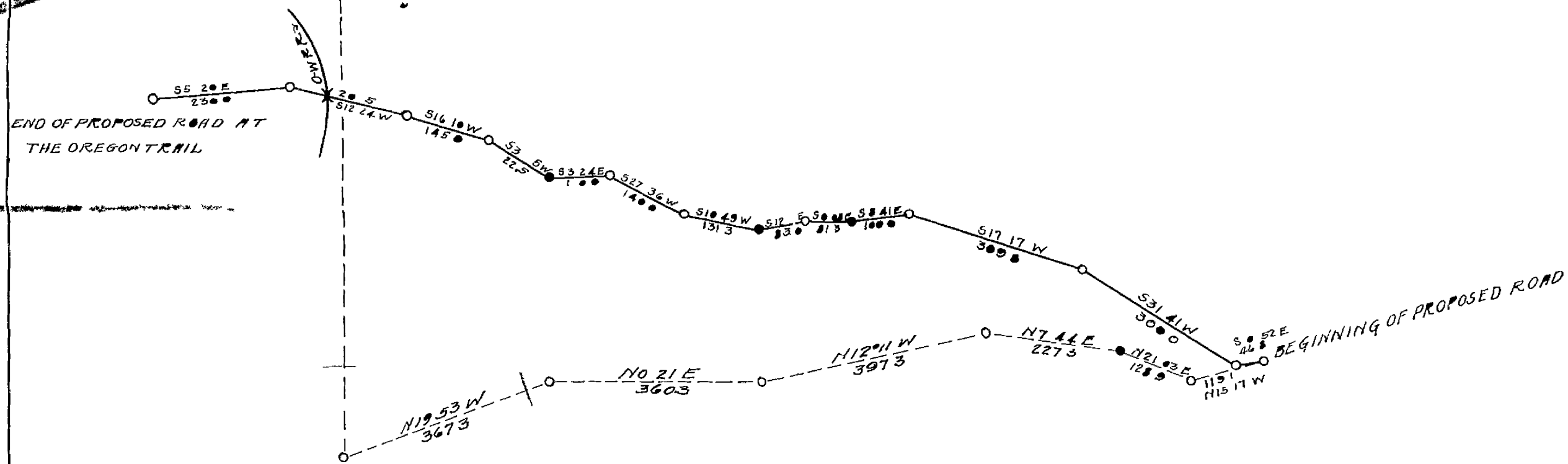
Filed June 23, 1921
at J. G. Standish
County Clerk

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

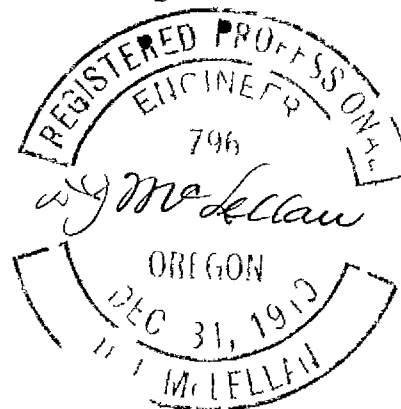
The undersigned Board of County Road Viewers, heretofore on the 5th day of JANUARY 1921, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by G.E. Stoddard et al., beg leave to report that on the 13th & 21st days of January, 1921, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that no damages be allowed for right of way for the proposed road.

A. J. McCall)
) Board of County
) Road Viewers.



**MAP OF PROPOSED COUNTY ROAD
 PETITIONED FOR BY GESTODDARD
 Jan 19, 1921. Scale 1"=200'**

I, D J McLellan County Surveyor of Union County Oregon
 certify that this map was made from notes taken during
 an actual survey by me, and is correct to the best of
 my knowledge and belief



West
1310.0

SEC 35 T 2 S R 37 E W M

1/4 Sec Cor
SEC 36



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 5th day of January, A. D., 19121, 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 U. G. Couch, County Judge,
_____, Commissioner,
J. F. Hutchinson, Commissioner,
C. K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Wednesday, the 5th day of January, A. D. 19125, or the 1st Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed
County Road petitioned for by
G. E. Stoddard, et al.

Comes now G. E. Stoddard, one of the petitioners for the above named proposed County Road, and presents to the Court the petition of himself and others, praying for the location and establishment of a County road described as follows, to-wit:

Commencing at a point in the present County road approximately 550 ft. Northwest of the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence in a southerly direction following the Course of what is commonly known as "Bear Canyon", connecting with the "Old Oregon Trail", at a point approximately 700 ft. southeast of the southwest corner of the NE $\frac{1}{4}$ all in section 35 Township 2, S.R. 37, E.W.M., in Union County, Oregon.

And it appearing to the Court that said petition is signed by more than twelve freeholders of this County, residing in the road district where the hereinbefore described road is proposed to be, and that said petition properly specified the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the Court House in the city of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at the Post Office, Perry, Oregon; One at the crossing of the Highway under the Railroad Steel Bridge near Ore Bell; One at crossing of County Road over O.W.R & N Ry East of the Country Club building, for more than thirty days immediately prior to the presentation of said petition to this Court, notifying all persons concerned that application would be made to this Court, at the present session of this Court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the costs of this proceeding has been duly given.

It is therefore ORDERED that D. J. McLellan, County Surveyor, E. E. Bonham, and S. U. Evans, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said road, on Wednesday, the 12th day of January, 1921, at the hour of 10 O'Clock A.M., and proceed to survey, view and lay out said road according to law, and file their report on or before January, 22nd, 1921.
(Sd) U.G.Couch, County Judge, and J.F.Hutchinson, Commissioner.

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 2nd day of February, A. D., 1921, 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 U. G. Couch, County Judge,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner,
C. K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Wednesday, the 2nd day of February, A. D. 1925, or the 1st Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed road petitioned for by G. E. Stoddard, et al.

Now at this time the above entitled matter comes on to be heard upon the report of the viewers, heretofore appointed to view said road, and said report having been publicly read the same was continued until tomorrow for further action,

(Sd) U. G. Couch, County Judge,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner.

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 2nd day of February, A. D., 1925, 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 U. G. Couch, County Judge,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner,
C. K. McCermick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 3rd day of February, A. D. 1925, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed
County Road petitioned for by
G. E. Stoddard, et al.

Now at this time the above entitled matter comes on to be heard for the second reading of the viewers' report, and said report having been publicly read for the second time, said matter was continued for the term for further consideration.

(Sd) U. G. Couch, County Judge,
J. F. Hutchinson, Commissioner.

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 2nd day of March, A. D., 1921, 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 U. G. Couch, County Judge,
_____, Commissioner,
J. F. Hutchinson, Commissioner,
C. K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Wednesday, the 2nd day of March, A. D. 1921, or the 1st Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed road petitioned for by G. E. Stoddard, et al.

Now at this time it is by the Court ordered that the above entitled matter be and the same is hereby continued for the term.

(Sd) U. G. Couch, County Judge,

J. F. Hutchinson, Commissioner.

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~~ **Thursday**, the 7th day of April, A. D., 1921, Court having by Statute been adjourned from ~~the first Wednesday of said month and the time fixed for the reason that all members of the Court failing to appear,~~ by law for holding a regular term of said Court, when were present:

The Honorable U. G. Couch, County Judge,
G. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner,
C. K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Tuesday, the 12th day of April, A. D. 1921, or the 3rd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed County Road petitioned for by G. E. Stoddard, et al.

This matter came on to be heard at this time for final action upon the report of the Board of County Road Viewers heretofore filed. Herein, said report having been publicly read on two separate days of a previous term of this Court, to-wit: February 2nd and 3rd and continued until this time for final action; said report being in words and figures as follows, to-wit:

"REPORT OF BOARD OF COUNTY ROAD VIEWERS.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned Board of County Road viewers, heretofore on the 5th day of January 1921, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by G. E. Stoddard, et al., beg leave to report that on the 12th & 21st days of January, 1921, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said County and that no damages be allowed for right of way for the proposed road.

D.J. McLellan) Board of County
E. E. Bonham)
S. U. Evans.) Road Viewers."

And it appearing to the Court that said Board of County Road Viewers report as favorable and that they recommend that said proposed road be established as a County Road and declaring it a Public Highway of Union County, Oregon, and all the proceedings herein have been legal and according to law and no remonstrance or claim for

damages have been filed, and there having been no cause shown why this proposed road should not be declared a public Highway and ordered open according to law and the Court being satisfied from the report of said Board of County Road Viewers that said road will be of public utility,

It is therefore CONSIDERED AND ORDERED that said report be accepted and placed on record in the Journal of this Court, and that the Surveyor's profile and plat of the proposed road and his field notes of survey thereof be placed on record in the book of plats of County Roads of Union County, Oregon; and that said proposed road be and the same is hereby declared a Public Highway of Union County, Oregon, conditioned upon the petitioners paying all the expenses necessary in the opening of said road except the grading which Union County hereby agrees to do. And

It further appearing to the Court that said proposed road follows the general alignment of an existing county road, and that the opening of said proposed road will render a portion of the existing road useless, it is further ORDERED that that portion of said existing road lying between what is known as the Country Club House and the beginning of said proposed road be vacated.

(Sgd) U. G. Couch, County Judge,
C. A. Galloway, Commissioner,
J. F. Hutchinson, Commissioner.

FIRST JUDICIAL DAY

WEDNESDAY, JANUARY 5th , 1921

\$10.00; Esther Powers \$7.50; Margaret Pearson \$10.00; America Roberts \$15.00; Mrs. J. O. Sage \$20.00; D. W. Souder \$15.00; Sarah Thompson \$7.50; Susie Trott \$10.00; John Vans, \$10.00; Mrs. Robt. Wilkinson \$5.00 and Carrie Jackson \$10.00.

It is FURTHER ORDERED that the allowance heretofore made Rebecca Galloway be discontinued.

In the matter of the proposed County Road petitioned for by C. C. Gates et al.

Now at this time the above entitled matter comes on to be heard for the first reading of the Viewers' Report, and said Report having been publicly read,

It is CONSIDERED AND ORDERED that said matter be and the same is hereby continued until Thursday, January 6th, 1921.

In the matter of the proposed County Road petitioned for by G. E. Stoddard et al.

Comes now G. E. Stoddard, one of the petitioners for the above named proposed County Road, and presents to the court the petition of himself and others, praying for the location and establishment of a county road described as follows, to-wit:

Commencing at a point in the present County road approximately 550 ft. Northwest of the Southwest corner of the NE $\frac{1}{4}$ NE $\frac{1}{4}$; thence in a Southerly direction following the course of what is commonly known as "Bear Canyon", connecting with the "Old Oregon Trail", at a point approximately 700 ft. southeast of the southwest corner of the NE $\frac{1}{4}$ all in section 35 Township 2, S. R. 37 E.W.M., in Union County, Oregon.

And it appearing to the Court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said road, and it satisfactorily appearing to the court that notice has been given by advertisement posted at the place of holding County Court, to-wit:- At the Court House in the City of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit:- One at the Post Office, Perry, Oregon; One at the crossing of the Highway under the Railroad Steel Bridge near Ore Dell; One at crossing of County Road over O-W.R.& N.Ry East of the Country Club building, for more than thirty days immediately prior to the presentation of said petition to this court, notifying all persons concerned that application would be made to this court, at the present session of this court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the costs of this proceeding has been duly given.

It is therefore ORDERED that D. J. McLellan, County Surveyor, and E.E. Bonham, and S.U. Evans, constituting the Board of County Road Viewers, be, and they are hereby directed to meet at the beginning of said road, on Wednesday, the 12th day of January, 1921, at the hour of 10 o'clock A.M. and proceed to survey, view and lay out said road according to law, and file their report on or before January 22nd, 1921.

Thereupon it was ORDERED that Court be now adjourned until Thursday, January 6th, 1921 at 9 o'clock A. M.

FIRST JUDICIAL DAY

WEDNESDAY, FEBRUARY 2nd, 1921.

8 Receipts - Cities	1,644.15
28 Receipts - School Districts	<u>4,881.06</u>
	\$22,771.89

In the matter of the proposed road
petitioned for by G. E. Stoddard, et al.

Now at this time the above entitled matter comes on to be heard upon the report of the viewers, heretofore appointed to view said road, and said report having been publicly read the same was continued until tomorrow for further action.

Thereupon it was ORDERED that Court be now adjourned until Thursday, February 3rd, 1921, at 9:00 A.M.

SECOND JUDICIAL DAY

THURSDAY, FEBRUARY, 3rd, 1921

In the matter of the proposed County Road petitioned for by G. E. Stoddard, et al.

Now at this time the above entitled matter comes on to be heard for the second reading of the viewers' report, and said report having been publicly read for the second time, said matter was continued for the term for further consideration.

200
In the matter of the proposed County Road petitioned for by F. H. Fager, et al.

Now at this time is presented to the Court the petition of F. H. Fager, et al., praying that a County Road be established along the following line or route, to-wit:

Starting near the center corner of the East line of Sec. 25 Township 3 N. Range 39, then straight west along the center line of sec. 25 to the center corner of the west line of sec. 25, Township 3 N. Range 39. then following same line west to center corner of west line of sec. 26 Township 3 N. R. 39, then south along section line to within 40 rods of sec. 27 and southwest corner of sec. 26 Township 3 N. R. 39, then along old trail to the center of north line of southeast one fourth Sec. 34 T 3 N.R. 39, then south to center of S. E $\frac{1}{4}$ Sec 34 T. 3 N R 39 where it joins County Road- and it appearing to the Court from the notice of road petition filed in said matter that notice was given that said petition would be presented to the Court on January 5th, 1921, but that same was not presented to the Court until February 2nd,

It is therefor considered and ORDERED that said petition be and the same is hereby dismissed without prejudice.

In the matter of the petition of C. E. Heryford, et al., for the appointment of a Constable for the Cove Justice of the Peace and Constable District.

Now at this time is presented to the Court the petition of C. E. Heryford, praying that Thomas Harris be appointed as Constable of the Cove Justice of the Peace and Constable District, and it appearing to the Court that a vacancy issues in the office of Constable in said District, and that Thomas Harris is competent to fill said office,

It is CONSIDERED and ORDERED that he be and he is hereby appointed as Constable of the Cove Justice of the Peace and Constable District, and that he file his oath of office and bond as required by law.

In the matter of the acceptance of a deed for a road Right of Way from the City of North Powder, Oregon.

Now at this time is presented to the Court a deed from the City of North Powder, Oregon, to the following described land, to-wit:- All of Second Street within the Corporate limits of the City of North Powder, Oregon, according to the recorded plat thereof. All that part of the alley in Block 25 of said City required for the Old Oregon Trail Highway as surveyed over and across said alley and more particularly described as follows: Beginning at a point on the Northern boundary of the S $\frac{1}{2}$ of Block 25 as shown on the recorded plat of North Powder said point being 1952 feet North and 75 feet east, approximately, from the $\frac{1}{4}$ corner

FIRST JUDICIAL DAY.

WEDNESDAY, MARCH 2nd, 1921.

In the Matter of the proposed road petitioned for by G. E. Stoddard, et al.

Now at this time it is by the Court ordered that the above entitled matter be and the same is hereby continued for the term.

In the Matter of increasing the Monthly Allowance of Elmina Lore, an Indigent.

Now at this time, it appearing to the Court that the allowance of \$10.00 per month heretofore granted by the County Court of this County to Elmina Lore, an indigent, is not sufficient to maintain the said Elmina Lore and her husband who is an invalid and unable to work,

It is therefore, CONSIDERED and ORDERED that said allowance be increased to \$30.00 per month and the County Clerk is hereby authorized and directed to draw a warrant monthly on the General Fund of this County in the sum of \$30.00 in favor of Alex Slater of Union, Oregon, said sums to be expended by the said Alex Slater for the benefit of the said Elmina Lore.

In the matter of advertising for bids for wood for the Court House.

Now at this time it is ORDERED that the Clerk of this Court be and he is hereby directed to advertise for bids for one hundred cords of 3ft. 8in. yellow pine and red fir wood to be delivered and piled in the basement of the Court House not later than October 1st, 1921.

Thereupon the Journal of today's proceedings was read, approved, and is here now signed, and it was ORDERED that Court be now adjourned for the term.

W. E. Couch County Judge
Commissioner

J. H. Hutchins
Commissioner

THIRD JUDICIAL DAY.

TUESDAY, APRIL 12th, 1921.

701
 In the matter of the proposed
 County Road petitioned for by
 G. E. Stoddard, et al.

This matter came on to be heard at this time for final action upon the report of the Board of County Road Viewers heretofore filed, wherein, said report having been publicly read on two separate days of a previous term of this Court, to-wit February 2nd and 3rd and continued until this time for final action; said report being in words and figures as follows, to-wit:

" REPORT OF BOARD OF COUNTY ROAD VIEWERS. . .

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON:

The undersigned Board of County Road Viewers, heretofore on the 5th day of January 1921, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by G. E. Stoddard et al., beg leave to report that on the 12th & 21st days of January, 1921, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions said proposed road should be laid out and established as a public highway of Union County, Oregon; that the same is practicable and would add to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be laid out and declared a public highway of said county and that no damages be allowed for right of way for the proposed road.

D. J. McLellan) Board of County
 E. E. Bonham)
 S. U. Evans.) Road Viewers."

And it appearing to the Court that said Board of County Road Viewers report as favorable and that they recommend that said proposed road be established as a County Road and declaring it a Public Highway of Union County, Oregon, and all the proceedings herein have been legal and according to law and no remonstrance or claim for damages have been filed, and there having been no cause shown why this proposed road should not be declared a public Highway and ordered open according to law and the court being satisfied from the report of said Board of County Road Viewers that said road will be of public utility,

It is therefore CONSIDERED and ORDERED that said report be accepted and placed on record in the Journal of this Court, and that the Surveyor's profile and plat of the proposed road and his field notes of survey thereof be placed on record in the book of plats of County Roads of Union County, Oregon; and that said proposed road be and the same is hereby declared a Public Highway of Union County Oregon conditioned upon the petitioners paying all the expenses necessary in the opening of said road except the grading which Union County hereby agrees to do. And,

It further appearing to the Court that said proposed road follows the general alignment of an existing county road, and that the opening of said proposed road will render a portion of the existing road useless, it is further ORDERED that that portion of said existing road lying between what is known as the Country Club House and the beginning of said proposed road be vacated.