

No. \_\_\_\_\_

# EQUITY

IN THE  
CIRCUIT COURT  
UNION COUNTY

*La Grande National  
Bank*

Plaintiff

*vs. J. Conley et al.*

Defendant

Doc't et

Page

*L-17*

*Robert S. Eakin*

Attorney for Plaintiff

Attorney for Defendant

Feb 7/4

In re vacation of  
a portion of Road 324

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY

P 3 67

In the matter of the vacation of a portion of County Road No. 324.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, E 363 ft., thence East 726 ft., thence N 22° E 1518 ft., thence N 41° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

is useless as a part of the general road system of Union County and is burdensome to maintain

Therefore, be it RESOLVED, that such proceedings be taken as are required by law to vacate said above described portion of said road.

Dated this 8th day of April, 1926, at La Grande, Oregon.

U. G. Couchman, County Judge.

% John Wells Commissioner.

W. W. Stevens 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 \_\_\_\_\_ day of \_\_\_\_\_, A. D., 191\_\_\_\_, 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,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of April, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of a portion of County Road No. 324.

Now at this time, it appearing that this Court has resolved to take such proceedings as are required by law to vacate that portion of County Road No. 324, described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, E 363 ft., thence East 726 ft., thence N 22° E 1518 ft., thence N 41° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

It is therefore ORDERED that S. B. Morgan, County Engineer, be and he is hereby directed to examine the above described portion of said road and report to this Court, in writing, at its May term, to-wit: May 6th, 1926, the advisability of preserving same as a part of the general road system of Union County.

U. G. Couch            County Judge,  
John Wells            Commissioner,  
W. W. Stevens        Commissioner.

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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 May, A. D., 191<sup>26</sup>, 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,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 6th day of May, A. D. 19<sup>26</sup>, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

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In the matter of the vacation of a portion of County Road No. 324.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 8th, 1926, at 10:00 A.M. and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

U. G. Couch County Judge,  
John Wells Commissioner,  
W.W.Stevens Commissioner.

NOTICE OF ROAD VACATION

Notice is hereby given that the County Court of Union County, Oregon, will on the 8th day of July, 1926, at the County Court Room in La Grande, in said County and State, at the hour of 10:00 A.M., hear the report of the County Surveyor of said County made upon his survey of the hereinafter described portion of the public road which by resolution of the said court made and entered on the 8th day of April, 1926, was ordered to be vacated. All persons concerned or having objections to said resolution or the report thereon of the County Surveyor may appear and be heard at said time and place.

The said resolution is as follows:

"In the matter of the vacation of a portion of County Road No. 324.

Whereas, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26, Tn. 2 S., R 39, E 363 ft., thence East 726 ft., thence N 22° E 1518 ft., thence N 41° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end. is useless as a part of the general road system of Union County and is burdensome to maintain,

Therefore, be it RESOLVED, that such proceedings be taken as are required by law to vacate said above described portion of said road.

Dated this 8th day of April, 1926, at La Grande, Oregon.

U. G. Couch, County Judge,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner."

WITNESS, the Hon. U. G. Couch, County Judge, John Wells and W. W. Stevens, Commissioners, of Union County, Oregon, with the seal of the County Court affixed this the 18th day of May, 1926.

Attest:

*W. W. Stevens*  
County Clerk and ex-officio Clerk  
of the County Court.

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 7th day of July, A. D., 1926, 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,  
John Wells, Commissioner,  
W. W. Stevens, Commissioner,  
C. K. McCormick, Clerk,  
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of July, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation  
of a portion of County Road No. 324

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26, Tn 2 S., R 39, EWM, thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated thence N 6° W a distance of 605.0 ft., to the end,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said report in the vicinity of the road proposed to be vacated, and one notice at the place of holding County Court, and that said notices remained posted

(over)

at least thirty days before the date set for hearing, and it further appearing that no person has appeared to object to the vacation of said road, and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

U. G. Couch                    County Judge,  
John Wells                    Commissioner,  
W. W. Stevens                Commissioner.

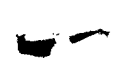
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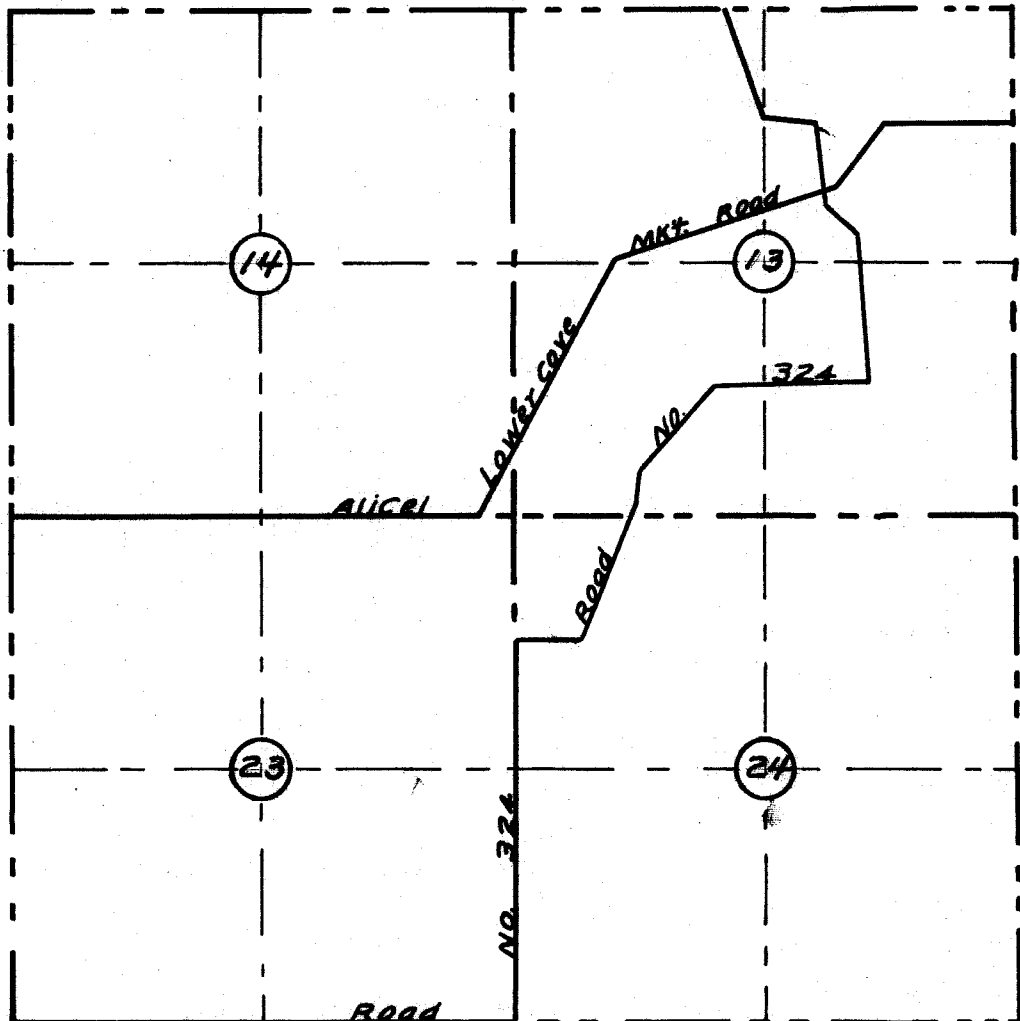
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Map of Proposed Partial  
Vacation of  
Road No. 324

Beginning at a point which is 3993.0ft. North of the Section Corner common to Sec's 23-24-25-26 Tr. 2 S R 39 E W.M., thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft. thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft. to the intersection of the Right of Way of the Alice Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft. the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft. to the end: partial to be vacated SHOWN IN RED

OFFICE OF  
COUNTY ENGINEER  
COURT HOUSE  
LA GRANDE, OREGON

June 3, 1926.

TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON.

I beg leave to report that on the 7th day of May, 1926 in pursurance with said order, I proceeded to view out that portien of the present County Road No. 324 in sections 13 and 24 T 2 S R 39 EWM, as shown on the accompanying map.

The above described read is no lenger used as a County Road; that the same is burdensome to maintain and that the public will be benefitted by its vacation.

The above described read has been replaced by a Market Road known as the Alicel Lower Cove Road. Said new read being well graded and shertter in distance.

I therefore recemend that said read be closed as a public highway of Union County, Oregon.

Respectfully submitted,

*B. M. Morgan*  
County Engineer.

SECOND JUDICIAL DAY

THURSDAY, APRIL 8th, 1926.

In the matter of the petition of  
G. M. Gilkison, et al., for the  
establishment of a special District  
for the control of rodents.

Now at this time is presented to the Court the petition of G. M. Gilkison, et al, for the formation of a special district for the control of the Oregon Ground Squirrel and the Timber or Red Squirrel, and it appearing to the Court that the law provides for the formation of such a district requiring that the petition contain the names of 75 per cent of the farm owners residing within the proposed district,

It is therefore CONSIDERED AND ORDERED that the said petition be referred to H. G. Avery, County Agricultural Agent, for the purpose of verifying the qualification of the signers.

In the matter of the vacation  
of a portion of County Road  
No. 324.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, EWM, thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point; continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

is useless as a part of the general road system of Union County and is burdensome to maintain,

Therefore, be it resolved, that such proceedings be taken as are required by law to vacate said above described portion of said road.

In the matter of the vacation  
of a portion of County Road  
No. 324.

Now at this time, it appearing that this Court has resolved to take such proceedings as are required by law to vacate that portion of County Road No. 324, described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, EWM, thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

It is therefore ORDERED that S. B. Morgan, County Engineer, be and he is hereby directed to examine the above described portion of said road and report to this Court, in writing, at its May term, to-wit: May 6th, 1926, the advisability of preserving same as a part of the general road system of Union County.

In the matter of the vacation  
of a portion of County Road No.  
579.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' south of the quarter corner common to Sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end,

SECOND JUDICIAL DAY

THURSDAY, MAY 6th, 1926.

Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on a gate at the north terminus of the proposed road; one on a telephone pole at the north end of Main Street in Elgin, Oregon, where said Main Street connects with the lane connecting with the proposed road; one on an electric light pole in the front of the Hill Hardware Store on east side of Front Street in the city of Elgin, Union County, Oregon, 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 its present session and that notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly filed,

It is therefore ORDERED that S. B. Morgan, County Roadmaster, A. C. Glenn and Wm. Ruckman, constituting a Board of County Road Viewers, be and they are hereby directed to meet at Elgin, Oregon, on Friday, May 14th, 1926, at 10:00 AM, and proceed to survey, view and lay out said proposed road according to law, and that said Board of County Road Viewers file its report with this Court not later than May 22nd, 1926.

In the matter of opening the bids for the grading of a section of the Hunter Lane Market Road and the Alicel-Lower Cove Market Road.

Now at this time it is ORDERED that the time for the opening of bids for Unit B of the the grading of Hunter Lane-Pleasant Grove Market Road and the Becker Corner-Warm Creek Market Road be and the same is hereby continued until May 15th, 1926, at 2 PM.

In the matter of the vacation of a portion of County Road No. 324.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 8th, 1926, at 10:00 A.M., and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 579.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 9th, 1926, at 10:00 AM, and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 238.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above named road proposed to be vacated and has filed his

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1926.

having considered said application and being advised in the premises,

It is CONSIDERED AND ORDERED that said application be denied and that the allowance heretofore granted said Mary Hartley be and the same is hereby discontinued.

In the matter of Advertising for bids for the surfacing of Unit A of the Alicel-Lower Cove Market Road.

Now at this time it is ORDERED that the County Engineer be and he is hereby authorized and directed to advertise for bids for the surfacing of Unit A of the Alicel-Lower Cove Market Road, said bids to be opened on August 5th, 1926, at 2 PM.

In the matter of the monthly allowance to Johnora Fisher under the Widows Pension Act.

Now at this time, it appearing to the Court that Johnora Fisher is receiving assistance from other sources in sufficient amount to maintain herself and children,

It is CONSIDERED AND ORDERED that the monthly allowance heretofore granted her under the provisions of the Widows Pension Act, be and the same is hereby discontinued.

In the matter of the application of Josephine Noland for a Widow's Pension.

Now at this time, it appearing to the Court that the County Judge, acting in the capacity of Juvenile Judge, has allowed the application of Josephine Noland for a Widow's Pension and has granted an allowance in the sum of \$25.00 per month,

It is CONSIDERED AND ORDERED that said allowance be approved and the County Clerk is hereby authorized and directed to draw a warrant on the General Fund of the County in favor of said Josephine Noland in the sum of \$25.00 per month until the further orders of this Court.

In the matter of the vacation of a portion of County Road No. 324.

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26, Tn. 2 S., R 39, EWM, thence East 726 ft., thence N. 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

and it appearing to the Court from the reports of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said report in the vicinity of the road proposed to be vacated, and one notice at the place of holding County Court, and that said notices remained posted at least thirty days before the date set for hearing, and it further appearing that no person has appeared to object to

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1926.

to the vacation of said road, and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

1715  
In the matter of the vacation  
of a portion of County Road  
No. 238.

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 238 described as follows:

beginning at a point approximately 1063 ft., north and 655 ft West of the quarter corner between sections 2 and 11 T 5 S, R 40 EWM, thence S 73° 00' E a distance of 100 ft., thence S 48° 10' E a distance of 159 ft., thence N 75° 40' E a distance of 400 ft., thence N 86° 15' E a distance of 620.5 ft., thence S 86° 55' E a distance of 526.7, thence S 63° 55' E a distance of 823.1 ft., thence N 84° 35' E a distance of 270.5 ft., thence S 84° 30' E a distance of 222 ft., thence S 31° 57' E a distance of 320.5 ft., thence S 53° 42' E a distance of 340 ft.,

also beginning at a point approximately 883 ft South and 118 ft East of the quarter corner between Sections 1 and 12 T 5 S, R 40 EWM, thence N 50° 30' E a distance of 467 ft., thence N 85° 26' E a distance of 277 ft., thence S 82° 54' E a distance of 675 ft., thence S 77° 54' E a distance of 800 ft., thence N 24° 26' E a distance of 529.6 ft., thence N 42° 21' E a distance of 312 ft., thence N 34° 21' E a distance of 120.8 ft., thence N 76° 12' E a distance of 185 ft., thence N 48° 02' E a distance of 246 ft.,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said report in the vicinity of the road proposed to be vacated, and one notice at the place of holding County Court, and that said notices remained posted at least thirty days before the date set for hearing, and it further appearing that no person has appeared to object to the vacation of said road, and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

1716  
In the matter of the vacation  
of a portion of County Road No. 579.

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' South of the quarter corner common to Sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft, to the end,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said report in the vicinity of the road proposed to be vacated, and one notice at the place