

No. _____ Register 9 Page 123

IN PROBATE
UNION COUNTY
OREGON

ESTATE OF

Carl W. Erwin
Deceased

Erwin Erwin
Executor

ATTORNEYS

Carl G. Helm

MANUFACTURED BY
KILHAM STATIONERY & PRINTING CO.
238 S. W. FIFTH AVENUE AT OAK
PORTLAND, OREGON

741

Order Denial Q-503

In re proposed County
Road petitioned for by.
R. F. Williams et al.

Petition denied Nov 5, 1937

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 6th day of October, A.D., 1937, 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,

E. C. Myers, Commissioner,

Chris Johnson, Commissioner,

C. K. McCormick, Clerk,

Jesse Breshears, Sheriff.

WHEN, on Thursday, the 7th day of October, AD, 1937, 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 R. F. Williams, et al.

Comes now R. F. Williams, one of the petitioners for the above-named proposed 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: Beginning at a point near the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec 14, in Tp 4S, R38, EWM, at what is known as the Lineberger Park at the forks of Ladd Creek; running thence southwesterly along and over the present old travelled road to the Mill site near the NE corner of the NW $\frac{1}{4}$ of Sec 27, in Tp 5S, R38, EWM; thence running southeasterly up the east fork of Ladd Creek over the old travelled logging road to where it crosses the township line between townships 4 and 5 S., R38, near the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 2, in Tp 5S, R38; thence southerly over the present travelled old road to the spring near the center of Sec. 10, in said Tp. and Range; thence southeasterly to a point near the SE corner of said Sec. 10 and there intersecting the present old road; thence southeasterly over the old travelled road to its intersection with the County Road leading East to Clover Creek and near the center of the SE $\frac{1}{4}$ of Sec 24, in Tp 5S, R38, EWM and there terminate.

And it appearing to the court that said petition is signed by more than 12 freeholders of the county residing in the road district where the hereinbefore described road is to be located and that said petition properly specifies the beginning and terminus of said road, and it satisfactorily appearing from the affidavit of Jack Brandt, ~~mailed~~ that copies of notices that said petition for said proposed road would be presented to the court at this time were mailed by himself to W. A. McCall and David L. Johnson, persons whose land would be affected by the opening of said proposed road, and it further appearing to the court, from the affidavit of Jack Brandt, that notices of the presentation of said petition for said proposed road have been given by advertisement posted at the place of holding county court, to-wit: on a bulletin board at the front door of 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 on the gate at the beginning of the proposed road at Linberger Park, one on a fence post on the public road at the school house near the top of the hill on road leading up Ladd Canyon to North Powder and one on the gate post on public road at the terminus of the proposed road, for more than 30 days immediately prior to this date, and that said 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 filed,

It is therefore ORDERED that S. B. Morgan, County Engineer, John Davis and Clyde Seitz be, and they are, hereby appointed as a Board of County Road Viewers, and they are hereby directed to meet at the beginning of said proposed road on October 21st, 1937, and proceed to survey and view said road according to law and file their report not later than 10 days before the November term of this Court.

H. G. Cunniff County Judge,

E. C. Myers Commissioner,

Chris Johnson Commissioner.

SECOND JUDICIAL DAY

THURSDAY, OCTOBER 7th, 1937

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

H. G. Karch County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the monthly report of the County Treasurer and credits given him.

Comes now Al Harlow, Treasurer of Union County, Oregon, and presents to the court certain vouchers, warrants, and receipts showing that he has paid out of the various funds of the county certain sums of money. And it appearing to the court from an examination of said vouchers and warrants that the sums have been duly paid out of the funds applicable thereto; that the warrants were regularly issued on the order of the court, and that the Treasurer should have credit upon his account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

75 General Fund Warrants	\$10,069.87
1 Market Road Warrant	25.67
63 Road Warrants	5,250.30
12 City, Spl Tax Receipts	6,658.39
32 Sch Dist, Spl Tax Receipts	<u>19,813.01</u>
	\$41,817.24

In the matter of the proposed County Road petitioned for by R. F. Williams, et al.

Comes now R. F. Williams, one of the petitioners for the above named proposed 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: Beginning at a point near the NE corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec 14, in Tp 4S, R38, EWM, at what is known as the Lineberger Park at the forks of Ladd Creek; running thence southwesterly along and over the present old travelled road to the Mill site near the NE corner of the NW $\frac{1}{4}$ of Sec 27, in Tp 5S, R38, EWM; thence running southeasterly up the east fork of Ladd Creek over the old travelled logging road to where it crosses the township line between townships 4 and 5 S., R38, near the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 2, in Tp 5S, R38; thence southerly over the present travelled old road to the spring near the center of Sec 10, in said Tp and Range; thence southeasterly to a point near the SE corner of said Sec. 10 and there intersecting the present old road; thence southeasterly over the old travelled road to its intersection with the County Road leading East to Clover Creek and near the center of the SE $\frac{1}{4}$ of Sec 24, in Tp 5S, R38, EWM and there terminate.

And it appearing to the court that said petition is signed by more than 12 freeholders of the county residing in the road district where the hereinbefore described road is to be located and that said petition properly specifies the beginning and terminus of said road, and itsatisfactorily appearing from the affidavit of Jack Brandt, that copies of notices that said petition for said proposed road would be presented to the court at this

SECOND JUDICIAL DAY

THURSDAY, OCTOBER 7th, 1937

time were mailed by himself to W. A. McCall and David L. Johnson, persons whose land would be affected by the opening of said proposed road, and it further appearing to the court, from the affidavit of Jack Brandt, that notices of the presentation of said petition for said proposed road have been given by advertisement posted at the place of holding county court, to-wit: on a bulletin board at the front door of the court house in the city of LaGrande, Union County, Oregon; and also in three public places in the vicinity of said proposed road, to-wit: one on the gate at the beginning of the proposed road at Lineberger Park, One on a fence post on the public road at the school house near the top of the hill on road leading up Ladd Canyon to North Powder and one on the gate post on public road at the terminus of the proposed road, for more than 30 days immediately prior to this date, and that said 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 filed,

It is therefore ORDERED that S. B. Morgan, County Engineer, John Davis and Clyde Seitz be, and they are, hereby appointed as a Board of County Road Viewers, and they are hereby directed to meet at the beginning of said proposed road on October 21st, 1937, and proceed to survey and view said road according to law and file their report not later than 10 days before the November term of this court.

In the matter of authorizing the Sheriff to sell certain lands acquired by Union County for delinquent taxes.

Now at this time, it is ORDERED that the Sheriff be, and he hereby is, authorized to publish a notice of sale, as required by law, and to sell the following described real property, heretofore acquired by Union County, thru the foreclosure of delinquent taxes, for the minimum price set opposite each parcel of the hereinafter described real property, and upon the terms of not less than 20% in cash of the amount bid, at the time of sale, and the balance of the purchase price in four equal yearly installments, to-wit:

Tract 1

Lots 7 & 8, Blk 87, Chaplin's Add to La Grande, Ore. Min \$240.00

Tract 2

SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec 35, Twp 2S, R37, EWM. Min \$40.00

Tract 3

Lot 7, Blk 94, Chaplin's Add to La Grande, Ore. Min \$50.00

Tract 4

All of out lot No. 1, Chaplin's Add (except 125 ft E & W and 350 ft N & S in the NW Corner) La Grande, Oregon. Also Blk A, Out lots to Chaplin's Add to La Grande, Ore. Min \$890.00

Tract 5

Northhalf of Lots 1 & 2, Blk 91 Chaplin's Add to La Grande, Ore. Min \$60.00

Tract 6

Lots 7 & 8, Blk 91, Chaplin's Add to La Grande, Ore. Min \$40.00

Tract 7

North half of Lots 3 & 4, Blk 90, Chaplin's Add to La Grande, Ore. Min \$100.00

Tract 8

Lot 1 and the west half of lot 2, Blk 12, Arnold & Dray Add to La Grande, Ore. Min \$150.00

Tract 9

Northwest quarter of southwest quarter of Sec 27, T2p 3N, R39, EWM, Min \$40.00

Tract 10

Lots 5 & 6, Blk 5, Grandy's 2nd Add to La Grande, Ore. Min \$700.00

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 3rd day of November, AD, 1937, 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,
E. C. Myers, Commissioner,
Chris Johnson, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

Due proclamation of the opening of court having been made, thereupon the following proceedings were had, to-wit:

In the matter of the allowance of Miscellaneous bills against the county and the issuance of warrants therefor.

Now at this time the matter of the allowance of miscellaneous bills against the county came on for consideration, and the said bills having been submitted to the court, and the court having passed on and audited each of said bills separately as appears from the signatures of the Court thereon,

It is therefore CONSIDERED AND ORDERED by the court that said bills be allowed and warrants issued by the County Clerk in payment of the same as allowed in classes and amounts as shown by General Fund Exhibit of Claims and Warrants No. 13, pages 242 to 245, inclusive, and Road Fund Exhibit of Claims and Warrants No. 4, pages 107, 108 and 348.

In the matter of the proposed County Road petitioned for by R. F. Williams, et al.

Now at this time this matter comes on for the first reading of the report of the Board of County Road Viewers, heretofore appointed, to view the above entitled road, which report was filed in the office of the County Clerk on October 21st, 1937, and said report having been read in open court,

It is ORDERED that this matter be and the same is hereby continued until Thursday, November 3rd, 1937.

Thereupon it was ORDERED that court be now adjourned until Thursday, November 4th, 1937, at 9:00 o'clock, A.M.

SECOND JUDICIAL DAY

THURSDAY, NOVEMBER 4th, 1937

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

H. G. Cawley County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the proposed a County Road petitioned for by R. F. Williams, et al.

Now at this time this matter comes on for the second reading of the report of the Board of County Road Viewers, heretofore appointed to view the above entitled road, and said report having been read in open court for the second time,

It is ORDERED that this matter be and the same is hereby continued until Saturday, November 5th, 1937.

In the matter of the monthly report of the County Treasurer and credits given him.

Comes now Al Harlow, Treasurer of Union County, Oregon, and presents to the court certain vouchers, warrants, and receipts showing that he has paid out of the various funds of the county certain sums of money. And it appearing to the court from an examination of said vouchers and warrants that the sums have been duly paid out of the funds applicable thereto; that the warrants were regularly issued on the order of the court, and that the Treasurer should have credit upon his account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

91 General Fund Warrants	\$ 7,062.05
9 Road Fund Warrants	65.66
2 Market Road Warrants	20.27
1 Law Library Fund Warrant	50.00
9 City, Spl Tax Receipts	9,982.61
38 Sch Dist, Spl Tax Receipts	5,100.92
1 County Fair Fund Receipt	149.30
2 School Fund Receipts	8,164.64
1 Elementary School Fund Receipt	<u>5,800.00</u>
	\$36,395.45

~~Thereupon it was ORDERED that court be now adjourned until Friday, November 5th, 1937, at 9:00 o'clock, A.M.~~

THIRD JUDICIAL DAY

FRIDAY, NOVEMBER 5th, 1937

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

H. G. Couch County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the adoption of a budget for the year 1938.

Now at this time, this matter comes on for further consideration and the court having considered separately each item of the proposed budget as well as the suggestions and argument advanced by the tax-payers present at the public hearing of said proposed budget, and the court being fully advised in the premises,

It is CONSIDERED AND ORDERED that the budget prepared by the budget committee of Union County for the year 1938, be and the same is hereby adopted as prepared and published with exception that the amount allowed for High School Tuition Fund is hereby stricken from said budget being in the sum of \$5000.00, and the following items are hereby fixed in the sum as follows:

Relief	\$11,500.00
Old Age Pensions	12,000.00
Market Roads	53,500.00

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In the matter of the proposed county road petitioned for by R. F. Williams, et al.

Now at this time this matter comes on to be heard upon the report of the County Board of Road Viewers heretofore appointed to view said proposed road and said report having been publicly read on 2 different days of the present session of county court and it appearing to the court that the report of the viewers is unfavorable to the establishment of said proposed road, and that said road would be expensive to build and that the establishing of said road is not justified,

It is therefore CONSIDERED AND ORDERED that said petition be and the same is hereby denied and it further appearing that the petitioners have filed a bond in the sum of \$200.00 with R. M. McAlister and J. R. Oliver as sureties, conditioned that the sureties will pay, or cause to be paid, to the county all costs and expenses incurred in viewing said proposed road, it is CONSIDERED AND ORDERED AND ADJUDGED that Union County have and recover off and from the petitioners, or their said sureties, the sum of \$10.00 as the costs of viewing said road.

In the matter of adjournment.

Now at this time it is CONSIDERED AND ORDERED that court be now adjourned until Tuesday, November 30th, 1937, at 9:00 o'clock for the purpose of levying at that time a tax upon the assessable property of Union County, based upon the 1937 assessment, and attend to any other business which might come before the court.