

3413

Register

Page

1406

IN PROBATE

UNION COUNTY
OREGON

ESTATE OF

E. Myers

Deceased

*Mary E Myers,
&
Executrix*

ATTORNEYS

J. R. Reno

• G • I • H G

LA

745

In re altering &
Changing Direction
of County Road
197-280 & 527

Altered &
reestablished
Apr 7-1939

1445
IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY

In the matter of the altering,
re-establishing and changing the
direction of a portion county
roads No. 197, 280 and 527.

WHEREAS, the county court of Union County, Oregon, proposes to
improve that certain road to be known as the Sanderson Springs-Phillips
Creek Market Road No. 32, the same being a portion of county roads No.
197, 280 and 527, and

WHEREAS, public convenience requires that the said county roads
No. 197, 280 and 527 be altered, re-established and the direction thereof
changed between points designated as Engineer's station 388/40.2 and
Engineer's Station 533/88.6 for the purpose of securing a better alignment
and a more practical and convenient grade,

THEREFORE, BE IT RESOLVED, that it is the intention of the county
court of Union County, Oregon, to alter, re-establish and change the
direction of portions of County Roads No. 197, 280 and 527 between the
points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner
common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at
station 388/40.2 PC with an angle of $90^{\circ} 32'$, thence on a 20° curve
to the right a distance of 452.7 feet to station 392/92.9 PT, thence
south $89^{\circ} 09'$ east on the section line a distance of 2606.8 feet to
station 418/99.7 PC, thence on a 2° curve to the left with a central
angle of $37^{\circ} 33'$ a distance of 1877.5 feet to station 437/77.2 PT,
thence north $53^{\circ} 18'$ east a distance of 3482.3 feet to station 472/59.5
PC thence on a 1° curve to the left with a central angle of $18^{\circ} 09'$ a
distance of 1815.0 feet to station 490/74.5 PT back, which equals
490/63.7 ahead, thence north $35^{\circ} 09'$ east a distance of 485.8 feet to
station 495/49.5 PC, thence on a 1° curve to the left with a central
angle of $12^{\circ} 0'$ a distance of 1200.0 feet to station 507/49.5 PT,
thence north $23^{\circ} 09'$ east a distance of 2239.3 feet to station 529/88.8
PC, thence on an 8° curve to the right with a central angle of $21^{\circ} 46'$
a distance of 272.1 feet to station 532/60.9 PT, thence north $44^{\circ} 55'$
east a distance of 127.7 feet to station 533/88.6, said point being 111.4
feet east and 2502.2 feet north of the one-quarter corner common to
Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side
of the center line between engineer's station 388/40.2 and Engineer's
station 418/99.7, and 80 feet in width, or 40 feet on each side of
the center line from engineer's station 418/99.7 to engineer's station
478/30.0, and 60 feet in width, or 30 feet on each side of the
center line from engineer's station 478/30.0 to engineer's station
533/88.6.

BE IT FURTHER RESOLVED and declared to be the intention of the
county court of Union County, Oregon, to take such further action as is
provided for by law in the above entitled proceeding at its regular
meeting to be held on 2nd day of March, 1939.

Dated at La Grande, Oregon, this 5th day of January, 1939.

Chas. H. Brown County Judge,
Chris Johnson Commissioner,
Alex McHenry 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 1st day of March, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Bresnears, Sheriff.

WHEN, on Thursday, the 2nd day of March, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering,
re-establishing and changing the
direction of a portion of county
roads No. 197, 280 and 527.

Now at this time this matter comes on for further consideration of the resolution passed by this court on January 5th, 1939, declaring its intention to alter, re-establish and change the direction of a portion of county roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of $90^{\circ} 32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south $89^{\circ} 09'$ east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ} 33'$ a distance of 1877.5 feet to station 437/77.2 PT, thence north $53^{\circ} 18'$ east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of $18^{\circ} 09'$ a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north $35^{\circ} 09'$ east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ} 0'$ a distance of 1200.0 feet to station 507/49.5 PT, thence north $23^{\circ} 09'$ east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of $21^{\circ} 46'$ a distance of 272.1 feet to station 532/60.9 PT, thence north $44^{\circ} 55'$ east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6,

and it appearing to the court that notice has been given that further action would be taken upon said resolution on March 2nd, 1939, by a duly certified copy of said resolution being 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 those portions of County Roads No. 197, 280 and 527 proposed to be altered, and re-located, to-wit: one on a fence post at the most southerly point, being the beginning of said proposed alteration and re-location of said roads as hereinbefore described, one on a fence post about midway between the beginning and terminus of the above described portions of said roads, and one on a bridge at Phillips Creek at the terminus of said proposed and described alteration and re-location, and that proof of the posting of said notices is shown by the affidavit of posting of S. B. Morgan, County Engineer, on file herein.

And it further appearing to the court that the record owners of the land which will be affected by said proposed re-establishment of said roads are as follows, to-wit:

David L. Sanderson
Mrs David L Sanderson
Emma F. Burnaugh
J. M. Burnaugh
Edwin L. Beem
Louisa E Beem
Randall D. Beem
Berniece A. Beem
Leo R. Niederer
Lillian B. Niederer
W. W. Sanderson
Hallie Sanderson
John G. Shea, Livingston, Montana,

And it further appearing that right-of-way deeds have been delivered to Union County, Oregon, by all of the above named persons except John G. Shea, and that from the affidavit of C. K. McCormick, County Clerk, a true copy of said notices, as posted, was mailed to Miles J. O'Connor, Administrator of the estate of John G. Shea, at Livingston, Montana, with postage fully prepaid, and it now appearing advisable to proceed with this matter to final determination,

It is CONSIDERED AND ORDERED that S. B. Morgan, County Engineer, and C. C. Welch and Burt M. Oliver, two qualified and disinterested freeholders of Union County, be, and they are, hereby appointed and constituted a board of county road viewers for the purpose of viewing that portion of county roads No. 197, 280 and 527 proposed to be re-established.

It is FURTHER ORDERED that said board of road viewers meet on March 8th, 1939, at 10 o'clock, A.M., for the purpose of viewing said road, and that they file their report with the County Clerk on or before March 22nd, 1939.

S. B. Morgan County Judge,
Burt M. Oliver Commissioner,
C. C. Welch Commissioner.

REGISTERED ARTICLE No

1235

1/11

1939

Addressed to

Miles J. O'Brien
Linn County, Oregon

Return receipt fee

Delivery restricted to addressee

Special delivery fee

Postmaster per

W L



15-0889

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article the original number of which appears on the face of this Card

Wm. G. ...
(Name of recipient)

Wm. G. ...
(Signature of addressee)

1939

19

Date of delivery
Form 3811

EN EN IN IN

5-6116

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 1235

INSURED PARCEL

No.



POSTMARK OF DELIVERING

OFFICE

Return to }
Street and Number }
at Post Office Box }

Co Clerk

BN 902

(NAME) (SEN)

Post Office at

La Grande, Oreg

State

Rev. 3 24

5-611

Affidavit of Mailing

State of Oregon
County of Union ^{SS}

I, C. K. McCormick, County Clerk of Union County, Oregon, being first duly sworn, say that On January 11th, 1939, I mailed to the following named person, as appears from registration receipt and return receipt attached hereto and made a part hereof, certified copy of the hereto attached resolution, to-wit:

Miles J. O'Connor, Livingston, Montana, (Administrator of the estate of John G. Shea, Deceased)

by securely sealing duly certified copy of said resolution in an envelope with postage fully paid thereon, and depositing same in the United States Post Office at La Grande, Oregon, said John G. Shea being the record owner of land on or over which county roads No. 197, 280 and 527 are to be re-established and changed. That the date of mailing said certified copy of resolution was more than thirty days previous to the date fixed in said resolution by the County Court of Union County, Oregon, for further consideration and action on said resolution.

C. K. McCormick

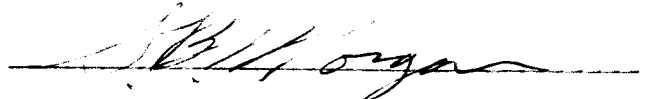
Subscribed and sworn to before me this 2nd day of March, AD, 1939.

W. J. O'Connell
County Judge of Union County, Oregon

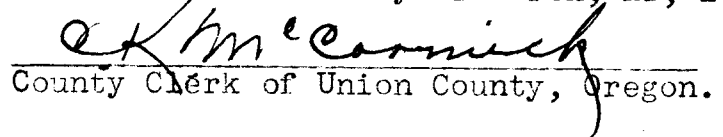
AFFIDAVIT OF POSTING NOTICES

State of Oregon
County of Union ^{ss}

I, S. B. Morgan, County Engineer, being first duly sworn, say that I posted three several notices (certified copies of resolution) of which the notice (resolution) hereto attached is a true and correct copy, in three public places in said County in the vicinity of that portion of each of county roads No. 197, 280 and 527, proposed to be re-established and changed, to-wit: one on a fence post at the most southerly point, being the beginning of said proposed alteration and relocation of said roads, one on a fence post about midway between the beginning and terminus of the said proposed alteration and re-location, and one on a bridge at Phillips Creek at the terminus of said proposed road, on January 10th, 1939, said date being more than thirty days previous to the date fixed by the County Court for further consideration of the resolution declaring its intention to re-establish and change portions of roads No. 197, 280 and 527; and that I posted a true and correct copy of said notice (resolution) at the place of holding county court for Union County, Oregon, on January 10th, 1939, to-wit: on the bulletin board at the front door of the County Court House in the city of La Grande, Oregon.



Subscribed and sworn to before me this 2nd day of March, AD, 1939


County Clerk of Union County, Oregon.

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

In the matter of the altering,
re-establishing and changing the
direction of a portion county
roads No. 197, 280 and 527.

WHEREAS, the county court of Union County, Oregon, proposes to improve that certain road to be known as the Sanderson Springs-Phillips Creek Market Road No. 32, the same being a portion of county roads No. 197, 280 and 527, and

WHEREAS, public convenience requires that the said county roads No. 197, 280 and 527 be altered, re-established and the direction thereof changed between points designated as Engineer's station 388/40.2 and Engineer's Station 533/88.6 for the purpose of securing a better alignment and a more practical and convenient grade,

THEREFORE, BE IT RESOLVED, that it is the intention of the county court of Union County, Oregon, to alter, re-establish and change the direction of portions of County Roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of 90° 32', thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south 89° 09' east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of 37° 33' a distance of 1877.5 feet to station 437/77.2 PT, thence north 53° 18' east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of 18° 09' a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north 35° 09' east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of 12° 0' a distance of 1200.0 feet to station 507/49.5 PT, thence north 23° 09' east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of 21° 46' a distance of 272.1 feet to station 532/60.9 PT, thence north 44° 55' east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6.

BE IT FURTHER RESOLVED and declared to be the intention of the county court of Union County, Oregon, to take such further action as is provided for by law in the above entitled proceeding at its regular meeting to be held on 2nd day of March, 1939.

Dated at La Grande, Oregon, this 5th day of January, 1939.

(sd) U. G. Couch, County Judge,
Chris Johnson, Commissioner,
Alex McKenzie. Commissioner.

State of Oregon
ss
County of Union

I, C. K. McCormick, County Clerk and ex-officio Clerk of the

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

Copy of the Field Notes for the Partial Re-align-
ment of County Roads No. 197, 280, & 527

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Twp. 1 N R 38 EWM, said point being at station 388+40.2 PC with an angle of $90^{\circ}32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392+92.9 PT, thence south $89^{\circ}09'$ east on the section line a distance of 2606.8 feet to station 418+99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ}33'$ a distance of 1877.5 feet to station 437+77.2 PT, thence north $53^{\circ}18'$ east a distance of 3482.3 feet to station 472+59.5 PC, thence on a 1° curve to the left with a central angle of $18^{\circ}09'$ a distance of 1815.0 feet to station 490+74.5 PT back, which equals 490+63.7 ahead, thence north $35^{\circ}09'$ east a distance of 485.8 feet to station 495+49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ}00'$ a distance of 1200.0 feet to station 507+49.5 PT, thence north $23^{\circ}09'$ east a distance of 2239.3 feet to station 529+88.8 PC, thence on an 8° curve to the right with a central angle of $21^{\circ}46'$ a distance of 272.1 feet to station 532+60.9 PT, thence north $44^{\circ}55'$ east a distance of 127.7 feet to station 533+88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Twp. 1 N R 39 EWM.

The width of the right of way will be as noted on the accompanying map.

Re-location made, October 1938, for the above described road and the new route named "Sanderson Springs-Phillips Creek Market Road No. 32."

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 2nd day of March 19/39 instructed to view lay out and alter the proposed county road of which the survey hereto attached is a true and correct description as ~~per the resolution~~ **resolved by the county court** et al. We have to report that on the 8th day of March 19/39 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 none of the property is made less valuable by the realignment of the Sanderson Springs Phillips Creek Road, and no damages allowed.

)
) Board of County
Road Viewers

Dep 134
Dunning Springs - Fla
Creek Road

Woods Park

FILED

MAR 8 - 1939

C. K. M. S. M. P. S.
COUNTY CLERK

BY *[Signature]*
DEPUTY

* * *

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

Copy of the Field Notes for the Partial Re-align-
ment of County Roads No. 197, 280 & 527

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Twp. 1 NR 38 EWM, said point being at station 388+40.2 PC with an angle of $90^{\circ}32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392+92.9 PT, thence south $89^{\circ}09'$ east on the section line a distance of 2606.8 feet to station 418+99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ}33'$ a distance of 1877.5 feet to station 437+77.2 PT, thence north $53^{\circ}18'$ east a distance of 3482.3 feet to station 472+59.5 PC thence on a 1° curve to the left with a central angle of $18^{\circ}09'$ a distance of 1815.0 feet to station 490+74.5 PT back, which equals 490+63.7 ahead, thence north $35^{\circ}09'$ east a distance of 485.8 feet to station 495.49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ}0'$ a distance of 1200.0 feet to station 507+49.5 PT, thence north $23^{\circ}09'$ east a distance of 2239.3 feet to station 529+88.3 PC, thence on an 8° curve to the right with a central angle of $21^{\circ}46'$ a distance of 272.1 feet to station 532+60.9 PT, thence north $44^{\circ}55'$ east a distance of 127.7 to station 533+88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Twp. 1 NR 39 EWM.

The width of the right of way will be as noted on the accompanying map.

Re-location made, October 1938, for the above described road and the new route named "Sanderson Springs-Phillips Creek Market Road No. 32.

E. C. Myers
Chas. S. Johnson

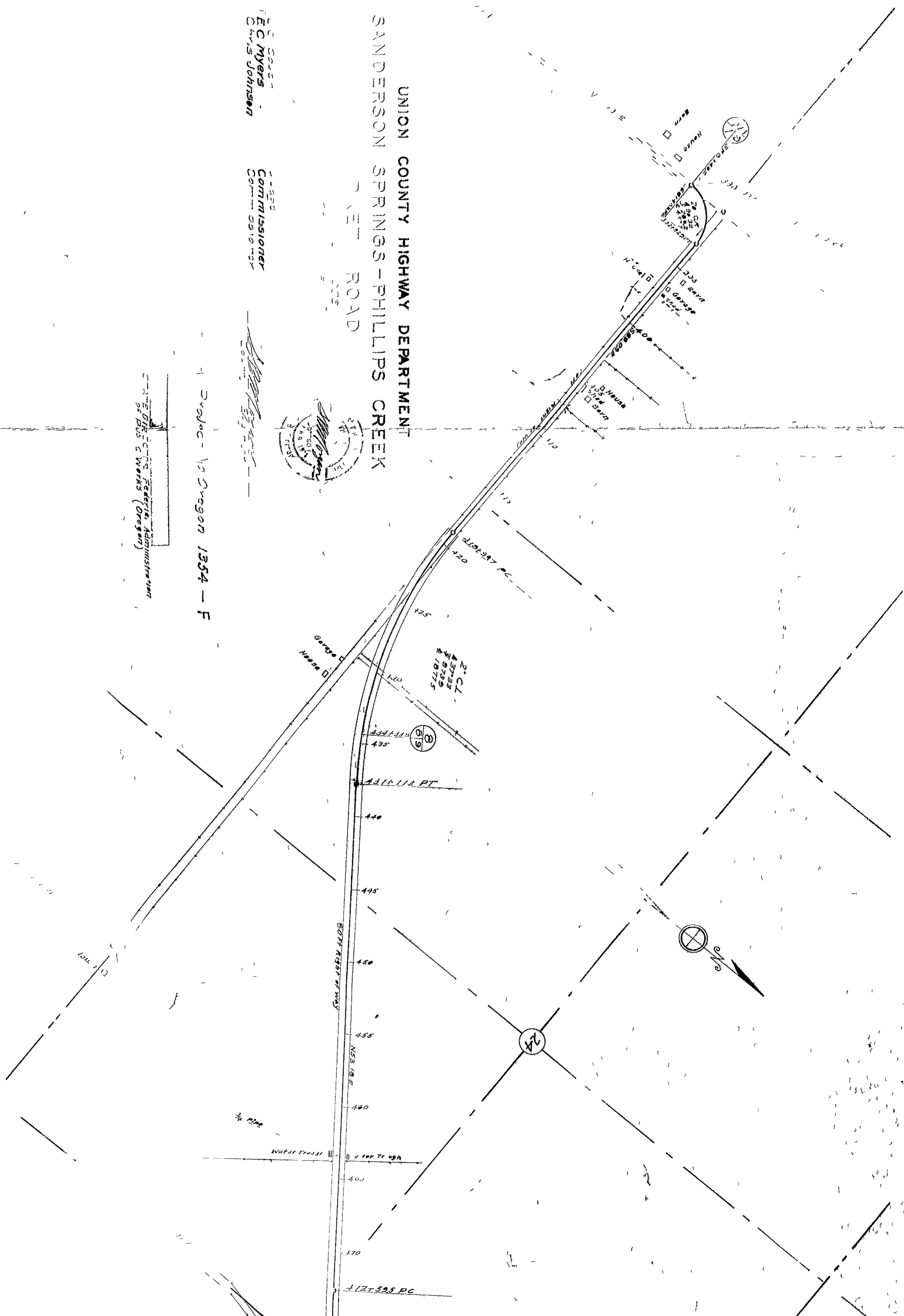
Commissioner
Comm. 5310-101

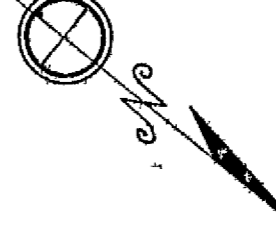


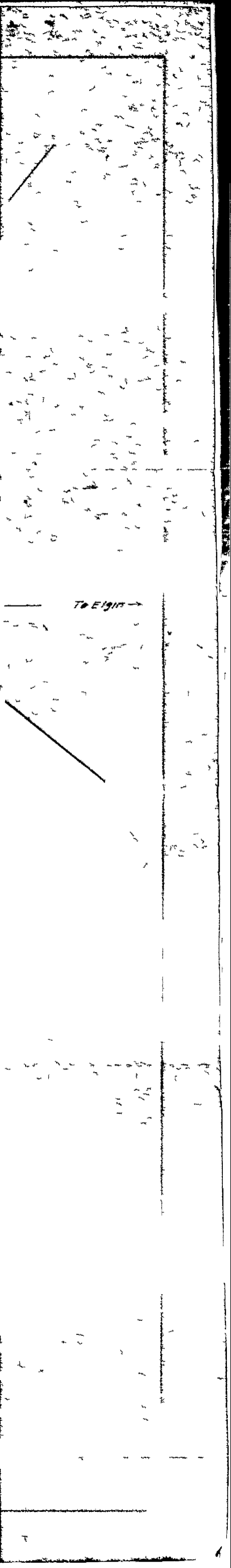
UNION COUNTY HIGHWAY DEPARTMENT
SANDERSON SPRINGS - PHILLIPS CREEK
ROAD

1 Engdoc - 1/2 Oregon 1354 - F

CHAS. S. JOHNSON
Federal Administrator
(Oregon)







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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday , the 6th day of April, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Friday April 7th, at 10:00 o'clock, A.M.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie 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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Friday, the 7th day of April, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, the above entitled matter comes on for action on the report of the Board of Roadviewers, heretofore appointed to view the above entitled road, 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 2nd day of March, 1939, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as resolutioned by the county court, et al., beg leave to report that on the 8th day of March, 1939, 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. None of the property is made less valuable by the re-alignment of the Sanderson Springs-Phillips Creek Road, and no damages allowed.

(sd) C. C. Welch
Burt M. Oliver
S. B. Morgan,
Board of County Road Viewers"

It appearing that said report has been read in open court on two different days of this term of this court immediately prior to this date, and it appearing further to the court that the report of said board of road viewers is favorable to the proposed alteration of said road and recommends that said alteration be made, and all the proceedings herein appearing to be legal and according to law, and no remonstrance or claim for damages having been filed herein and no cause having been shown why said proposed alteration should not be made,

It is therefore CONSIDERED AND ORDERED that the report of the Board of Road Viewers be, and the same is, hereby adopted and that the proposed changes in said roads be made between the points and along the line described in the resolution of this court on January 5th, 1939.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie 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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Wednesday, the 5th day of April, AD, 1939, or the 1st judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering,
re-establishing and changing the
direction of a portion of county
roads No. 197, 280 and 527.

Now at this time this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Thursday April 6th, at 10:00 o'clock, A.M.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie Commissioner.

SECOND JUDICIAL DAY

THURSDAY, JANUARY 5th, 1939

that said road would connect with the Haines-Anthony Creek Secondary Highway, therefore

BE IT RESOLVED, that the Oregon State Highway Commission be and it hereby is requested to grade and gravel the North Powder River road (Union County Market Road No. 5) for a distance of approximately five miles in lieu of grading, graveling and oiling said road for a distance of one and one-half miles.

In the matter of the altering, re-establishing and changing the direction of a portion county roads No. 197, 280 and 527.

WHEREAS, the county court of Union County, Oregon, proposes to improve that certain road to be known as the Sanderson Springs-Phillips Creek Market Road No. 32, the same being a portion of county roads No. 197, 280 and 527, and

WHEREAS, public convenience requires that the said county roads No. 197, 280 and 527 be altered, re-established and the direction thereof changed between points designated as Engineer's station 388/40.2 and Engineer's Station 533/88.6 for the purpose of securing a better alignment and a more practical and convenient grade,

THEREFORE, BE IT RESOLVED, that it is the intention of the county court of Union County, Oregon, to alter, re-establish and change the direction of portions of county roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of $90^{\circ} 32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south $89^{\circ} 09'$ east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ} 33'$ a distance of 1877.5 feet to station 437/77.2 PT, thence north $53^{\circ} 18'$ east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of $18^{\circ} 09'$ a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north $35^{\circ} 09'$ east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ} 0'$ a distance of 1200.0 feet to station 507/49.5 PT, thence north $23^{\circ} 09'$ east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of $21^{\circ} 46'$ a distance of 272.1 feet to station 532/60.9 PT, thence north $44^{\circ} 55'$ east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter common to Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6.

BE IT FURTHER RESOLVED and declared to be the intention of the county court of Union County, Oregon, to take such further action as is provided for by law in the above entitled proceeding at its regular meeting to be held on 2nd day of March, 1939.

In the matter of the designation of official newspapers for the year 1939.

Now at this time this matter comes on for the designation of 2 county official newspapers for the year 1939 and it appearing to the court that the La Grande Evening Observer, and the Eastern Oregon Review have applied to the court to be designated as such, and it further appearing to the court that the La Grande Evening Observer and the Eastern Oregon Review have the largest number of bona-fide subscribers within Union County,

It is therefore CONSIDERED AND ORDERED that the La Grande Evening Observer and the Eastern Oregon Review be, and they are, hereby designated as official newspapers of Union County for the year 1939.

SECOND JUDICIAL DAY

THURSDAY, MARCH 2nd, 1939

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. Bauch County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, this matter comes on for further consideration of the resolution passed by this court on January 5th, 1939, declaring its intention to alter, re-establish and change the direction of a portion of county roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of 90° 32', thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south 89° 09' east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of 37° 33', a distance of 1877.5 feet to station 437/77.2 PT, thence north 53° 18' east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of 18° 09' a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north 35° 09' east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of 12° 0' a distance of 1200.0 feet to station 507/49.5 PT, thence north 23° 09' east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of 21° 46' a distance of 272.1 feet to station 532/60.9 PT, thence north 44° 55' east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Tp 1N, R39, EWM,

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6,

and it appearing to the court that notice has been given that further action would be taken upon said resolution on March 2nd, 1939, by a duly certified copy of said resolution being posted at the place of holding county court, to-wit: at the County Court House in the city of La Grande, Union County, Oregon, and also in three public places in the vicinity of those portions of County Roads No. 197, 280 and 527 proposed to be altered, and re-located, to-wit: one on a fence post at the most southerly point, being the beginning of said proposed alteration and re-location of said roads as hereinbefore described, one on a fence post about midway between the beginning and terminus of the above described portions of said roads, and one on a bridge at Phillips Creek at the terminus of said proposed and described alteration and re-location, and that proof of the posting of said notices is shown by the affidavit of posting of S. B. Morgan, County Engineer, on file herein.

And it further appearing to the court that the record owners of the land which will be affected by said proposed re-establishment of said roads are as follows, to-wit:

David L. Sanderson, Mrs David L. Sanderson
Emma F. Burnaugh, J. M. Burnaugh
Edwin L. Beem, Louisa E. Beem
Randall D. Beem, Berniece A. Beem
Leo R. Niederer, Lillian B. Niederer
W. W. Sanderson, Hallie Sanderson
John G. Shea, (Livingston, Montana),

And it further appearing that right-of-way deeds have been delivered to Union County, Oregon, by all of the above named persons except John G. Shea, and that from the affidavit of C. K. McCormick, County Clerk, a true copy of said notices, as posted, was

SECOND JUDICIAL DAY

THURSDAY, MARCH 2nd, 1939

mailed to Miles J. O'Connor, Administrator of the estate of John G. Shea, at Livingston, Montana, with postage fully prepaid, and it now appearing advisable to proceed with this matter to final determination,

It is CONSIDERED AND ORDERED that S. B. Morgan, County Engineer, and C. C. Welch and Burt M. Oliver, two qualified and disinterested free holders of Union County, be, and they are, hereby appointed and constituted a board of county road viewers for the purpose of viewing that portion of county roads No. 197, 280 and 527 proposed to be re-established.

It is FURTHER ORDERED that said board of road viewers meet on March 8th, 1939, at 10 o'clock, A.M., for the purpose of viewing said road, and that they file their report with the County Clerk on or before March 22nd, 1939.

In the matter of the vacation of
 a portion of county road No. 314

Now at this time, the above entitled matter comes on for hearing of the report of the County Engineer and Roadmaster on the proposed vacation of a portion of county road No. 314, described as follows, to-wit:

Commencing at a point 1342 feet west of the beginning of county road No. 314, said point being 1342 feet west of the northeast corner of Section 16, Tp 2S, R39, EWM, running thence west a distance of 1282 feet to A-1, thence south a distance of 2640 feet to A-2, thence West a distance of 2640 feet to A-3, thence south a distance of 2640 feet to A-4, said last point being the southwest corner of Section 16, Twp 2S, R39, EWM;

And it appearing to the court from the report of the County Engineer that the portion of said road proposed to be vacated is of no value to the householders residing in the vicinity thereof and adds nothing to their convenience, and is an added expense to the county to maintain; and it further appearing from the affidavit of posting on file in this proceeding, that the County Engineer, more than 30 days prior to March 2nd, 1939, the date set for hearing said Engineer's report on said proposed vacation, posted 3 notices of the date set for hearing said report in the vicinity of that portion of said road proposed to be vacated, and one notice at the place of holding county court, to-wit: at the court house in the city of La Grande, Oregon; and it further appearing that no person has appeared to object to the vacation of that portion of said road described herein, 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 and along the line described herein.

In the matter of the appropriation
 for Predatory Animal Control.

Now at this time, it appearing to the court that an appropriation of \$400.00 was made in the budget of Union County for 1939 for use in co-operating with the state and federal government in the destruction of predatory animals within Union County and that the state of Oregon has set aside for said purpose the sum of \$400.00, provided that Union County remits to the Secretary of State an amount equal to that set aside by the State of Oregon,

And it further appearing that the Bureau of Biological Survey is ready to commence work within Union County as soon as the county has paid its appropriation,

It is therefore CONSIDERED AND ORDERED that the County Clerk be, and he is, hereby directed and authorized to draw a warrant at this time in favor of Earl Snell, Secretary of State, in the sum of \$200.00 to be used in the control of predatory animals within Union County, said sum being the amount agreed upon by the court to be paid at this time.

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 April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, 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 300, 301 and 302, and Road Fund Exhibit of Claims and Warrants No. 4, pages 144, 145, 146, 249, 369 and 370.

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Thursday, April 6th, at 10:00 o'clock, A.M.

Thereupon it was ORDERED that court be now adjourned until Thursday, April 6th, 1939, at 9:00 o'clock, A.M.

SECOND JUDICIAL DAY

THURSDAY, APRIL 6th, 1939

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.

W. G. Couch 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:

115 General Fund Warrants	\$7,506.73
2 Booth Lane Bridge Fund Warrants	1,031.31
113 Road Fund Warrants	7,834.12
22 Market Road Fund Warrants	1,794.81
1 Indigent Soldier Fund Warrant	34.00
2 Law Library Fund Warrants	65.00
33 Spl Tax Receipts, Cities	56,774.51
134 Spl Tax Receipts, School Districts	77,427.76
1 County School Fund Receipt	18,462.30
1 Elementary School Fund Receipt	7,847.14
1 High School Tuition Fund Receipt	<u>17,662.70</u>
	\$196,440.38

745 In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Friday, April 7th, at 10:00 o'clock, A.M.

In the matter of the cancellation of the contract of Everett White for the purchase of real property from Union County.

Now at this time, it appearing to the court that on May 15th, 1937, Everett White entered into a contract with the County Court of Union County, Oregon, for the purchase of the following described real property, to-wit:

Commencing 45 ft south of the northwest corner of Block 5 of Williamson's Addition to La Grande, Oregon, thence East 116 ft, South 100 ft, West 116 ft, North 100 ft to beginning,

THIRD JUDICIAL DAY

FRIDAY, APRIL 7th, 1939

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.

W. G. Curch County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the vacation of portions of county roads No. 350 and 465.

WHEREAS, it appears to the county court of Union County, Oregon, that a portion of each of county roads No. 350 and 465, more particularly described as follows:

Beginning at the $\frac{1}{4}$ corner common to Sections 22 & 27, Twp 2N, R40, EWM, thence west 20 chains, which is road No. 350. Thence beginning at the NE corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec 27 Twp 2N, R40, EWM, thence North 19 chains, thence north 12^o West 5 chains, thence West 35 chains, which is on road No. 465,

is useless as a part of the general road system of Union County and is burdensome to maintain, that a road constructed during the year 1938 has taken the place of said portions of roads 350 and 465, and that the land adjacent to said portion of said road and the names of the owners thereof is as follows:

Southeast Quarter of Southwest Quarter of Section 22, Twp 6S, R39, EWM, owned by O. W. Thompson;

Southwest Quarter of Southwest Quarter of Section 22, and Northwest Quarter Section 27, all in Twp 6S, R39, EWM, owned by Q. V. Witty;

WHEREAS, the public will be benefited by the vacation of said portion of said road, therefore

BE IT RESOLVED, that such proceedings as are required by law to vacate said above described road will be undertaken.

In the matter of the vacation of portions of County Road No. 350 and 465.

At this time, it appearing that this court has adopted a resolution declaring its intention to undertake such proceedings as are required by law, to vacate a portion of County Road No. 350 and a portion of County Road No. 465,

It is ORDERED that the County Engineer be, and he is, hereby directed to examine that portion of said roads proposed to be vacated and to file a report in writing setting forth his recommendations as to the vacation of said roads.

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, the above entitled matter comes on for action on the report of the Board of Road Viewers, heretofore appointed to view the above entitled road, 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 2nd day of March, 1939, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as resolved by the county court, et al., beg leave to report that on the 8th day of March, 1939, in pursuance with said order, we proceeded to view out said proposed road for the

THIRD JUDICIAL DAY

FRIDAY, APRIL 7th, 1939

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. None of the property is made less valuable by the re-alignment of the Sanderson Springs-Phillips Creek Road, and no damages allowed.

(sd) C. E. Welch
Burt M Oliver
S. B. Morgan,
Board of County Road Viewers"

It appearing that said report has been read in open court on two different days of this term of this court immediately prior to this date, and it appearing further to the court that the report of said board of road viewers is favorable to the proposed alteration of said road and recommends that said alteration be made, and all the proceedings herein appearing to be legal and according to law, and no remonstrance or claim for damages having been filed herein and no cause having been shown why said proposed alteration should not be made,

It is therefore CONSIDERED AND ORDERED that the report of the Board of Road Viewers be, and the same is, hereby adopted and that the proposed changes in said roads be made between the points and along the line described in the resolution of this court on January 5th, 1939.

In the matter of the report of the Salvation Army of relief work conducted by said S. Army.

Now at this time is presented to the court a report of the Salvation Army of La Grande showing the nature of its relief program and the expenditures made, and the court having examined said report, it is ORDERED that said report be approved and the Clerk be, and he is, hereby directed to file same.

In the matter of the improvement of roads.

Now at this time is presented to the court the petition of H. L. Wagner, et al for the improvement by applying gravel to the county road known as the "Woodell Road" from the LaGrande-Joseph Highway to the Jim Woodell place and the court having considered said petition,

It is CONSIDERED AND ORDERED that the petition be filed and when funds are available that said matter be given further consideration.

In the matter of the improvement of roads.

Now at this time is presented to the court the petition of Fred Garrett, et al., for the improvement of a portion of what is known as the "Intake Road" from the intersection of said road with the Hilgard-Starkey Market Road to Grave Creek by grading and graveling said road, and the court having considered said petition,

It is CONSIDERED AND ORDERED that the petition be filed and when funds are available that said matter be given further consideration.