

755

In re Vacation of  
Lake St

June 3, 1948

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

IN THE MATTER of the )  
vacation of a portion of )  
Lake Street, a County road, )  
in Union County, Oregon )  
----- )

PETITION TO VACATE

TO the Honorable C. K. McCormick, Judge of the above  
entitled Court, and Chris Johnson and H. J. Speckhart, Commissioners:

THE PETITION of Dual Walter Eldridge, Senior and Hazle  
Eldridge, husband and wife, and Lloyd D. Krum and Bessie E. Krum,  
husband and wife, respectfully shows:

I. Senior  
Dual Walter Eldridge and Hazle Eldridge,  
That your petitioners/are residents of Union County, Oregon.

II.

That your petitioners Dual Walter Eldridge Senior and Hazle  
Eldridge, husband and wife, are the owners in fee simple of certain  
land situate in Union County, Oregon, more particularly described  
as Lots 12 to 16 inclusive, in Block 68 and Lots 1 to 5 inclusive  
in Block 67 in Riverside Addition to La Grande, Union County,  
Oregon, according to the recorded plat thereof, which said lots  
abut a part of Lake Street between Columbia Street and Union Street.

III.

That your petitioners Lloyd D. Krum and Bessie E. Krum,  
husband and wife, are the owners in fee simple of Lots 9 to 11  
inclusive in said Block 68 and Lots 6 and 7 in said Block 67 in  
Riverside Addition aforesaid, which said lots abut the balance of  
Lake Street between Columbia Street and Union Street.

IV.

That your petitioners, as the wole owners of the said land

abutting Lake Street as aforesaid, are by virtue thereof the owners in fee simple of that portion of Lake Street aforesaid lying between Columbia Street and Union Street, subject to the right of user therein by the public for road purposes.

V.

That the said portion of Lake Street is a county road between Columbia Street and Union Street, is a county road outside the city limits of La Grande, Union County, Oregon, but has never been opened, improved, or used as a public highway of Union County, Oregon.

VI.

That other than your petitioners, no person or party is the owner of any land abutting upon or contiguous to the aforesaid portion of Lake Street lying between Columbia Street and Union Street, and no person or party would be particularly affected or suffer detriment or loss if the said portion of Lake Street were vacated and closed as a public highway or county road.

VII.

That the said portion of Lake Street, if vacated and closed as a public highway or county road, would be of value and use to your petitioners as the owners thereof.

WHEREFORE your petitioners pray that the said portion of Lake Street, lying between Columbia Street and Union Street, a county road in Union County, Oregon, be declared vacated and closed as a public road or highway.

Lena M. Elsholtz  
Wm. H. Elsholtz  
Lloyd H. Elsholtz  
Bessie E. Elsholtz

STATE OF OREGON )  
                  :    ss.  
COUNTY OF UNION )

WE, DUAL WALTER ELDRIDGE SENIOR and HAZLE ELDRIDGE, husband and wife, and LLOYD D. KRUM and BESSIE E. KRUM, husband and wife, being first duly sworn each for himself depose and say, that we are the petitioners in the above entitled petition, that we have read the foregoing PETITION TO VACATE, know the contents thereof, and say that same is true as we verily believe.

Walter Eldridge Sr.

Walter Eldridge Sr.

Lloyd D. Krum

Bessie E. Krum

Subscribed and sworn to before me this 18 day of May

1948.

[Signature]

NOTARY PUBLIC FOR OREGON

MY COMMISSION EXPIRES: Aug 27-1951



*Willing to execute  
Order of Sale*

**FILED**

MAY 27 1948

C. J. GRAHAM  
COUNTY CLERK

BY



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 June A. D., 1948, 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 C. K. McCormick, County Judge  
H. J. Speckhart, Commissioner  
Chris Johnson, Commissioner  
C. L. Graham, Clerk  
Jesse Breshears Sheriff

WHEN, on Thursday, the 3rd day of June A. D., 1948  
or the 2nd Judicial Day of said term, among others, the following proceedings were had, to-wit:

**In the matter of the vacation of  
of a portion of Lake Street,  
La Grande, Oregon**

Now at this time is presented to the court a petition for the vacation of a portion of Lake Street, La Grande, Oregon, and it appearing to the court that notice must be posted for a period of 30 days giving notice of the time and place for hearing said petition, and the court being advised in the premises,

It is considered and ordered that Friday, July 9th, 1948, at the hour of 10:00 o'clock, AM, at the county court room in La Grande, Union County, Oregon, be and the same are fixed as the time and place for hearing said petitions, and it is further ordered that proper notice be posted.

*C. K. McCormick*  
County Judge,  
*H. J. Speckhart*  
Commissioner,  
Commissioner.

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

IN THE MATTER of the  
vacation of a portion  
of Lake Street, a County  
road, in Union County,  
Oregon  
-----

AFFIDAVIT OF POSTING

STATE OF OREGON )  
County of Union ) ss.

**FILED**

*June 17*  
~~FILED 1948~~ 1948  
C. L. GRAHAM  
COUNTY CLERK  
BY *[Signature]*  
~~DEPUTY~~

I, R. D. H. SWINDLEY, being first duly sworn, say:

1. That I am one of the attorneys for the petitioners herein.

2. That I did, on the <sup>5<sup>th</sup></sup> day of June, 1948, post four (4) copies of the Notice of Road Vacation, a copy of which is hereunto annexed, in three public places in Union County, Oregon, to wit: one of such copies on a fence post at each end of that portion of Lake Street proposed to be vacated, one on a fence post about half way distant from the termini of that portion of Lake Street proposed to be vacated, and one on the bulletin board at the front door of the Court House in La Grande, Oregon.

*R. D. H. Swindley*

Subscribed and sworn to before me this <sup>7<sup>th</sup></sup> day of June, 1948.

*[Signature]*  
Notary Public for Oregon

My commission expires ~~August 27, 1951~~ <sup>June 17, 1950</sup>



NOTICE OF ROAD VACATION

NOTICE IS HEREBY GIVEN that a petition has been duly filed in the County Court for the State of Oregon, for Union County by the undersigned, ~~Dual Walter Eldridge Senior and Hazle Eldridge, husband and wife, and Lloyd D. Krum and Bessie E. Krum, husband and wife,~~ praying that the portion of ~~Lake Street, between Columbia Street and Union Street, in Riverside Addition to La Grande, Union~~ County, Oregon, be vacated and closed as a county road.

NOTICE IS HEREBY FURTHER GIVEN that the said petition will be heard in the County Court room, at the Court House, La Grande, Oregon, on *Friday* the *9<sup>th</sup>* day of *July*, 1948, at 10:00 A.M. and all persons concerned or having any objections thereto may appear and be heard at the said time and place.

DATED at La Grande this *5<sup>th</sup>* day of *June*, 1948.

Dual Walter Eldridge Senior

Hazle Eldridge

Lloyd D. Krum

Bessie E. Krum

FILED

NOV 18 1898

*Wm. W. [unclear]*

By \_\_\_\_\_ Deputy

BE IT REMEMBERED, that at a regular term of the County Court of the State of Oregon, for the County of Union in probate sitting, begun and held at the Court House in the City of La Grande, in said County and State, on Monday, the \_\_\_\_\_ day of \_\_\_\_\_ A. D., 194\_\_\_\_, the same being the first Monday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable C. K. McCORMICK, County Judge  
C. L. GRAHAM, Clerk  
JESSE BRESHEARS, Sheriff

When, on Friday \_\_\_\_\_, the 3rd day of July \_\_\_\_\_ A. D., 1948 or the 3rd Judicial Day of said term, among others, the following proceedings were had, to-wit:

IN THE MATTER of the )  
vacation of a portion of )  
Lake Street, a County road, )  
in Union County, Oregon. )  
- - - - - )

ORDER TO VACATE

THIS MATTER Coming on for hearing upon the petition of Dual Walter Eldridge, Senior, and Hazle Eldridge, husband and wife, and Lloyd D. Krum and Bessie E. Krum, husband and wife, for an Order vacating that certain portion of Lake Street lying and extending between Columbia Street and Union Street in Riverside Addition to La Grande, Union County, Oregon, according to the recorded plat thereof.

AND IT APPEARING That Riverside Addition aforesaid lies outside the limits of the incorporated City of La Grande which is not interested therein.

AND IT FURTHER APPEARING That notice in writing of the pendency of the petition filed herein was duly given in the manner prescribed by law, as shown by the affidavit of posting sworn on the 7th day of June, 1948, and filed herein.

AND IT FURTHER APPEARING That more than thirty (30) days have elapsed since the date of filing the petition and affidavit of posting herein, and no person has appeared in opposition to the said petition and no objection having been filed to the proposed vacation of that portion of Lake Street as herein described,

IT IS ORDERED AND ADJUDGED That the certain portion of Lake Street, lying and extending between Columbia Street and Union Street, and the whole thereof, in Riverside Addition to the City of La Grande, Union County, Oregon, according to the recorded plat thereof, be and the same is hereby vacated and declared closed as a public street, and that all right or title

thereto vest in the petitioners, Dual Walter Eldridge, Senior, and Hazle Eldridge, husband and wife, and Lloyd D. Krum and Bessie E. Krum, husband and wife, as owners of the property abutting on that portion of Lake Street hereby vacated and in proportion to the length or breadth of their said property as borders or abuts the said vacated protion of such street.

AND IT IS FURTHER ORDERED That this order be recorded in the deed records of Union County, Oregon, and be indexed under the letter "V", title "Vacations", and that the County surveyor for Union County, Oregon, thereupon trace upon the original plat of Riverside Addition aforesaid, with red ink, the said portion of Lake Street shown on the said plat so vacated and write therein the word "Vacated", with appropriate reference by number to notation, and shall make a notation on the original plat of Riverside Addition aforesaid, in red ink, giving the book and page of the deed record in which this Order is recorded, in the manner prescribed by law.

*C. M. Connely*  
 \_\_\_\_\_  
 County Judge.

*Chris Johnson*  
 \_\_\_\_\_  
 Commissioner.

\_\_\_\_\_  
 Commissioner.

(See) DOCUMENT # 18/28 RECORDED July 23-1988-2<sup>30</sup> M. C. L. GRAHAM, COUNTY CLERK  
 BY *Rose M. Hagen* DEPUTY

STATE OF OREGON } ss.  
County of Union.

I certify that the within instrument  
of writing was received for record on  
the 23 day of May of  
1922 at 2:30  
o'clock P. M., and recorded on page  
610 in Book..... Record of  
..... of said County.  
..... County Clerk,  
Deputy.

*Handwritten signature*

*Faint, illegible text at the top of the page.*

SECOND JUDICIAL DAY

THURSDAY, JUNE 3rd, 1949

IN THE MATTER OF THE VACATION OF  
THE VACATION OF A PORTION OF  
POLK STREET, LA GRANDE, OREGON

Now at this time is presented to the Court a petition for the vacation of a portion of Polk Street, La Grande, Oregon, and it appearing to the court that notice must be posted for a period of 30 days giving notice of the time and place for hearing said petition, and the court being avised in the premises,

It is considered and ordered that Friday, July 9th, 1948, at the hour of 10:00 o'clock AM, at the county court room in La Grande, Union County, Oregon, be and the same are fixed as the time and place for hearing said petitions, and it is further ordered that proper notice be posted.

IN THE MATTER OF THE VACATION OF  
A PORTION OF LAKE STREET,  
LA GRANDE, OREGON.

Now at this time is presented to the court a petition for the vacation of a portion of Lake Street, La Grande, Oregon, and it appearing to the court that notice must be posted for a period of 30 days giving notice of the time and place for hearing said petition, and the court being advised in the premises,

It is considered and ordered that Friday, July 9th, 1948, at the hour of 10:00 o'clock, A.M. at the county Court room in La Grande, Union County, Oregon, be and the same are fixed as the time and place for hearing said petitions, and it is further ordered that proper notice be posted.

IN THE MATTER OF THE VACATION OF  
THE ALLEY IN BLOCK 68, RIVERSIDE  
ADDITION TO LA GRANDE, OREGON.

Now at this time is presented to the court a petition for the vacation of the alley in Block 68, Riverside Addition to La Grande, Oregon, and it appearing to the court that notice must be posted for a period of 30 days given notice of the time and place for hearing said petition, and the court being advised in the premises,

IT IS CONSIDERED AND ORDERED that Friday, July 9th, 1948, at the hour of 10:00 o'clock AM, at the county Court Room in La Grande, Union County, Oregon, be and the same are fixed as the time and place for hearing said petitions, and it is further ordered that proper notice be posted.

IN THE MATTER OF THE DISTRIBUTION  
OF ROAD FUNDS TO THE VARIOUS  
INCORPORATED CITIES AND TOWNS.

Now on this 3rd day of June, A.D., 1948, it appearing to the court that certain funds are on hand in the general road fund of the county, a part of which is due the various incorporated cities and towns of the county under the provisions of Section 100-1325, OCLA.

IT IS THEREFORE CONSIDERED AND ORDERED that the County Clerk be, and he is hereby, authorized and directed to draw warrants on the general road fund of the county in favor of the following cities and towns in the following amounts which represent monies due said cities and towns in the road taxes collected on the 1947-48 roll, to-wit:

City of La Grande, \$2,474.98; City of Union, \$304.91; City of Elgin, \$314.25;  
City of Cove, \$60.41; City of Imbler, \$43.56; City of Island City, \$65.43;  
City of Summerville, \$12.88; and that the city of North Powder be given credit the sum of \$93.19 on the amount due from said city to Union County for work performed in the corporate limits of said City.

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

County Judge  
Commissioner  
Commissioner

THIRD JUDICIAL DAY

FRIDAY, JULY 9, 1948

Court met in pursuance to adjournment.

Present: Same officers as on the 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.

County Judge

Commissioner

Whereupon the following proceedings were had, to-wit: Commissioner

M/S

IN THE MATTER OF THE VACATION OF A PORTION OF LAKE STREET, A COUNTY ROAD, IN UNION COUNTY, OREGON.

ORDER TO VACATE

THIS MATTER Coming on for hearing upon the petition of Dual Walter Eldridge, Senior, and Hazle Eldridge, husband and wife, and Lloyd D Krum and Bessie E Krum, husband and wife, for an Order vacating that certain portion of Lake Street lying and extending between Columbia Street and Union Street in Riverside Addition to La Grande, Union County, Oregon, according to the recorded plat thereof.

AND IT APPEARING That Riverside Addition aforesaid lies outside the limits of the incorporated City of La Grande which is not interested therein.

AND IT FURTHER APPEARING that notice in writing of the pendency of the petition filed herein was fully duly given in the manner prescribed by law, as shown by the affidavit of posting sworn on the 7th day of June, 1948, and filed herein.

AND IT FURTHER APPEARING That more than thirty (30) days have elapsed since the date of filing the petition and affidavit of posting herein, and no person has appeared in opposition to the said petition and no objection having been filed to the proposed vacation of that portion of Lake Street as herein described,

IT IS ORDERED AND ADJUDGED That the certain portion of Lake Street, lying and extending between Columbia Street and Union Street, and the whole thereof, in Riverside Addition to the City of La Grande, Union County, Oregon, according to the recorded plat thereof, be and the same is hereby vacated and declared closed as a public street, and that all right or title thereto vest in the petitioners, Dual Walter Eldridge, Senior, and Hazel Eldridge, husband and wife, and Lloyd D Krum and Bessie E Krum, husband and wife, as owners of the property abutting on that portion of Lake Street hereby vacated and in proportion to the length or breadth of their said property as borders or abuts the said vacated portion of such street.

AND IT IS FURTHER ORDERED That his order be recorded in the deed records of Union County, Oregon, and be indexed under the letter "V", title "Vacations", and that the County surveyor for Union County, Oregon, thereupon trace upon the original plat of Riverside addition aforesaid, with red ink, the said portion of Lake Street shown on the said plat so vacated and write therein the word "Vacated", with appropriate reference by number to notation, and shall make a notation on the original plat of Riverside Addition aforesaid, in red ink, giving the book and page of the deed record in which this Order is recorded, in the manner prescribed by law.

C. K.

M/S

IN THE MATTER OF THE VACATION OF THE ALLEY IN BLOCK 68, RIVERSIDE ADDITION TO LA GRANDE, OREGON, BETWEEN COLUMBIA STREET AND UNION STREET.

ORDER TO VACATE

This matter coming on for hearing upon the petition of Dual Walter Eldridge, Senior, and Hazle Eldridge, husband and wife, and Lloyd D Krum and Bessie E Krum, husband and wife, for an Order vacating the alley in Block 68, Riverside Addition to La Grande, Oregon, between Columbia St. and Union St., according to the recorded plat thereof.