

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~~ <sup>Monday</sup>, the 16th day of October, A. D., 1967, the same being ~~the first Wednesday~~ <sup>Monday</sup> of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable Barle C. Misener County Judge,  
Bernal D. Hug Commissioner  
R.W. Schaad Commissioner  
Clerk  
Sheriff

WHEN, on Monday, the 16th day of October, A. D., 1967 or the ----- Judicial day of said term, among others, the following proceedings were had, to-wit:

In the Matter of Basements )  
and Licenses from Frank L. Nims, et aux )  
and Wayne M. Scott, et aux. )

ORDER OF ACCEPTANCE

It appearing to the Court that Frank L. Nims and Betty Nims, husband and wife, and Wayne M. Scott and Flora Scott, husband and wife, have executed and sworn to Easements and Licenses in favor of Union County, Oregon, reading as follows:

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, in consideration of the grading and rocking of approximately 2,500 feet of road extending from the SE corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 23 T3S R40E and running west to the point of intersection with the Cove-Moss Springs road, do hereby authorize and empower said Union County, Oregon, and its agents and employees, to do and perform the following acts, to wit:

1. To utilize a tract of land described hereafter for the purpose of constructing and maintaining a county road. Said tract of land to start at the SE corner of NW $\frac{1}{4}$  of SW $\frac{1}{4}$  Section 23 T3S R40E, running two rods south, thence directly west to the Cove-Moss Springs road, thence in a north-west direction along the Cove-Moss Springs road to a point directly west from the point of beginning, and thence east to the point of beginning.
2. To use any soil, earth or gravel within this tract for the construction and maintenance of this road.
3. To enter this tract of land at all times for the purpose of construction and maintenance of this road.

112344

STATE OF OREGON }  
County of Union }

*indexed*

I certify that the within instrument  
in writing was received for record on  
the 30th day of

May 1984 at 2:05  
o'clock P.M. and recorded on page  
m/g film # 112344  
in Book ----- Record of

Deeds of said County  
SHIRLEY L. BOEIN County Clerk

Barbara C. Baker Deputy

  
Barle C. Misener, County Judge

  
Bernal D. Hug, Commissioner

  
R. W. Schaad, Commissioner

OFFICE OF  
DISTRICT ATTORNEY  
UNION COUNTY

P. O. BOX 387  
LA GRANDE, OREGON 97850  
October 9, 1967.

Hon. Earle C. Misener  
County Judge  
Court House  
La Grande, Oregon

Dear Judge Misener:

I am returning herewith the two Easements and the proposed Order of acceptance which you sent to me for examination.

I believe the Easements are binding and legal. It would have been better if they had recited that the signers were husband and wife, but, in lieu thereof, I believe it could be proved by other testimony, if the question ever came up. Likewise, signatures to documents of conveyance are ordinarily "acknowledged" before a Notary, rather than being sworn to, but I do not believe this affects the legality of the instruments.

With respect to the proposed Order, I am enclosing a form which I believe would more clearly set forth the County's obligation, though I think a Court would probably construe the one you sent me as binding.

Yours very truly,

  
GEO. L. ANDERSON, JR.

GLA:gef  
encls.