

SECOND JUDICIAL DAY.

THURSDAY, FEBRUARY 8th, 1912.

In the matter of the application of J.H.Pearce for an order of the County Court directing the City of La Grande to take action forthwith in reference to the sewer pipe laid along the County road.

This matter coming on to be heard upon the petition of J.H.Pearce, directing the Court's attention to the said sewer pipe connecting the sewer from La Grande, Oregon, with the septic tank owned by the said city of La Grande, and the court after investigating the matter finds that the City of La Grande has never made application to this court for leave to use the highway for the laying of any sewer pipe thereon, and that the highway so used is a county road under the jurisdiction of this court, that the pipe laid along the said highway is laid in an improper manner, so that the public use of the said highway is interfered with,

It is hereby ORDERED and ADJUDGED that the City of La Grande, Union County, Oregon, is hereby commended and directed to forthwith take such steps as are necessary to place the said sewer pipe at sufficient depth along the said highway so that public use of the highway shall not be interfered with, and failing to do so that they remove the said pipe line from the highway altogether.

In the matter of the vacation of portions of Riverside and Rynearsen's Additions to La Grande, Union County, Oregon, on petition of the George Palmer Lumber Company.

And now at this time this matter came on to be heard upon the petition of the George Palmer Lumber Company, a corporation, to vacate certain blocks, lots, alleys and portions of streets in Riverside Addition and Rynearsen's Addition to La Grande, Union County, Oregon, more particularly described hereinafter, and it appearing to the court here, upon proper proof that on or about April 28th, 1890, the La Grande Real Estate Association duly laid out, surveyed, platted, acknowledged and recorded in the Recorder's office of Union County, Oregon, certain lands described as the southeast qr of Section 31 in Township 2 south of Range 38 E.W.M. as Riverside Addition to La Grande, Oregon, and at the same time dedicated the streets and alleys therein as public easements, and that said lots and blocks were duly numbered and contained blocks numbered 30 and 31 as hereinafter mentioned as sought to be vacated, and also named said streets, among them being Polk Street, North Cedar Street and North First Street, that said Blocks 30 and 31 with their lots of said Riverside Addition to La Grande, Oregon, lie north and outside of the corporate limits of said La Grande, Union County, Oregon, and do not lie nor are either of them within the limits of any incorporated town or city; that further said Polk Street and the portion of North First Street sought to be vacated are situated outside and north of the corporate limits of the said City of La Grande, Union County, Oregon, and not within the limits of any incorporated town or city.

That further one A.W.Rynearsen, as the owner of the southeast qr of Sec. 31 in Township 2 south of range 38 E.W.M. did on or about the 28th day of November, 1890, survey

SECOND JUDICIAL DAY.

THURSDAY, FEBRUARY 8th, 1912.

lay out, plat, acknowledge said land into blocks, lots, alleys and streets and named the same as Rynearson's Addition to La Grande, Union County, Oregon, and duly filed and recorded the plat thereof in the deed records of Union County, Oregon, and that said blocks and lots thereof were duly numbered and said streets thereof were duly named and among them were Polk Street, North First Street and Blocks 7, 11 and 12, and sought by the petitioner to be vacated herein, and neither of said blocks, lots, alleys thereof and said portions of streets so sought to be vacated herein, nor any portions thereof, are within the corporate limits of La Grande, Oregon, nor within the corporate limits of any incorporated town or city, but entirely within the jurisdiction of this court, and it further appears that said additions are within Union County, Oregon, and lie side by side. That further it appears that the petitioner, the George Palmer Lumber Company, is a corporation, and is the absolute owner of said Block 7, 11 and 12 in Rynearson's Addition as aforesaid and of Blocks 30 and 31 and which all of said lots and blocks are contiguous with each other and are contiguous with and to the said petitioner's other lands and property and are wholly unoccupied and that no other person has any interest therein or in any part thereof, and that the portions of the streets above mentioned run and lie between and along said blocks, and lots and are not necessary any longer for public easements, for that said lots, blocks and parts of streets are now overflowed by the channel of the Grande Ronde River, nor is any part thereof of public benefit of or in which the public has any interest, or within a public highway. That said blocks, lots and parts of streets are no longer valuable as residence or business or town property or marketable as such but are valuable only for petitioner's private use, and that the prayer of the petitioner should be granted vacating said lots, blocks, alleys therein, and parts of street so described in the petition.

That it further appears to the court that the said petition for such vacation was duly presented to this court and filed with the county clerk of Union County, Oregon, more than thirty days previous to the first day of the sitting of this term of the county court and that printed notice of the pendency of said petition in this court has been given for the same length of time viz thirty days before the first day of this term of this court and that said notice contained the substance of said petition and that said petitioner would apply to this county court for the vacation of the above and foregoing described lots, blocks and parts of streets, and as hereinafter described, and that three duplicates of said notice were duly posted on January 5th, 1912, and in three of the most public places on the lands sought to be vacated, or contiguous thereto, and in said unincorporated town and as follows: One on the warehouse situated on Lot 8 in Block 11 of Rynearson's Addition to La Grande, Union County, Oregon, one on an electric light pole situated on Lot 1 in Block 31 of Riverside Addition to La Grande, Union County, Oregon, and the third on a telephone pole situated on Lot 7 in Block 31 of said Riverside Addition to La Grande, Union County, Oregon, all in plain view of the public and on thoroughfares well traveled, and that said three notices were kept posted during the full time of thirty days, and this court finds that they are the most public places within the territory most affected, and the court further finds that there is no opposition to said petition or application of the said George Palmer Lumber Co. to vacate said blocks, lots, alleys and parts of streets petitioned for.

SECOND JUDICIAL DAY.

THURSDAY, FEBRUARY 8th, 1912.

It is therefore CONSIDERED, ORDERED, ADJUDGED and DECREED by this court that all of Blocks 7, 11 and 12 in Rynearson's Addition to La Grande, Union County, Oregon, and all of Blocks 30 and 31 in Riverside Addition to La Grande, Union County, Oregon, and the alleys therein, as well as that part of Polk Street between said Blocks 30 and 31 of said Riverside Addition and between North Oak Street on the west and North Cedar Street on the east, and between Blocks 11 and 12 of Rynearson's Addition and between North Cedar Street on the west and North First Street on the east, and that part of North First Street between Blocks 7 and 12 of Rynearson's Addition to La Grande, Oregon, and between Polk Street on the south and the George Palmer Mill Pond on the north, in said additions as aforesaid, as laid out, platted, surveyed and recorded in the plat books of Union County, Oregon records be and the same are hereby vacated and that said blocks, alleys and parts of streets become and revert to the said petitioner, the George Palmer Lumber Company as its absolute property, and the said alleys and parts of streets no longer to be held or considered as public easements or open to the benefit of the public in any way or manner whatever, the same having been petitioned for by said The George Palmer Lumber Co. to be vacated, and as set out and described in said petition. That further the costs of this proceeding are taxed at \$_____ to be paid by said petitioner.

In the matter of the petition of J.R. Weaver et al for purchase of Woodard Wagon road by County.

Now at this time it is ORDERED that the petition in the above entitled matter be and the same is hereby denied.

In the matter of the application of Frank B. Brown for County Aid.

Now at this time it is ORDERED that this matter be and the same is hereby continued for the term.

In the matter of the application of G.W. Rimbeby, for county aid.

This matter came on to be heard at this time upon the application of G.W. Rimbeby for county aid, and it appearing to the court from said application that said G.W. Rimbeby is a resident and inhabitant of Union County, Oregon, and is physically unable to support himself, and that he has no friends or relatives who are able or willing to provide for him.

It is therefore CONSIDERED and ORDERED that the County Clerk be and he is hereby directed to draw a warrant on the General Fund of the County in favor of G.W. Rimbeby each month until the further orders of this court.