

SECOND JUDICIAL DAY

THURSDAY, DECEMBER 8th, 1960

Cc

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

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

County Judge,

Commissioner,

Commissioner,

Thereupon the following proceedings were had, to-wit:

In the matter of the vacation of portions of the old Mt. Harris County Road.

IT APPEARS TO THE ABOVE-ENTITLED COURT, and the Court finds, that:

A. The agreement between this Court and Boise Cascade Corporation, hereafter called "Boise", by merger successor to Valsetz Lumber Company, dated the 8th day of January, 1960, has been in all respects completed by Boise, and the "New Mt. Harris County Road," hereafter called the "new road", is now completed and in operation;

B. The portions of the "Old Mt. Harris County Road", hereafter called the "old road", which are not now used or usable are to be and should be abandoned;

C. All things which should have been done under the above-designated agreement between this Court and Boise have been done by both parties thereto, except the vacation of portions of the old road;

D. The landowners of Union County who have granted Boise, and through it Union County, easements or other instruments of title whereby Boise has constructed portions of the new road across their lands, are entitled to the abandonment of such portions of the old road as are not, and will not be, used by the users of the new road.

NOW THEREFORE, for the reasons above stated which it finds satisfactory, this Court adopts the following resolutions, to be entered in its journal:

Be it Resolved by the County Court of Union County, Oregon, that:

(1) Proceedings to vacate certain portions of the old Mr. Harris County Road shall be, and they hereby are, undertaken.

(2) The description of the portions of the old Mt. Harris County Road which are to be vacated is as follows:

From a point 695 feet East and 545 feet South of the quarter corner common to Sections 7 and 8, Township 2 South, Range 40 East of the Willamette Meridian which is a point in the center of the old Mt. Harris road and in the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 8, Township 2 South, Range 40 East of the Willamette Meridian, to:

A point 568 feet West and 1,145 feet North of the quarter corner common to Section 11 and 12 Township 2 South, Range 39 East of the Willamette Meridian which is a point at the junction of the old Mt. Harris road and the center line of the Foothill Road and in the Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ), Section 11, Township 2 South, Range 39 East of the Willamette Meridian, except that portion thereof,

Beginning at a point 14.43 chains South and 30.71 chains East of the West quarter corner of Section 7, Township 2 South, Range 40 East,

thence, S 85° W - a distance of 6.75 chains,  
thence, S 54° W - a distance of 5.00 chains,  
thence, N 64° W - a distance of 6.00 chains,

to a point on the newly constructed road which is 11.80 chains South and 14.55 chains East of the above-mentioned quarter corner.

(3) The above description shows the termini of the portions of the old Mt. Harris County Road proposed to be vacated.

(4) The names of the owners of the land adjacent to the portions of the old Mt. Harris County Road proposed to be vacated are

- (a) George W. White and Alta I. Howell;
- (b) Alta I. Howell;
- (c) Robert H. and Ruth E. Becker
- (d) Thomas H. and Hazel Wallsinger;
- (e) Richard R. and Evelyn M. Fuller; and
- (f) Delda E. Smith

(5) The portions of the Old Mt. Harris County Road proposed to be vacated are useless as a part of the general road system of Union County, burdensome to maintain, and the public will be benefited by the vacation of the above-described portions of said road.

(6) The County Roadmaster is hereby directed to examine the portions of the old Mt. Harris County Road proposed to be vacated, and report forthwith to this Court in writing whether in his opinion said portions thereof should be vacated, whether the vacation thereof will benefit the landowners whose properties adjoin said portions, and any other matters he may deem material to this matter.

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

County Judge,

Commissioner,

Commissioner,

THIRD JUDICIAL DAY

JANUARY 6, 1960

BE IT REMEMBERED, that at a regular term of the

~~Thereupon the journal of today's proceedings was read, approved and is here now signed, and it was~~

ORDERED that court be here now adjourned for the term.

County Judge,

Commissioner,

~~Commissioner,~~

In the matter of the vacation of  
portions of the Old Mt. Harris  
County Road

On this 6th. day of January, 1961, it appearing to the Court that the County Roadmaster has filed his report recommending that portions of the old Mt. Harris County Road be vacated.

It is ORDERED that a public hearing be held on said report on Wednesday, March 1, 1961, at 10:00 A. M., at the County Court Room in the Court House in La Grande, Oregon, and that notice of the hearing be given in the manner provided for by law.

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

County Judge,

Commissioner,

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, 1st day of March, AD, 1961, 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,  
 Ray C. Baum, Commissioner,

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 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 having passed on and audited the said bills separately as appears from the signatures of the court thereon.

It is therefore CONSIDERED, ORDERED AND ADJUDGED that the 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 the General Fund Exhibit of Claims and Warrants No 16, pages 249 to 251, inclusive, and Road Fund Exhibit of Claims and Warrants no 5, pages 94 and 95, 306 and 307.

In the matter of the vacation of portions of the old Mt. Harris County Road.

The report of the County Roadmaster having been duly submitted to this Court in the above-entitled matter, the Court having directed a public hearing thereon, and said public hearing having been held at the Union County Courthouse at La Grande, Oregon, at the hour of M. on Wednesday, March 1, 1961, pursuant to notices thereof duly posted in accordance with law, and all persons interested therein having had an opportunity to be present and express their views, and all proceedings having been taken herein required by law, the Court hereby finds:

1. All proceedings in this matter, which are by this reference incorporated herein, are valid and proper and in accordance with the provisions of law related to this subject.
2. All persons interested have been afforded an opportunity to express to this court their support or opposition to the abandonment of such portions of the old Mt. Harris county road as are referred to in the report of the County Roadmaster.
3. The public will be benefited by the abandonment of such portions of the old Mt. Harris county road as are now unusable.
4. It would be impossible or highly burdensome for the County to attempt to maintain the unused portions of said road; the landowners over whose properties said unused portions of said road run would also be heavily and uselessly burdened if said portions of said road are not vacated.

Accordingly, IT IS HEREBY ORDERED that those portions of the old Mt. Harris county road described in the resolution of this Court dated December 8, 1960, be and the same hereby are ordered and declared to be vacated as of this date.

Thereupon it was ORDERED that court be now adjourned until Thursday, March 2, 1961, at 9:00 o'clock AM.