

Deed 91

W.E. Michaelson

INDEXED COPY  
1974

STATE OF OREGON }  
County of Union } ss.

I certify that the within instrument was

received for record on the 31st day

of March 1974

A. D. 1974 at 2:30 o'clock

M. and recorded in Book 715 an

Page 36. Records of Deeds

of said County.

Witness my hand and seal of office

attested  
By W.E. Michaelson County Clerk  
Deputy

This Indenture made this 28<sup>th</sup> day of January, 1921, between W. E. Mulhollan and Clara N. Mulhollan ( husband and wife) of Juneau, Alaska, the parties of the first part, and Union County, of the State of Oregon, the party of the second part, Witnesseth:-

That the said parties of the first part for and in consideration of the sum of four hundred and fifty (\$450.00) dollars, lawful money of the United States, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, have remised, released and forever quitclaimed, and by these presents do hereby release, remise and forever quitclaims unto the said party of the second part, and to its successors and assigns, all of the following lot or parcel of land, lying, being and situate, in Union County, State of Oregon, and described as follows, to-wit:- a strip of land sixty (60) feet in width, in Section Twenty-nine (29, Township Five (5) South of Range Forty (40) East of the Willamette Meridian, being Thirty (30) feet on each side of the center line, of the **Old** Oregon Trail Highway, as the same is now established and graded; the same being intended for a right of way for a public highway or county road and which runs through land now owned by the parties of the first part, and containing five and one-half acres more or less.

As a further consideration for this conveyance, it is understood and agreed that the party of the second part, will fence said right of way with a hog tight fence, the same to be completed during the summer of the year 1921.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining and the rents, issues and profits thereof.

To have and to hold, all and singular the said premises, together with the appurtenances unto the said party of the second part, its successors and assigns forever.

In witness whereof, we have hereunto set our hands and seals

the day and year in this instrument first above written.

Executed in the presence of,

*B. M. Ryan*

*W. E. Mulhollan*

(seal)

*Clara M. Stead*

*Clara N. Mulhollan*

(seal)

State of Washington, )  
  ) ss.  
County of King,                 )

This is to certify that on this 28 day of January, 1921,  
before me the undersigned a Notary Public for the State of Washing-  
ton, personally appeared W. E. Mulhollan and Clara N. Mulhollan  
( his wife) who are known to me to be the persons whose names  
are subscribed to the within instrument, and they and each of  
them acknowledged to me, that they executed the same freely and  
voluntarily for the uses and purposes therein mentioned.

Witness my hand and official seal the day and year in this  
certificate first above written.

*B. M. Ryan*

Notary Public for the State of Washington,  
residing at Seattle. My Commission ex-  
pires May 19, 1922.

FOURTH JUDICIAL DAY

TUESDAY, AUGUST 24th, 1920

distance of 222.0 feet, thence N. 47 deg. 42' E. for a distance of 604.8 feet, thence N. 46 deg. 41' E. for a distance of 1018.8 feet, thence on a curve to the right in the present county road, having a radius of 2865.0 feet for a distance of 734.2 feet, thence N: 61 deg. 22' E. for a distance of 1187.6 feet to a point on the line between Range 39 E. and Range 40 E., said point being approximately 1112.0 feet South of the Northeast corner of Section 1, Tp. 6, South, Range 39 E.W.M., said parcel of land containing 6.1 acres, more or less.

Be it further resolved and declared by the said County Court that said Court endeavor to agree with the said H. C. Bidwell and Rachel M. Bidwell, for their interest in the above described land, as the owner thereof, and their damages for the taking thereof for the purposes aforesaid.

In the matter of Declaring the necessity of acquiring certain lands for the construction of the Old Oregon Trail in Union County, and directing the County court to endeavor to acquire the same.

WHEREAS, THE STATE HIGHWAY COMMISSION of the State of Oregon, has heretofore, to-wit:- on the 15th day of May, 1920, duly adopted, and established the route of the Old Oregon Trail between Telocaset and North Powder, Union County, over and within the boundaries of the hereinafter described land in Union County, Oregon; and

WHEREAS, it is necessary that Union County acquire, require and damage said hereinafter described land for the purpose of constructing and maintaining said portion of the Old Oregon Trail thereon; and,

WHEREAS, the said hereinafter described parcel of land is owned by W. E. Mulholland and is in the possession of W. E. Mulholland.

NOW THEREFORE, because of the said premises, it is hereby resolved and declared by the County Court of the State of Oregon for Union County that it is necessary that Union County acquire, require and take over for the construction thereon of said Oregon Trail between Telocaset and North Powder, in Union County, Oregon, and its maintenance as a public road and highway thereon, the hereinbefore mentioned land owned by the said W. E. Mulholland and described as follows, to-wit:

All that part of the property of W. E. Mulholland in Sec. 29, Tp. 5, South, Range 40 E.W.M., not in the present county road, included within a strip of land 60 feet wide being 30 feet on each side of the center line of the Old Oregon Trail Highway as surveyed over and across said property and being more particularly described as follows:

Beginning at a point, said point being on the line between Sec. 32 and Sec. 29, Tp. 5, South, Range 40 E.W.M., and approximately 1118 feet east of the Northeast corner of said Section 32, running thence on a curve to the right whose tangent at the point of beginning bears North 10 deg. 12' East and whose radius is 409.3 feet, for a distance of 402.5 feet, thence N. 66 deg. 33' E. for a distance of 1291.3 feet, thence on a curve to the left, having a radius of 1432.5 feet for a distance of 390.4 feet, thence N. 50 deg. 56' E. for a distance of 151.8 feet, thence on a curve to the left having a radius of 573.0 feet for a dis-

FOURTH JUDICIAL DAY

TUESDAY, AUGUST 24th, 1920

tance of 500.2 feet, thence N. 0 deg. 55' E. for a distance of 174.8 feet, thence on a curve to the right having a radius of 358.1 feet for a distance of 315.1 feet, thence N. 51 deg. 20' E. for a distance of 133.7 feet, thence on a curve to the left having a radius of 358.1 feet for a distance of 171.7 feet, thence N. 23 deg. 52' E. for a distance of 96.6 feet, thence on a curve to the right having a radius of 191.0 feet for a distance of 207.3 feet, thence N. 86 deg. 04' E. for a distance of 16.2 feet, thence on a curve to the left having a radius of 238.8 feet, for a distance of 298.3 feet, thence N. 14 deg. 28' E. for a distance of 101.9 feet, thence on a curve to the left having a radius of 409.3 feet for a distance of 179.8 feet, thence N. 10 deg. 42' W. for a distance of 79.9 feet, thence on a curve to the right having a radius of 286.5 feet for a distance of 176.2 feet to a point, said point being approximately 1313 feet West and 432 feet North of the quarter corner between Sec. 29 and 28, Tp. 5, South, Range 40 E.W.M., said parcel of land containing 6.4 acres, more or less.

Be it further resolved and declared by the said County Court that said Court endeavor to agree with the said W. E. Mulholland for his interest in the above described land, as the owner thereof, and his damages for the taking thereof for the purposes aforesaid.

In the matter of declaring the necessity of acquiring certain lands for the construction of the Old Oregon Trail in Union County, and directing the County Court to endeavor to acquire the same.

WHEREAS, The State Highway Commission of the State of Oregon has heretofore, to-wit:- on the 15th day of May 1920 duly adopted and established the route of the Old Oregon Trail between Telocaset and North Powder, Union County, over and within the boundaries of the hereinafter described land in Union County, Oregon; and WHEREAS, it is necessary that Union County acquire, require and damage said hereinafter described land for the purpose of constructing and maintaining said portion of the Old Oregon Trail thereon; and WHEREAS, the said hereinafter described parcel of land is owned by C. M. Johnson and is in the possession of C. M. Johnson.

NOW THEREFORE, because of the said premises, it is hereby resolved and declared by the County Court of the State of Oregon for Union County that it is necessary that Union County acquire, require and take over for the construction thereon of said Oregon Trail between Telocaset and North Powder in Union County, Oregon, and its maintenance as a public road and highway thereon, the hereinbefore mentioned land owned by the said C. M. Johnson and described as follows, to-wit:

All that part of the property of C. M. Johnson in Block 25 of the original townsite of North Powder in the State of Oregon, included within a strip of land 60 feet wide, being 30 feet on each side of the center line of the Old Oregon Trail Highway as surveyed over and across said property and being more particularly described as follows:

Beginning at the most southerly corner of said Block 25 and running thence North 38 deg. 51' West for a distance of 125.00 feet, thence N. 13 deg. 41' W. for a distance of 71.8 feet, thence N. 51 deg. 09' East for a distance of 66.3 feet, thence S. 13 deg. 41' E. for a distance of 209.0 feet, thence S. 51 deg. 09' W. for a distance of 7.5 feet, to the place of beginning, said parcel of land containing 0.21 acres, more or less.

SECOND JUDICIAL DAY

THURSDAY, FEBRUARY Third, 1921.

quarter corner between sections 29 and 28 said Tp. and Range, containing 0.33 acres, more or less. Also, beginning on a point on the center line of the Old Oregon Trail Highway, said point being approximately 1965 feet north and 821 feet west of the quarter corner between sections 28 and 29 said Tp. and Range, thence north 36 deg. 26' W. for a distance of 210.9 feet, thence on a curve to the right having a radius of 716.3 feet for a distance of 314.8 feet, thence north 11 deg. 15' west for a distance of 346.4 feet, thence on a curve to the right having a radius of 1432.5 feet for a distance of 170.8 feet, thence north 4 deg. 25' W. for a distance of 277.4 feet thence on a curve to the left having a radius of 573.0 feet for a distance of 277.5 feet, thence north 32 deg. 10' W. for a distance of 36.5 feet, thence on a curve to the right having a radius of 1146.0 feet for a distance of 74.0 feet, more or less to a point said point being approximately 897 feet north and 1307 feet east of the southwest corner of section 20 said Tp. and Range said parcel containing 2.4 acres more or less. Also beginning at a point, said point being approximately 1436.0 feet north and 1189.0 feet west of the quarter corner between sections 28 and 29 said Tp. and Range, thence north 51 deg. 47' east for a distance of 330.8 feet to a point, said point being on the west property line of the O. W. R. & N. Co. property, approximately 1641.0 feet north and 929 feet west of the quarter corner between sections 28 and 29 said Tp. and Range, said parcel containing 1.14 acres more or less. And also a strip of land 200 feet wide being 100 feet on each side of the center line of the Old Oregon Trail Highway as surveyed. Beginning at a point, said point being on the east line of the O. W. R. & N. Co. property approximately 1703.0 feet north and 854 feet west of the quarter corner between sections 28 and 29 said Tp. and Range running thence on a curve to the left whose tangent at the south of beginning bears north 50 deg. 22' east and whose radius is 191.0 feet for a distance of 289.4 feet, to a point, said point being approximately 1965 feet north and 821 feet west of the quarter corner between sections 28 and 29 said Tp. and Range and containing 1.33 acres more or less:---  
to be used as a Right-of-way for the Old Oregon Trail Highway, and

It appearing to the Court that it is necessary that the County acquire said lands in connection with the building of said Highway, it is CONSIDERED and ORDERED that said deed be and the same is hereby accepted and the County Clerk is hereby authorized and directed to draw a warrant on the Road Fund of the County in the sum of \$600.00 in favor of Fred Spain in payment thereof.

It is further ORDERED that the said lands hereinbefore described be and the same are hereby established as County Road of Union County, Oregon.

In the matter of the acceptance  
of a deed from W. E. Mulhollan  
for Road Right-of-Way.

Now at this time is presented to the Court Deed of W. E. Mulhollan to the following described land to be used as a Right-of-Way for the Old Oregon Trail Highway, to-wit:- a strip of land sixty (60) feet in width in Section Twenty-nine (29) Township Five (5) South of Range Forty (40) East of the Willamette Meridian, being Thirty (30) feet on each side of the center line, of the Old Oregon Trail Highway, as the same is now established and graded, containing five and one-half acres more or less:---

SECOND JUDICIAL DAY

THURSDAY, FEBRUARY 3rd, 1921.

And it appearing to the Court that it is necessary that the County acquire said lands in connection with the building said Highway, it is CONSIDERED and ORDERED that said deed be and the same is hereby accepted and the County Clerk is hereby authorized and directed to draw a warrant on the road fund of the County in the sum of \$450.00 in favor of W. E. Mulhollan in payment therefor.

It is further ORDERED that the said lands hereinbefore described be and the same are hereby established as County Road of Union County, Oregon.

In the Matter of the application  
of J. A. Garity for re-issuance  
of lost warrant.

Now at this time this matter came on for hearing by the application of J. A. Garity for the re-issuance of a lost county warrant, to-wit: Warrant No. 4937, Series 1920, in the sum of \$16.25 for services as blacksmith, and

It appearing to the Court that said warrant was mailed to the said J. A. Garity by the County Clerk, but that same has never been received by said J. A. Garity, and has not been presented to the treasurer for payment and said applicant having filed a good and sufficient bond with the County Clerk indemnifying the County against any loss which might arise through the payment of said lost warrant by the County it is therefor CONSIDERED and ORDERED that the County Clerk be and he is hereby directed to draw a warrant on the Road Fund of the County in the sum of \$16.25 in lieu of said lost warrant, and

It is further ordered that warrant number 4937, Series 1920, be and the same is hereby cancelled and the County Clerk is hereby authorized and directed to make necessary entries upon his records showing the cancellation of said warrant.

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

*W. E. Mulhollan* County Judge  
Commissioner  
*J. A. Garity* Commissioner