

Petition filed May 5 '1891
Devers appointed Jul 6 424
Appraiser 522
" Report " 551
Ordered Oppned 566

381

Petitioned for by
H. H. Grubb et al

Beginning at the County Road
at the SE corner of NE¹ of NE
Sec 36 T7 S R 45 E and
terminating at or near NE
corner of SE¹ Sec 26 T7 S
R 45 E W 2nd

PLATE 100
D W M
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PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:

The undersigned, householders of Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, respectfully petition your honorable body to lay out, alter and establish a county road within said County on the following line or route, to-wit:

Beginning at the County Road at the S.E. Corner of N.E.1/4 of N.E.1/4 of Sec. 36, T. 7 S. R. 45, E.W.M. running thence to N.E. Corner of Sec. 36, T.7, S.R. 45, E.W.M. thence by the most practicable route to S.W. Corner of N.W.1/4 of S.E.1/4 of Sec. 25, T.7, S.R. 45, E.W.M. thence by the most practicable route to the County Road on the S.W. side of Pine Creek, at or about N.E. Corner of S.E.1/4 of Section 26, T. 7, S.R. 45, E.W.M. all of said points and places are in Union Co. Oregon.

And in duty bound your petitioners will ever pray, &c.

Names.

H. H. Grubb,
C. E. Gaylord,
Freeman Steele,
Geo. Steele,
Tos. Boyer,
Alvin Tarter,
D. Painter,
M. F. Holbrook,
C. Morais,
G. Holbrook,
A. D. Holbrook,

Names.

Hansforde, Tarter,

Endorsed:- Filed May 5, 1891.

Turner Oliver, County Clerk.

State of Oregon,)
(ss.
County of Union,)

I, Dan F. Moore/ being first duly sworn, say that I posted three several notices, of which the one hereto attached is a true and correct copy, in three public places in said County in the vicinity of the proposed road therein described, to-wit: One at the S.E. Corner of N.E.1/4 of N.E.1/4 of S. 36, T.7, S.R. 45, E.W.M. one at the School House, in School District No. 58, in Union County, State of Oregon, thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 16th day of March, 1891, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 16th day of March, 1891, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of Union, in said County and State and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

Dan F. Moore,

Subscribed and sworn to before me this 4th day of May, 1891.

S. M. Gilmore,

Justice of the Peace.

Endorsed:- Filed May 5, 1891.

Turner Oliver, County Clerk.

NOTICE OF ROAD PETITION.

To all persons concerned: You, and each and all of you, will take notice that the undersigned, householders for Union County, Oregon, residing in the vicinity where the hereinafter described road is proposed to be, will at the next session of the County Court for Union County, Oregon, to-wit: On Wednesday the 6th day of May, A.D. 1891, respectfully present to said Court, a petition praying said Court to lay out, alter and establish a County Road within said County on the following line or route, to-wit:

Beginning at the County Road at the S.E. Corner of N.E.1/4 of N.E.1/4 of Section 36, T.7, S.R. 45, E.W.M. running thence to the N.E. Corner of section 36, T.7, S.R. 45, E.W.M. thence by the most practicable route to S.W. Corner of the N.W.1/4 of the S.E.1/4 of Section 25, T.7, S.R. 45, E.W.M. thence by the most practicable route to the County Road on the S.W. Side of Pine Creek at or about the N.E. Corner of the S.E.1/4 of section 27, T.7, S.R. 45, E.W.M. all of said points and places are in Union Co. State of Oregon.

Posted March 16, 1891.

Names.

H. H. Grubb,
C. E. Gaylord,
~~Freeman Steele~~, Geo Steele,
Tos. Boyer,
Alvin Tarter,
D. Painter,
M. F. Holbrook,
C. Morais,
G. Holbrook,
D. Holbrook,

Names.

Hansforde Tarter,

(Endorsed:- Filed May 5, 1891.

Turner Oliver, County Clerk.

BOND OF ROAD PETITIONERS.

Know all men by these presents, That we, E. Estes, and I. Anstead, of the County of Union, and State of Oregon, are held and firmly bound unto the said County of Union in the sum of One hundred Dollars, the payment of which well and truly to be made, we bind ourselves, our heirs, executors and administrators, firmly by these presents.

Signed this fourth day of May, A.D. 1891.

Now, the condition of the above obligation is such, that, whereas, the above named Dan F. Moore, H. H. Grubb, and C. E. Gaylord, Freeman Steele and others have petitioned the County Court of said County of Union, at the May Term, 1891, thereof for a County road commencing at the S.E. Corner of the N.E. 1/4 of N.E. 1/4 of S. 3, T. 7, S.R. 45, E.W.M. running thence to N.E. Corner of S. 36, T. 7, S.R. 45, E.W.M. thence by the most practicable route to S.W. to S.W. corner of N.W. 1/4 of S.E. 1/4 of S. 25, T. 7, S.R. 45, E.W.M. thence by the most practicable route to the County Road on the S.W. side of Pine Creek at or about N.E. Corner of S.E. 1/4 of S. 26, T. 7, S.R. 45, E.W.M. all in Union County, Oregon.

Now, if the above named Dan F. Moore, and E. Estes and I. Anstead, shall well and truly pay or cause to be paid, all costs and expenses that may be incurred by reason of the ^{view or} review of said ~~of-said-road~~, in case the prayer of said petitioners be not granted or allowed, then that this obligation shall be void, otherwise, to remain in full force and virtue.

E. Estes, (Seal)

I? Anstead (Seal)

(Note: Seals are not scrolled.)

State of Oregon,)
(ss.
County of Union,)

I, E. Estes, and I. Anstead, each for himself, says that I am worth the sum of One hundred Dollars over and above

all debts and liabilities and property exempt from execution;
that I am a resident and householder in said County and state.

E. Estes,

I. Anstead,

Subscribed and sworn to before me this 4th day of May, A.D. 1891.

S. M. Gilmore,

Justice of the peace.

Endorsed:- In the County Court of the State of Oregon,
Union County.

In the matter of the H. H. Grubb Road.

Bond of Road Petitioners.

Approved May 5th, 1891.

.....County Judge.

Filed May 5th, 1891.

Turner Oliver,

County Clerk.

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BE IT REMEMBERED That at a regular Term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union in said County and State on Wednesday the 6th day of May, A. D. 1891, the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of said Court, when were present:-

The Hon. I. H. Sanders, County Judge,
Hon. W. D. Arnold, Commissioner,
Hon. _____ Commissioner,
Turner Oliver, Clerk,
J. T. Belles, Sheriff,

When on Wednesday the 6th day of May, A. D. 1891, or the first Judicial Day of said term, among other proceedings the following was had, to-wit:

In the matter of the proposed County Road
petitioned for by H. H. Grubb, et al.

Comes now H. H. Grubb one of the petitioners for the above named proposed County road and presents to the Court the petition of himself and others praying for the location and establishment of a County road described as follows, to-wit:

Beginning at the County Road at the S.E. Corner of N.E. 4 of N.E. 4 of sec. 36, T. 7, S.R. 45, E. W. M. running thence to N.E. corner of sec. 36, T. 7, S.R. 45, E. W. M. thence by the most practicable route to the S.W. Corner of N.W. 4 of S.E. 4 of Sec. 25, T. 7, S.R. 45, E. W. M. thence by the best practicable route to the County road on the S.W. side of Pine Creek at or about N.E. Corner of S.E. 4 of sec. 26, T. 7, S.R. 45, E. W. M. all of said points and places are in Union Co. Oregon.

And it appearing to the Court that said petition is signed by more than twelve householders, ^{of this county} residing in the vicinity of said proposed road, and that said petition properly specifies the place of beginning, intermediate points and place of termination of said

read and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding Court, to-wit: At the Front of the Court House door in the County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One at the S.E. Corner of N.E. 4 of Sec. 36, T. 7, S.R. 45, E. W. M. one at the school house in School District No. 58, in Union County, Oregon, for more than thirty days immediately prior to the presentation of said petition to this Court notifying all persons concerned that application would be made to this Court at the present session of this Court, and that the notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly given.

It is therefore ordered that Dan. Moore, S. S. Findell, and George Brown be appointed viewers of said road, and that J. L. Curtis be appointed surveyor of said road and that they meet at the beginning of the road on the 29 day of May, 1891, at the hour of 10 O'clock, A. M. and after qualifying to view, survey and lay out said road according to law.

(Signed) ~~I. N. Sanders,~~
County Judge.

The foregoing order is entered in Comr's Jul.
'B' at page 426 thereof.

Halfway, Union Co. Or. June 1st 1891.

Hon^{ble} Judge, Union Co. Oregon:

Dear Sir:

The County Surveyor, May 29, 1891, has surveyed a road across the east end of my Place, 80 rods, for which I claim \$40.00 damage-

There is a road surveyed across the west end of my place, petitioned for by William McKinnell and others, the land joins Painter & Mrs. Stalker, Mrs. Stalker is willing to give part of a road down her line and change it from across my field and put it on the line if you will change this Wm. McKinnell road and put it on the line.

I will not charge any damage for the road crossing the east end of my place. I am willing to give a road on the line, but do not want to give a road across my place and on the line too.

Yours very respect fully,

E. F. Mills.

(no filing.)

copy.

BE IT REMEMBERED That at a Regular Term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union, in the County and State aforesaid on Wednesday the 6th day of July, 1891, the same being the Wednesday after the first Monday in said month and the time fixed by law for holding a regular term of said Court, when were present:-

The Hon. I. N. Sanders, County Judge,
Hon. Jehn McDonald, Commissioner,
Hon. W. D. Arnold, Commissioner,
Turner Oliver, Clerk,
J. T. Bolles, Sheriff.

When on Wednesday the 6th day of July, 1891, or the First Judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the read petitioned for by H. M. Grubb, et al.)
-----)

This matter came on to be heard at this time on the report of viewers and surveyer for a first reading as required by law and also upon the claim of E. F. Mills for damages on account of the location and establishment of said proposed road, and it appearing to the Court that said E. F. Mills claims that he would be damaged in the sum of \$40.00 on account of said proposed road.

It is therefore considered and ordered that William McKinnell, Ellis Leep, and A. R. Stalker, be appointed viewers to examine the premises of said E. F. Mills the whole distance through which said proposed road would pass, and report to this Court how much less valuable the premises of said E. F. Mills would be rendered by the construction of the said proposed road, and that they meet at the premises of said claimant on Wednesday July 29th 1891, and proceed to view and render their report accordingly. (Signed) I.N.Sanders,
The foregoing order is entered in County Judge.
Cours. Jul. '91 at page 522 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned, viewers heretofore on the 6 day of May, 1891, appointed to view and lay out and alter the proposed County Road, of which the survey hereto attached is a true and correct description, as petitioned for by H. H. Grubb and others, et al, beg leave to report that on the 29th day of May, 1891, in pursuance with said appointment and order, after being duly sworn to faithfully and impartially discharge the duties of said appointment we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon; That the same is practicable and would add to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be accepted, laid out, and declared a public highway of said County.

Dan. F. Moore,
S. S. Pindell,
Geo. Brown, Viewers.

Endorsed:-

Filed Jul. 8, 1891.

Turner Oliver, County Clerk.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon for the County of Union, begun and held at the court house in the City of Union in said County and state on Wednesday the 5th day of August, A. D. 1891, the same being the Wednesday after the first Monday in said Month and the time fixed by law for holding a regular term of said Court, when were present:-

The Hon. I. N. Sanders, Judge Presiding,
The Hon. John McEnald, Commissioner,
The Hon. W. D. Arnold, Commissioner,
Turner Oliver, Clerk,
J. T. Bolles, Sheriff,

When on Wednesday the 5th day of August, A. D. 1891, or the First Judicial Day of said term, among other proceedings the following was had, to-wit:-

In the matter of the road petitioned for }
by H. H. Grubb, et al. }
----- }

This matter came on to be heard at this time on the report of the appraisers heretofore appointed to assess the damages that would accrue to E. F. Mills, by reason of the location and establishment of said proposed road. Which report in writing is in words and figures following:-

REPORT OF VIEWERS.

To the Honorable County Court of Union County, Oregon:-

We, the undersigned viewers heretofore on the 5th day of July, 1891, appointed to view out and assess the damages claimed by E. F. Mills in the matter of the proposed County Road petitioned for by H. H. Grubb, et al. Beg leave to report that on the 29th day of July, 1891, we, after being duly sworn to discharge our duties faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of E. F. Mills, Complainant, and to assess and determine how much less valuable said premises of said complainant would be rendered by the opening of said road, and we find that

the premises of said complainant E. F. Mills would be rendered no less valuable by the laying out and establishment of said proposed road as a public highway of said County and recommend that no damages be paid to said complainant before laying out and establishing said road as a public highway.

William McKinnell,

A. R. Stalker,

Ellis Leep,

And said report having been filed and read in open Court, and it appearing also by other testimony that said E. F. Mills, would not be damaged in any sum or at all by the construction of said proposed road.

It is therefore considered and ordered that said report be approved and placed on record, and that said claim of E. F. Mills be dismissed.

Thereupon the report of viewers and surveyor were read in open Court for the first time of this term, and laid over for further consideration on some other day of this term.

(Signed) I. N. Sanders,

County Judge.

The foregoing order is entered in Court's Jul.

'E' at page 551 thereof.

Field notes of the survey of proposed
County Road, as petitioned for by H. H. Grubb, et al.

Done on May 29th, 1891.

Commencing at the County Road at the S.E. Corner of the N.E.4
of N.E.4, Sec. 36, T.7/ S.R.45,

29.50	and running thence N.	29.50 Chains to A. 1.	thence W.
11.15	Chains, to A. 2,	thence N. 40°	W.
14.10	" " " 3,	" W.	
20.25	" " " 4,	" N. 33°	W.
5.00	" One Mile Station	N. 33°	W.
6:00	" " A 5	thence N. 40°	W.
7.00	" " " 6,	" N. 51°	W.
8.50	" " " 7,	" W.	
22.00	" " " 8,	at Pine Creek, thence S. 75°	W.
4.50	" " the terminus of the proposed road,	intersecting	

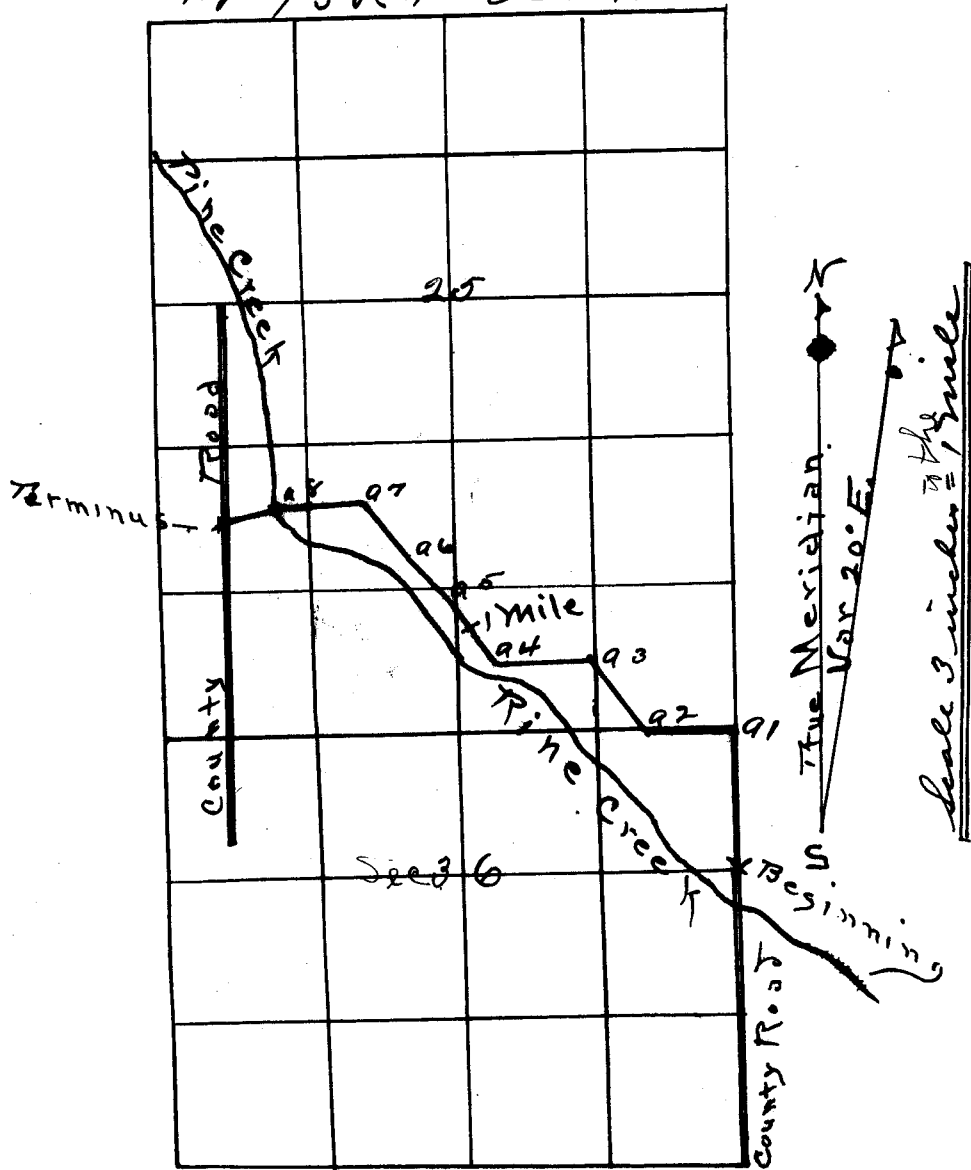
the Cornucopia Road at this point, making the whole distance one
mile ^{and} 192 rods.

All stations and angles are indicated by rocks properly
marked for the centre of the road.

J. L. Curtis,
County Surveyor.

(No filing.)

TP 7S R 40 E 34 M



Comp.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

We, the undersigned viewers heretofore on the 8th day of July, 1891, appointed to view out and assess the damages claimed by E. F. Mills in the matter of the proposed County Road/ petitioned for by H. H. Grubb, et al, beg leave to report that on the 29th day of July, 1891, we after being duly sworn to discharge the duty faithfully and impartially, proceeded to view said proposed road the whole distance through the premises of E. F. Mills, Complain~~t~~-ant, and to assess and determine how much less valueable said premises of said complaintant would be rendered by the opening of said road, and we find that the premises of said complaintant, E. F. Mills, would be rendered no less^{valuable} by the laying out and establishment of said proposed road, as a public highway of said County, and recommend that no damage be paid to said complaintant before laying out and establishing said road as a public highway.

Wm. McKinnell,

A. R. Stalker,

Ellis
E. L. Leep,

Endorsed:- Filed Aug. 5, 1891.

Turner Oliver,
County Clerk.

Concl.

BE IT REMEMBERED That at a regular term of the County Court of the State of Oregon, for the County of Union, begun and held at the Court House in the City of Union in said County and state on Wednesday the 5th day of August, A. D. 1891, the same being the Wednesday after the first Monday in said month, and the time fixed by law for holding a regular term of said Court, when were present:-

The Hon. I. N. Sanders, Judge Presiding,

The Hon. John McDonald, Commissioner,

The Hon. W. D. Arnold, Commissioner,

Turner Oliver, Clerk,

J. T. Bolles, Sheriff.

When on Thursday the 6th day of August, 1891, or the Second Judicial Day of said term, among other proceedings the following was had, to-wit:-

In the matter of the proposed county road
petitioned for by H. H. Grubb, et al.

This matter came on to be heard at this time on the report of the viewers and surveyor heretofore appointed herein, for a second reading as provided by law, and the report of viewers being in words following, to-wit:-

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:-

The undersigned viewers heretofore on the 6th day of May, 1891 appointed to view and lay out and alter the proposed County Road of which the survey hereto attached is a true and correct description as petitioned for by H. H. Grubb, et al, beg leave to report that on the 29th day of May, 1891, in pursuance with said appointment and order, after being duly sworn, to faithfully and impartially discharge the duties of said appointment, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinion said proposed road should be laid out and established as a public highway of Union County, Oregon.

That the same is practicable, and would add much to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said proposed road be accepted, laid out and declared a public highway of said County.

Dan F. Moore,
S. S. Pindell,
George Brown,

And said report of the viewers and the report of the surveyors having been now publicly read in open Court on two several days of the present term of the Court, and it appearing to the Court that said viewers report favorably, and recommend that said proposed road be established as a County Road and be declared a public highway of Union County, Oregon, and all the proceedings herein having been regular and according to law, and no remonstrance or claim for damages having been filed herein, except that heretofore disposed of and there having been no cause shown why this proposed road should not be declared a public highway and ordered opened according to law, and the Court being satisfied from the report of the viewers that such road will be of public utility. It is therefore considered and ordered by the Court that said reports of the viewers and surveyor be approved and adopted by the Court, and that said proposed road be declared a public highway of Union Co. Oregon, and ordered opened up and placed in repair for travel according to law. It is further ordered that the report of the viewers be placed on record in this journal, and that the surveyor's plat of the proposed road and his field notes of the survey thereof be placed on record in the book of plats of County Roads of Union County, Oregon, and that Dan. F. Moore, Road Supervisor of Road District No. 28, the same being the road district in which said road is located be furnished with a copy of the petition herein and a copy of this decree and ordered to open up said road and place the same in repair for travel.

The foregoing order is entered in (Signed) ~~O. N. I. N. Sanders,~~
Cours. Jul. 'E' at page 566 thereof. ~~County Judge~~

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

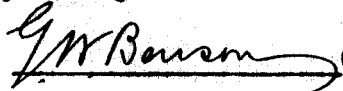
In the matter of the County)
Road petitioned for by H. H.)
Grubb, et al.)
-----)

S T A T E O F O R E G O N, ss :
County of Union.

I, G. W. Benson, County

Clerk of Union county, Oregon, do hereby certify that the
foregoing is a true and correct transcript of the original
papers in the above entitled road matter transferred to Baker
county, Oregon, including a copy of the orders of the court
in said matter.

IN TESTIMONY WHEREOF, I have hereunto set my hand and
affixed the seal of the County
Court, this 30th day of June,
A. D. 1902.

 Clerk.

Baker
County Court of the
State of Oregon for
Wain County

Baker matter
of the road petition
for by W.H. Grubb,
et al.

Transcript of papers
transferred to Baker
County.

This June 30. 1902

L. W. Benson

Deputy