

Petition filed April 6th 92
Viewers app'd Jnl F P 214
Ordered Open 25
Platted 247

410

J A Tucker
et al

Beginning on Co Road at
the S E corner of SW⁴SW⁴ Sec
6 T 8 S R 42 E and ter-
minating on Co Road at
Mouth of Lane near Keating
Bridge

3
11
172

RECORDS SECTION
MICHIGAN PUBLIC
NEW I S C H O

PETITION FOR COUNTY ROAD.

To the Honorable County Court for Union County, Oregon:

The undersigned, householders for 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: Commencing at the S.E. Corner on Co. Road of S.W. 1/4 of S.W. 1/4 of Sec. six, T. 8, S.R. 42, E.W.M. running in an easterly direction and southeasterly direction through Sec. 7, to the N.W. Corner of the S.E. 1/4 of N.E. 1/4 of Sec. 7, thence east 1/4 mile thence in a south easterly direction through Sec. 8, and Sec. 17, in T. 8, S.R. 42, E. W. M. and terminating on County Road at the mouth of the lane near Keating's Bridge and Keating School house on the N.E. 1/4 of Sec. 17, Town 8, S.R. 42, E. W. M. and to discontinue the old road from a point S.E. Corner of S.W. 1/4 of S.W. 1/4 of Sec. 6, to a point where the proposed changed road will terminate on the N.E. 1/4 of N.E. 1/4 of Sec. 17, Town 8, S.R. 42, E. W. M.

And in duty bound your petitioners will ever pray, etc.

Names.

John A. Tucker,
H. W. Lee,
D. R. Fruit,
J. M. Deane,
J. D Miles,
Wm. Miles,
Geo. W. Wright,
I. Vandevanter,
John J. Crimin,
Thomas M. B. Berry,

Names.

Thomas Keating,
E. A. Pierce,
John Hyde,
John Erwin,

(No filing)

S T A T E O F O R E G O N,

ss:

County of Union.

I, John A. Tucker, being first duly sworn, say that I posted three several notices, of which the notice herunto 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: at the place of beginning, ^{One} one about half way on the line of the proposed road and one at the terminus of said road thirty days previous to the presentation of the road petition therein mentioned, to-wit: on the first day of March, 1898, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: on the ____ day of _____ 18____, 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.

John A. Tucker.

Subscribed and sworn to before me this 6 day of April, 1898.

Turner Oliver, Clerk,

By J. R. Oliver, Deputy.

STATE OF OREGON,
County of Union. ss:

I, J. R. Oliver, being first
duly sworn, say that on the 5 day of March, 1892, 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 ~~door~~ 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.

J. R. Oliver.

Subscribed and sworn to before me this 8 day of April, 1892.

Turner Oliver, 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} ~~term~~ of the County Court for Union County, Oregon, to-wit: On Wednesday, the six day of April, A.D. 1892, 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:

Commencing at the S.E. Corner on County Road of S.W.1/4 of S.W.1/4 of Sec. 6, T. 8, S.R. 42, E. W. M. running in an Easterly and southeasterly direction through Sec. 7, to the N.W. Corner of the S.E.1/4 of N.E.1/4 of Sec. 7, thence East 1/4 mile, thence in a southeasterly direction through sec. 8, and 17 in T.8, S.R. 42, E. W. M. and terminating on County Road at the mouth of the lane near Keatings Bridge and Keating School House on the N.E.1/4 of the N.E.1/4 of Sec. 17, T.8, S.R. 42, W. M. and to discontinue the old road from a point S.E. Corner of S.W.1/4 of S.W.1/4 of Sec. 6, to a point where the proposed ^{changed} road will terminate on the N.E.1/4 of N.E.1/4 of Sec. 17, T.8, S.R. 42, E. W. M.

Names.

John A. Tucker,
H. W. Lee,
D. R. Fruit,
J. M. Dean
J. D. Miles/
Wm. Miles,
Geo. W. Wright,
I. Vandevanter,
John J. Crimin,
Thomas ^{M. P.} R. M. Perry,

Names.

Thomas Keating,
E. A. Pierce,
John Hyde,
John Erwin,

J. R. Oliver,

March 5, 1892.

(No filing.)

BOND OF ROAD PETITIONERS.

Know all men by these presents, That we, John A. Tucker and _____, of the County of Union and State of Oregon, are held and firmly bound unto said County of Union in the sum of \$200. Two 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 April, A.D. 1892.

Now, the condition of the above obligation is such, that whereas the above named John A. Tucker and O. A. D'Hespel, and others have petitioned the County Court of said County of Union, at the April, Term, 1892, thereof, for a County Road, commencing at the S.E. Corner of S.W.1/4 of Sect. 6, T. 8, S.R. 42, E.W.M. running in an easterly and southeasterly direction through said sect. 7, to the N.W. Corner of the S.E.1/4 of N.E.1/4 of Sect. 7, thence east 1/4 mile, thence in a southeasterly direction through sect. 8, and 17 in T. 8, S.R. 42, E.W.M. and terminating on County Road at mouth of the lane near Keating Bridge and Keating School house on the N.E.1/4 of the N.E.1/4 Sec. 17, T. 8, S.R. 42, E.W.M. and to discontinue the old road from a point S.E. Corner of S.W.1/4 Sec. 6, to a point where the proposed changed Road will terminate on the N.E.1/4 of N.E.1/4 of Sec. 17, T. 8, S.R. 42, E. W. M.

Now if the above named John A. Tucker and O. A. D'Hespel, 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 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.

John A. Tucker,

(Seal)

O. A. D'Hespel

(Seal)

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

I, John A. Tucker, and C. A. D'Hespel, each for himself, say that I am worth the sum of Two 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.

John A. Tucker,

C. A. D'Hespel,

Subscribed and sworn to before me this 4th day of April, A.D. 1892.

John Erwin,

J.P.

(Endorsement form not filled out)

Endorsed:-

Filed Apr. 6, 1892.

Turner, Oliver,

County Clerk.

BE IT REMEMBERED That at a regular Term of the County Court of The State of Oregon, for Union County, begun and held at the Court House in the City of Union, in said County and State on Monday the 4th day of April, 1892, and from day to day thereafter during the continuance of said term, when on Wednesday the 6th day of April, 1892, or the Third Judicial Day of said Term the said County Court opened for the transaction of County Business with the following officers present, to-wit:-

The Hon. _____, County Judge,

* John McDonald, Commissioner,

* W. D. Arnold, *

Turner Oliver Clerk,

J. T. Belles, Sheriff.

When on Wednesday the 6th day of April, A. D. 1892, or the Third Judicial day of said term, among other proceedings the following was had, to-wit:-

In the matter of the road petitioned for)
by J. A. Tucker, et al.)
-----)

Comes now J. A. Tucker, 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:

Commencing at the S.E. Corner of S.W.4 of S.W.4 of Sec. 6, T.8, S.R. 42, E. W. M. on County road, running thence in an easterly and southeasterly direction through Sec. 7, to the N.W. Corner of S.E.4 of N.E.4 of Sec. 7, thence east 1/4 mile thence in a southeasterly direction through sees. 8 and 17, in Tp. 8, S.R. 42, E.W.M. and terminating on County Road at the mouth of the lane near Keating's Bridge and Keating School house, on the N.E.4 of N.E.4 of Sec. 17, Tp. 8, S.R. 42, E. W. M. and to discontinue the old road from a point at S.E. Corner of S.W.4 of S.W.4 Sec. 6, To a point where the

proposed changed road will terminate on the N.E.4 of N.E.4 of Sec. 17, Tp. 8, S.R. 42, E. W. M.

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 road, and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: At the Court House in the town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said proposed road, to-wit:- One at the place of beginning, one about half way on the line of the proposed road, and one at the terminus of said road 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 Abe. Vandevanter, Isaac Vandevanter, and R. N. South, be appointed viewers of said road, and that J. L. Curtis be appointed surveyor of said road, and that they meet at the park saw-mill on the 23rd day of April, 1892, 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.

F at page 214 thereof.

REPORT OF VIEWERS.

To the Honorable County Court for Union County, Oregon:

The undersigned, viewers heretofore on the 4 day of April, 1892, 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 John A. Tucker, et al, beg leave to report that on the 23rd day of April, 1892, 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 laid out and declared a public highway of said County, and further that the present county road between the beginning and terminus of this survey be vacated.

Abe Vandevanter,

R. M. South,

I. Vandevanter, Viewers.

(no filing.)

To the Hon^l County Court and viewers in the matter of a County Road as petitioned for by J. A. Tucker et al, I submit the following plat and notes of survey:

Commencing at the S.E. Corner of the S.W.4 of the S.W.4 of Sec. 6, township 8, S. Range 42, E. Will Mer. and running

Chs.			Thence N.	82° 30'	E.
4.00	To Angle	1,	" S.	72° 30'	E.
16.80	" "	2,	" "	53° 30'	"
26.00	" "	3,	" "		E.
20.00	" "	4,	" S.	83°	"
6.00	" "	5,	" "	56°	"
<u>7.20</u>	" "	1 Mile Station,"	" "	56°	"
<u>80.00</u>					
12.20	" Angle	6,	" "	47°	E.
10.30	" "	7,	" "	4°	"
11.80	" "	8,	" "	24° 45'	"
13.00	" "	9	" "	52° 30'	"
29.00	" "	10	" "	38° 15'	W.
<u>5.10</u>	"	the terminus of the road at the mouth of the lane near Keatings bridge and Keating School House, making the whole distance 2 miles and 1.40 Chains.			
<u>81.40</u>					

The line of the proposed road is located above the line of survey for the Powder River Irrigating Ditch and occupies very little land fit for cultivation, while the present travelled road leads diagonally through good arable land nearly the entire distance.

Resp'ly Submitted,

J. L. Curtis,

County Surveyor.

Endorsed:- Filed Apr. 26, 1892.

Turner Oliver, County Clerk.

BE IT REMEMBERED That at a regular term of the County Court of Union County, State of Oregon, begun and held at the Court House in the City of Union in said County and State on Monday the second day of May, 1892, and from day to day thereafter during the continuance of said term, when on Wednesday the 4th day of May, 1892, or the Third Judicial Day of said term the said County Court opened for the transaction of County Business with the following officers present, to-wit:-

The Hon. John McDonald, Commissioner,

* * W. D. Arnold, *

* Turner Oliver, Clerk,

* J. T. Belles, Sheriff,

When on Wednesday the 4th day of May, 1892, or the Third Judicial Day of said Term among other proceedings the following was had, to-wit:-

In the matter of the road petitioned
for by J. A. Tucker, et al.

This matter came on to be heard at this time on the report of viewers and surveyor heretofore appointed herein for first reading and said report having been read in open Court it is ordered that said report be laid over for a second reading on some other day of this term of Court.

(Signed) ~~I. H. Sanders,~~

J. M. Deussel,
County Judge.

W. D. Arnold,

Commissioner

The foregoing order is entered in Court's Jul.
'F' at page 247th thereof.

BE IT REMEMBERED That at a regular Term of the County Court of Union County, State of Oregon, begun and held at the Court House in the City of Union, in said County and State, on Monday the 2nd day of May, 1892, and from day to day thereafter, during the continuance of said term, when on Wednesday the 4th day of May, 1892, or the Third Judicial Day of said Term, the said County Court opened for the transaction of County Business with the following officers present, to-wit:-

The Hon. John McDonald, Commissioner,

- * W. D. Arnold, *
- * Turner Oliver, Clerk,
- * J. T. Belles, Sheriff,

When on Thursday the 5th day of May, A. D. 1892, or the Fourth 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 John A. Tucker, et al.)
-----)

This matter came on to be heard at this time on the reports of the viewers and surveyer 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 4 day of April, 1892, 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 John A. Tucker, et al, beg leave to report that on the 23rd day of April, 1892, 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 laid out and declared a public highway of said County, and further that the present County Road between the beginning and terminus of this survey be vacated.

Abe Vandevanter,

R.M. South,

I Vandevanter,

And said report of the viewers and the reporter the surveyor having been now publicly read in open Court on two several days of the present term of this Court, and it appearing to the Court that said viewers report favorably herein 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, 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 Haner W. Lee, and W. S. Love, Road Supervisors of Road Districts No. 26 and 27, the same being the road districts 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.

(Signed) *J. M. Daniels*
J. H. Sanders

County Judge

Commissioner

The foregoing order is entered in Comr's Jul.

'F' at page 255 thereof.

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

In the matter of the County)
Road petitioned for by John)
A. Tucker, 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 road 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.

G. W. Benson Clerk.

Shute
County Court
Union County, Oregon

Shute matter
of the road petition
for by John A. Tucker,
et al.

Transcripts of
Tucker transcripts
to Shute County

This June 30. 1902
Geo. S. Bennett
Co. Clerk

Third Judicial Day

Wednesday April 6 "1892

on the Report of Viewers and Surveyor heretofore appointed herein for first reading and said report having been read in open Court for the first time is now laid over for further reading on some other day of this term of Court

In the Matter of Change in }
Road petitioned for by E. J. Roberts }

This matter came on to be heard at this time on the Report of Viewers heretofore appointed herein for a first reading, and said report having been read in open Court. It is ordered that said report be laid over for second reading on some other day of this term

In the Matter of the Road }
petitioned for by J. A. Ducker et al. }

Comes now J. A. Ducker, 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: Commencing at the SE corner of SW⁴ of SW⁴ Sec. 6 T⁸S R 42 E¹N¹M on County Road, running thence in an Easterly and South Easterly direction through Sec 7 to the NW corner of SE⁴ of NE⁴ of Sec 7, thence East 1/4 mile, thence in a South Easterly direction through Secs 8 and 17 in T⁸S R 42 E¹N¹M and terminating on County Road at the mouth of the lane near Keating's Bridge and Keating School House on the NE⁴ of NE⁴ Sec. 17 T⁸S R 42 E¹N¹M, and to discontinue the old road from a point at SE corner of SW⁴ of SW⁴ Sec. 6 to a point where the proposed changed road will terminate on the NE⁴ of NE⁴ Sec 17 T⁸S R 42 E¹N¹M.

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 road, and it satisfactorily appearing to the court that notice has been given by advertisement posted at the place of holding County Court, to-wit: at the Court House, in the town of Union, County of Union, State of Oregon and also in three public places in the vicinity of said proposed road, to-wit: One at the place of beginning,

Third Judicial Day

Wednesday April 6th 1892

One about half way on the line of the proposed road, and one at the terminus of said road 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 Abr Van Deanter, Isaac Van Deanter and R M South be appointed Viewers of said road, and that J. L. Curtis be appointed Surveyor of said road, and that they meet at the Park saw mill on the 2nd day of April 1892, at the hour of 10 o'clock A.M. and after qualifying, to view, survey and lay out said road according to law.

In the matter of the proposed
County Road petitioned for
by Ora W Phillips et al.

Comes now Ora W Phillips 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 SW corner of SE¹/₄ of Sec 28 Tp 2 N R 39 E W. M., which is the terminus of the County Road; running thence N. 80 rods, thence N. 80 rods, thence N 320 rods, thence E about 30 rods thence NE, on the most practicable route to the N. line of the NW¹/₄ of the SE¹/₄ of sec 21. S 2 N R 39 E W M, thence N to the NW corner of said land, thence N 80 rods, thence E 80 rods, thence N 80 rods, thence E 80 rods, thence N 160 rods, thence E 240 rods, thence N 80 rods, thence E 80 rods, thence N 80 rods terminating at the SW corner of Sec 11 all in Tp 2 N R 39 E W M. 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 road and it satisfactorily appearing to the Court that notice has been given by advertisement posted at the place of holding County Court, to-wit: at the Court House in the town of Union, County of Union, State of Oregon, and also in three public places in the vicinity of said