

EQUITY.

No 15

In CIRCUIT COURT

UNION COUNTY

M A Lawrey

Plaintiff

vs

*Henry V Sterling
et al*

Defendant

James A Fee

Attorney for Plaintiff

Attorney for Defendant

7-31-52-63-93

Presented May 7, 1901

Ordered Vacated July 8, 1901

ROAD No 559

In the matter of the
vacating of a certain road
petitioned for by
W. H. Langley, et al

beginning at a point where
County Road crosses the North
line running East and West of
the West of the West of section
15 Township 3 South of
Range 36 E 10 M, thence following
said County road, in a
Southwesterly direction $\frac{2}{3}$ of a
mile more or less to the SE
corner of the West of the
West of said section 15
same Township and
Range, making $\frac{2}{3}$ of
mile more or less.

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 ~~discontinued,~~ ^{discontinue} 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 a point where a County Road crosses the north line (running east & west) of the east east 1/4 of the north east 1/4 of section 15 Township 3 South of Range 36 E 7 N Thence following said County Road in a south westerly direction 2/3 of a mile more or less to the south east corner of the south west 1/4 of the north east 1/4 of said section 15 same Township and Range making 2/3 of a mile more or less

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

Dated at Hilgann this third day of May 1902

NAMES:

NAMES:

W. H. Langley
 S. F. Richardson
 G. B. Sanderson
 J. J. Alden
 E. C. Endrup
 Wm Rankin
 James P. Young
 Robert Young
 John F. Young
 B. F. Young
 W. A. Young
 E. W. Rankin
 W. A. Endrup
 J. M. Hager
 J. J. Glass

Enoch Christofferson
 Hans Christofferson
 A. H. Chire
 A. B. Withrow

Filed May 7, 1902
Geo. W. Bennett
D. West

11

STATE OF OREGON, }
County of Union. } ss.

I, W. H. Langley being first duly sworn, say that I posted three several notices, of which the notice hereunto 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 so called Arnold Bair Ranch now owned by Chris Johnson Bair one near the junction of the road to be discontinued on the East end at the Stowers grade of the Stantley main road and one at the junction of the road at the west end of the road to be created

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the fifth day of April 1902, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the fifth day of April 1902, 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.

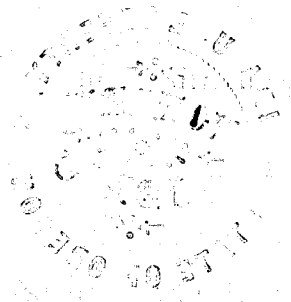
Subscribed and sworn to before me this 5th day of May 1902

W. H. Langley

Ira U. Gafferty
Notary Public for OR

Miss May 9. 1902

Wm. Bennett
E. Allen



STATE OF OREGON, }
County of Union: } ss.

I, G. W. Benson being first duly sworn, say that ~~I posted three several notices, of which the notice hereunto 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~~

~~Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the~~ day
of ~~190~~, and that thereafter and thirty days previous to the presentation of said road
petition therein mentioned, to-wit: On the 5th day of April 1902, I posted a true and
attached ~~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.

G. W. Benson

Subscribed and sworn to before me this 7th day of May 1902.

County Judge.

July 1902
Geo. Benson
A. Allen

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 7th day of May A. D. 1902, respectfully present to said court a petition praying said Court to ~~lay out, alter and establish~~ ^{discontinue} a County road within said County on the following line, or route, to-wit:

Commencing at a point where the County road crosses the north line (running East and West) of the North East $\frac{1}{4}$ of the North East $\frac{1}{4}$ of Section 15, Township 3 South of Range 36 E. W. M. 3rd Sec. following said County road in a South Westwardly direction $\frac{2}{3}$ of a mile more or less to the South East corner of the South West $\frac{1}{4}$ of the North East $\frac{1}{4}$ of the same Section (15) of the same Township and Range making $\frac{2}{3}$ of a mile more or less.

Dated at Union Oregon, the 5th day of April A. D. 1902

NAMES

NAMES

W. A. Longly
 J. F. Richardson
 H. Sanderson
 J. J. Alden
 E. C. Endrup
 Wm Rankin
 James P. Young
 Robert Young
 John F. Young
 B. F. Young
 W. A. Young
 L. W. Rankin
 H. C. Endrup
 J. M. Hagley
 J. J. Glass

Enock Christofferson
 Hans Christofferson

2025

Miss Mary T. 1902

Wm. Brown

C. W. W.

TO THE DIRECTOR OF THE FBI FROM THE ATTORNEY GENERAL
RE: [Illegible]

Paul of

Paul Peterson

Paul Peterson

Other Paul Petersons

for [Illegible] work for day.

etc.

May 17, 1902

W. W. Parsons

Dr. [Illegible]

St. [Illegible]

Dr. [Illegible]

Dr. [Illegible]

[Illegible]

[Illegible]

Paul

Paul

Paul

Paul

Paul

[Illegible]

[Illegible]

REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

The undersigned viewers heretofore on the 4th day of June 1902 appointed to view, ~~lay out and alter the~~ ^{Vacate} proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by W. H. Langley, et. al., beg leave to report that on the 25th day of June, 1902 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~~ ^{ought to be vacated} for the whole distance thereof, and that in our opinions said proposed road should ~~be laid out~~ ^{Vacated} ~~and not~~ established as a public highway of Union county, Oregon. That the same ~~is~~ ^{is not} practicable and would add nothing to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said ~~proposed road~~ be Vacated ~~laid out~~ ~~and not~~ ~~declared a public highway of said county.~~

H. C. Probst
H. W. Waters
G. H. Arney

Viewers.

FILED

JUN 30 1902

W. B. Brown
County Clerk

State of Oregon
County of Union | S.S

I, hereby certify in the
matter of the County Road as Petitioned for
by W. H. Langley and others, that the viewers
heretofore appointed by the Court to view and
~~lay out~~ ^{view} said road, were duly sworn by me
to faithfully and impartially perform the
duties pertaining to the viewing and locating
of said road before entering upon the
discharge of their said duties in that behalf

Arthur Curtis
County Surveyor

W. H. Johnson
County Clerk

FILED
JUN 30, 1902

State of Oregon }
County of Elkhorn } ss.

I hereby certify in the matter
of the County Road Pet. for by W. H. Langley
and others, that the Field Notes made by me
are true and correct, and that the Plat ac-
companying the same is a true and correct
representation of said road together with
Angles and distances

Arthur Curtis
County Surveyor

FILED

JUN 30 1902

W. B. Brown
County Clerk

Report of Surveyor.

To the Hon. County Court of Union County, Oregon:

I, the undersigned, County Surveyor, appointed to survey the county road proposed by
W. H. Langley et al., beg leave to report that
on the 25 day of June 1902 ~~189~~, in pursuance of said appointment
and order, I Surveyed said proposed road for the whole distance thereof, the following being
the field notes of said survey:

Commencing at a point 29.50 Chs East of the $\frac{1}{4}$ Sec. Cor. on
North line Sec. 15 T. 3 S. R. 36 E. W. M. at a stump marked R. V.
Then South 43° West 9.00 to Angle 1 a tree, Then S. $27^{\circ} 30'$ W. 10.75
chs to A. 2 a stump; Then S. 43° W. 6.00 chs to A. 3 a stake, Then S.
 5° West across River 2.60 chs to A. 4 a rock; Then S. 31° E
25.0 Chs. to Angle 5 a rock; Then S. $10^{\circ} 30'$ E. 6.00 chs to A. 6 a stake
Then S. 26° E. 9.10 Chs to A. 7 a stake Then S. 5° E. 18.68 Chs
to Road Terminus a post on North line of present County Road
at the N.E. Cor. of S. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ Sec. 15 T. 3 S. R. 36 E. W. M.

Arthur Curtis
County Surveyor.

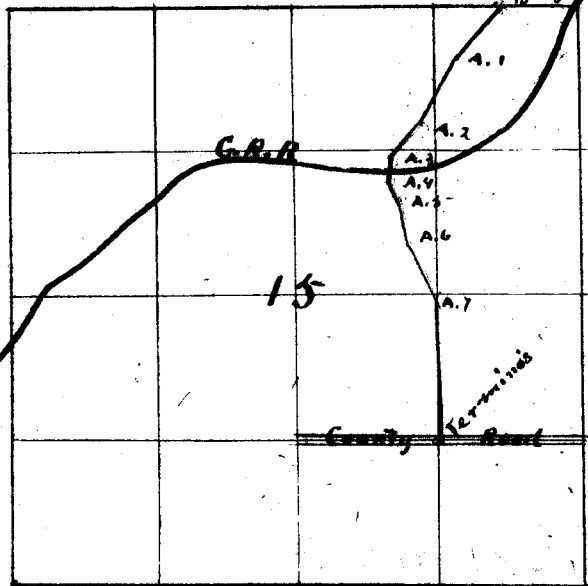
FILED

JUN 30, 1902

W. H. Brown
County Clerk

Road to be Vacated Pet. for by W.H Longley

T. 3 S. R. 36 E. W. M.



W. H. Lengley road

Received
Sixty June 30. 1907
G. W. Burman
Co. Clerk

First Judicial Day

Wednesday, May 7, 1902.

In the matter of the vacation
of the County Road petitioned
for by W. H. Langley, et al

Came now W. H. Langley, one of the petitioners
for the vacation of the above named County Road, and presents to
the Court the petition of himself and others, praying for the
vacation of said County road, described as follows, to wit:

Commencing at a point where a County road crosses
the north line of Running East ^{and West} of the Northeast quarter
of the Northeast quarter of section 15, T₃ S. R. 36 E. 2nd E. 2nd W., thence
following the County road in a southeasterly direction $\frac{1}{2}$ of
a mile more or less to the southeast corner of the Southwest
quarter of the Northeast quarter of said section 15, same
Township and Range, making $\frac{1}{2}$ of a mile more or less.

And it appearing to the Court that said petition is signed by more than
twenty householders of this County, residing in the vicinity of said road,
and that said petition properly specifies the place of beginning
intermediate points and place of termination of said road proposed to be
vacated 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 road, to wit: One at the so called Arnold Bros ranch,
now owned by Christopherson Brothers; one near the junction of the
road to be vacated on the east end of the Stoneys Spruce on the Starkey
main road and one at the junction of the road at the west end of the
road to be vacated 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 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
D. H. McWaters, David James ^{and} A. C. Shropshire be appointed viewers of said
road, and ^{and Andrew Curtis, Surveyor} that they meet at Langley's Ranch on Monday, May 26, 1902
at the hour of 10 o'clock A. M. and after qualifying to view and survey said road
sought to be vacated, according to law

In the matter of the
application of Wm. Spencer
et al for County road

This matter came on to be heard at this ^{time} on the report

First Judicial Day

Wednesday, June 4, 1902.

In the matter of the vacation of certain County road petitioned for by W. H. Langley, et al.

Comes now W. H. Langley, one of the petitioners for the vacation of above named County road and presents to the Court the petition of himself and others praying for the vacation of County road described as follows to wit, Commencing at a point where a County road crosses the North line (running east and west) of the North East Quarter of the North East Quarter of Section 15, T₃ R₃₆ E₃₆ E₃₆, thence following said County road in a southwesterly direction $\frac{2}{3}$ of a mile more or less to the Southeast corner of the Southwest quarter of the Northeast quarter of said section 15, same Township and Range making $\frac{2}{3}$ of a mile more or less. And it appearing to the Court that said petition is signed by more than 12 householders of this County residing in the vicinity of said proposed road sought to be vacated, and that said petition properly specifies the place of beginning intermediate points and place of termination of said proposed road sought to be vacated, 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 in three public places in the vicinity of said proposed road sought to be vacated, to wit: One on the so-called Arnold Brothers ranch, now owned by Christofferson Brothers, one on the junction of the road to be vacated on the east end of the Stone grade on the main Starkey road, and one at the junction of the road at the west end of the road to be vacated 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 one 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 A. H. Waters, David Harris and H. C. Shropshire be appointed viewers and Arthur Curtis be appointed Surveyor, and that they, with, at the residence of W. H. Langley - on Wednesday the 25th day of June, A. D. 1902, at 10 o'clock A. M. and after qualifying to proceed to view and survey said road sought to be vacated. This order having been made at the May term 1902, and the viewers and surveyor heretofore appointed herein having failed

First Judicial Day -

Wednesday, June 14, 1922

to meet, view and survey the said road sought to be vacated as by the Court directed. It is hereby ordered that the former order be rescinded and that this order take effect as of this date.

In the matter of the proposed
County Road petitioned for
by Geo. F. Hall, et al

Comes now Geo. F. Hall, 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 a point on the County road, leading from the City of Union to LaGrange, known as the Valley road, at the section corner common to Sections 1, 2, 11 & 12, T₄ P₄ S₃₉ E₂ W₄, running thence westerly along the section line between sections 2 & 11, and 3 & 10, T₄ P₄ S₃₉ E₂ W₄, about 1 1/2 miles to a stake on the west bank of Catherine Creek, thence in a northwesterly direction along the west bank of Catherine Creek about 1/4 of a mile to a stake on the line between the NW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of sec 3, T₄ P₄ S₃₉ E₂ W₄, thence in a westerly direction through the center of the 1/2 of Sec 4, T₄ P₄ S₃₉ E₂ W₄, to a stake near the section line between sections 4 & 5, T₄ P₄ S₃₉ E₂ W₄, thence South on course of section line, between sections 4 & 5, T₄ P₄ S₃₉ E₂ W₄, a distance of about 1/8 of a mile to a point where the said section line intersects the County road leading from Union to LaGrange known as the Foot Hill road and there terminating.

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 advertisements 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 on the fence at the beginning of the proposed road, one on the bridge across Catherine Creek on line of proposed road, and one on a fence at the terminus of proposed road, all notices being posted in a conspicuous place on line of said proposed 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

First Judicial Day

Wednesday, July 2, 1902.

In the matter of the issuance
of Duplicate warrants to
E. Harris.

At this time it is ordered by the Court that
this matter be and the same is hereby denied.

In the matter of the application of
W. H. Langley for the vacation
of a County road.

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

In the matter of the application
of S. L. Purnough, et al, for
proposed County road

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

In the matter of the proposed
County road petitioned for by
Geo. F. Hall, 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 first reading, and said report having been read
in open Court as provided by law, It is hereby ordered
that said report be laid on the table for a second reading
on some other day of this term of Court.

In the matter of the claim of Baker
County, account care and
medical attention to C. J. Dawson
an indigent person.

This matter came on to be heard at

Fifth Judicial Day

Tuesday, July 8, 1902.

Court met pursuant to adjournment

Present same officers as on yesterday

The proclamation of the opening of Court having been made the journal of yesterday proceedings was read, approved and is here now signed.

M. A. Harrison County Judge
 Robert Blumenthal, Commissioner
 Jas. A. Pitcher Commissioner

Thereupon the following proceedings were had, to wit:

In the matter of the vacation of the }
 County road petitioned for by }
 W. H. Longley, 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 the viewers being in words and figures following, to wit:

Report of Viewers.
 ~~~~~

To the Honorable County Court }  
 for Union County, Oregon }

The undersigned viewers heretofore on the 12th day of June, 1902, appointed to view and vacate a county road, of which the survey hereto attached is a true and correct description of said road, as petitioned for by W. H. Longley, et al, beg leave to report that on the 25th day of June, 1902, 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 said road sought to be vacated for the whole distance thereof, and that in our opinions said road should be vacated as a public highway of Union County, Oregon. That the same is not practicable and would add nothing to the convenience of the householders residing in the vicinity thereof, we therefore recommend that said road be vacated.

H. C. Shropshire }  
 D. H. Waters } Viewers.  
 A. H. Hales }

And said report of the viewers and the report of the surveyor having been read in open Court on two several days of the present term of Court, and it appearing to the Court that said viewers report



Fifth Judicial Day

Tuesday, July 8, 1902.

favorably thereon, and recommended that said road be vacated as a County road of Union County, Oregon, and all the proceedings herein having been regular and according to law, and no remonstrance having been filed herein and there being no cause shown why this road should not be vacated and the Court being satisfied from the report of the viewers that said road is not of public utility. It is thereon considered and ordered by the Court, that said report of viewers and surveyor be approved and adapted by the Court, and that the said road be declared vacated and ordered closed for travel. It is further ordered that the report of the viewers be placed on record in this journal, and that the surveyors plat of the said 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 Leelfarning, Road Supervisor of Road District #15, 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 vacate said road.

In the matter of the incorporation of the  
town of North Powder, State of Oregon }

This matter having been heretofore continued and set for hearing at this time at this time, came on to be heard upon a canvass of the votes cast at a special election heretofore held within the limits of said proposed corporation, and it appearing to the Court that upon the proceedings heretofore had for the incorporation of the said town of North Powder, Union County, State of Oregon, and in accordance with an order by this Court heretofore duly made and entered, a special election was held within the limits of said proposed corporation on the 14<sup>th</sup> day of June, 1902 whereby the question of, for or against incorporation was submitted to the qualified electors residing within the limits of said proposed corporation, and also the election of persons to fill the various elective municipal offices prescribed by law, to wit; a Mayor, six Aldermen, a Recorder, a Marshall and a Treasurer, and complete returns of said election being before the Court at this time for a canvass thereof, and it appearing to the Court that said election has been held and conducted and the returns thereof made in manner and form required by law and in accordance with a former order of this Court, and upon canvass of said votes the Court finds that there was cast at said election; for incorporation, 46 votes

Fifth Judicial Day

Tuesday, July 8, 1902.

against incorporation 3 votes, for the office of Mayor, Herman Rothchild, 36 votes, S. Vandecar 2 votes, J. E. Carrick 1 vote, for Aldermen H. O. Gorham 46 votes, Wm. Shaw 45 votes, Thomas Burns 45 votes, J. E. Carrick 44 votes, George Lee 38 votes, J. R. McLaren 38 votes, L. Smith 8 votes, O. D. Tomlinson 4 votes, George Ashby 1 vote, J. H. Sears 1 vote, Dr. Barnes, 1 vote, R. M. Shaw 1 vote, for Recorder, Hal Folen 41 votes, R. H. Lloyd 4 votes, for Treasurer S. Vandecar 37 votes, O. D. Tomlinson 1 vote, Hal Folen 1 vote, Herman Rothchild 1 vote, Adam 2 votes, R. H. Lloyd, 1 vote, for marshal R. E. Harris 43 votes, George Ashby 4 votes. And it appearing to the Court that a majority of the votes cast at said election were for incorporation & it is therefore considered <sup>advised</sup> and ordered that said portion of Union County, Oregon, be and the same is hereby declared duly incorporated as a municipal corporation under the name and style of The Town of North Powder, with boundaries as follows; Commencing at a point on the east line of the Northwest quarter of the North east quarter of Section 22, Township 6 South of Range 29 E. 2 M. in Union County, Oregon, at the corner of BEX 33, in the town of North Powder as shown by the official plat of said Town on file in the office of the County Recorder, in said County and State; running thence in a northwesterly direction along the northwest lines of Blocks 32, 17, 16, 14 & 44 to a point where the northwest line of BEX 44 intersects the north line of said Section 22, thence west along said section line to a point where the northwest line of said BEX 44 intersects said north line of Section 22; thence in a southwesterly direction along the northwest lines of Blocks 44, 43, 42, 41, 40, 39, 38, 37 and 36 to the west corner of BEX 36; thence in a southeasterly direction along the southeast lines of Blocks 36, 35, 34 and 33 to the south corner of BEX 33; thence continuing in a southeasterly direction and in a direct line with the southeast lines of said Blocks 36, 35, 34 and 33, to <sup>and</sup> across the O. R. & N. Co's right of way to a point on said direct line 60 feet from and on the southeast side of the southeast line of said right of way; thence in a westerly direction 60 feet from and parallel with the southeast line of said right of way to a point where said parallel line intersects the southwest end line of the O. R. & N. Co's depot grounds; thence in a southeasterly direction to the south corner of said depot grounds; thence in a northeasterly direction along the southeast line of said depot ground to a point where said line intersects the east line of the said Northwest quarter of the Northwest quarter of Section 22, thence west along said section line to the place of beginning and that Herman Rothchild having received the highest number of votes



Fifth Judicial Day

Tuesday July 8, 1902.

cast at said election for the office of Mayor, is hereby declared elected to said office; and that H. O. Gorham, Wm Shaw, Thomas Burns, J. C. Carroll, George Lee and J. R. McLain, being the six persons who received the highest number of votes respectively, cast at said election for the office of alderman, are each and all hereby declared elected to said office; that Hal Palm having received the highest number of votes cast at said election for the office of recorder, is hereby elected to said office; that S. Vandecar having received the highest number of votes cast at said election for the office of Treasurer, is hereby elected to said office, and that said P. C. Faines, having received the highest number of votes cast at said election for the office of Marshal is hereby declared elected to said office. And it is hereby further ordered that a copy of this order, duly certified by the County Clerk and under the seal of this Court, be filed in the office of the Secretary of State at Salem Oregon.

In the matter of the proposed }  
County road petitioned for by }  
Geo. F. Hall, 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 also upon the claim of Florence Dobbin for damages on account of the location and establishment of said proposed road, the same being decreed as follows to-wit:

Beginning at a point on the County road leading from the City of Union to LaGrange, Oregon, known as the Valley road, at the section corner common to sections 1, 2, 11 & 12, T<sub>4</sub> N. R. 39 E., running thence westerly along section lines between Sections 2 & 11 and 3 & 10, T<sub>4</sub> N. R. 39 E<sub>W</sub>, about 1/8 mile to a stake on the west bank of Catherine Creek; thence in a north westerly direction along west bank of Catherine Creek about 1/4 of a mile to a stake on the line between the NW<sup>1/4</sup> of the SW<sup>1/4</sup> and the SW<sup>1/4</sup> of section 3, T<sub>4</sub> N. R. 39 E<sub>W</sub>, thence in a westerly direction through the center of the SW<sup>1/4</sup> of Sec 3 and the center of the NW<sup>1/4</sup> of Sec 4, T<sub>4</sub> N. R. 39 E<sub>W</sub> to a stake near the section line between sections 4 & 5, T<sub>4</sub> N. R. 39 E<sub>W</sub>, thence south in course of section line between sections 4 & 5, T<sub>4</sub> N. R. 39 E<sub>W</sub>, a distance of about one eighth of a mile to a point where the section line intersects the County road leading from Union to LaGrange, Oregon, known as the East side road and there terminating. And it appearing to the Court