

EQUITY.

No 38

In CIRCUIT COURT
UNION COUNTY

H. G. Hunter

Plaintiff

vs

Richard B. Johnson

Defendant

O. H. Smith

Attorney for Plaintiff

Attorney for Defendant

K-4401-22-73
Ord. rec. 10/11/51

ROAD No 580

Returned for by
G W English et al

Commencing at

21-311 357 3711 40 2 31 41
72 N R 40 E W 94

10/2-74

PETITION FOR COUNTY ROAD.



TO THE HONORABLE COUNTY COURT, FOR UNION COUNTY, OREGON:

The undersigned freeholders, of Union county, Oregon, residing in the road district 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 in the S.E. 1/4 of S.E. 1/4 of sec 10 T 2 N Range 40 E W. 1/2 at a point on the county road at a stake marked A about 65 yards north and 60 yds west of the N.E. corner of said lot thence running east about 180 yards to a stake marked B. then north 25 yds. then N.W. or nearly so about 225 yards to stake C. about 100 yds. north and 50 yards west of above named corner. Thence N.E. intersecting the line between sec. 10 and 11 and continuing north along said sec. line to the S.W. corner of the N.W. 1/4 of S.W. 1/4 of sec 2, thence east about 175 ft. to D. running thence in a northerly and slightly westerly direction a quarter of a mile more or less and intersecting the sec line near the center of the west line of sec. 2 and continuing north along said line to the S.E. corner of the S.E. 1/4 of the N.E. 1/4 of sec 34 T 3 N. R 40 E W. 1/2 thence running in a north westerly direction or nearly so to a point on the line between sections 28 and 34 about 220 yds east of the S.W. corner of the S.W. 1/4 of the S.E. 1/4 of sec. 28. Thence running west to said corner and from thence north along the line 1/4 of a mile and then terminating.

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

Along edge of Cliff
NAMES: NAMES:
27 28 and 34 about 220 yds east of the S.W. corner of the S.W. 1/4 of the S.E. 1/4 of sec. 28. Thence running west to said corner and from thence north
27 along the line 1/4 of a mile and then terminating.

Said road to be 40 feet wide.

M. English
David Scott
A.C. Thompson
Darius Witty
J.W. Perry
Joseph Scott
Thomas Scott
D.K. Nicely
W.D. Blair
J.E. Witty
R.J. Rinehart
J.K. Jones
Frank Harryman
Albert Scott

Willis Scott
John Bechtel
Jimmie J. Brault
A.E. Barroll

to the County
Road returned
for by
E. W. Campbell, clerk

Petition

Filed May 5, 1902

J. H. M. Cunningham
Clerk

By E. P. Johnson
Clerk

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

I, EP Schow 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 _____ day of _____ 190____, 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

3rd day of June 1904

EP Schow
County Judge

PAID
JUN 1 1904

J. W. Cunningham
COUNTY CLERK

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

I, J. W. Perry 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 beginning and end of the terminus of said proposed Road and one at the middle of the proposed Road.

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the ~~1st~~ ^{1st} day of ~~June~~ June 1904, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 3rd day of May 1904, 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 31st day of May 1904
J. W. Perry
E. H. Morlock Notary
Public for Oregon

FILED
JUN 1 1904

COUNTY CLERK

J. W. Pennington

Notice of Road Petition.

TO ALL PERSONS CONCERNED: You and each and all of you, will take notice that the undersigned freeholders, of Union county, Oregon, residing in the road district 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 The June Term ~~on Wednesday, the~~ _____ day of _____ A. D. 1904 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 in the S.E. 1/4 of S.E. 1/4 of section 10 T. 2 N. R. 40 E. W. M. at a point on the County road at a stake marked A about 85 yds. south and 60 yds. West of the N.E. corner of said lot. Thence running east about 185 yards to a stake marked B. Then North 25 yards. Then N.W. or nearly so about 225 yds. to stake C. about 100 yds. North and 50 yds. west of above named corner. Thence N.E. intersecting the line between sections 10 & 11 and continuing north along said sec. line to the S.W. corner of N.W. 1/4 of S.W. 1/4 of Sec. 2. Thence east about 175 ft. to stake D. running thence in a northerly & slightly westerly direction a quarter of a mile more or less intersecting the sec. line near the center of the West line of sec. 2. continuing north along said line to the S.E. corner of the S.E. 1/4 of the N.E. 1/4 of Sec. 34 T. 2 N. R. 40 E. W. M. Thence ^{along edge of bluff} running in a north westerly direction or nearly so to a point on the line between sections 28nd & 34 about 220 yds. east of the S.W. corner of S.W. 1/4 of S.E. 1/4 of Sec. 28 thence ^{190 ft} West to said corner and from thence north along the line 1/4 of a mile and thus Terminating. Said Road to be 40 feet wide.

Dated at Elgin Oregon, the 2nd day of May A. D. 1904

NAMES:	NAMES:
W. English	Willie Carter
David Scott	Wm. J. Berhlet
A. C. Thompson	J. Bault
Paris Witter	A. E. Carroll
J. W. Perry	
Joseph Scott	
Thomas Scott	
D. K. Mickey	
W. D. Blair	
J. E. Witter	
H. J. Rinehart	
J. K. Jones	
Frank Harriman	
Albert Scott	

EPA

J. M. [Signature]
COUNTY CLERK

FILED
JUN 1 1904

Noted

commencing in the S. E. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of sec. 10 T. 2 N. R. 40
E. W. N. at a point on the County road at a stake marked A
about 85 yds south and 60 yds west of the N. E. corner of
said lot thence running east about 185 yds to a stake marked
B. then north 25 yds then N. W. or nearly so about 225 yds
to stake C. about 100 yds north and 50 yds west of above
named corner. thence N. E. intersecting the line between sections
10 and 11. and continuing north along said sec. line to the
S. W. corner of N. W. $\frac{1}{4}$ of S. W. $\frac{1}{4}$ of sec. 2 thence east about
175 feet to stake D. running thence in a northerly and
slightly westerly direction a quarter of a mile more or less
and intersecting the sec. line near the center of the west line
of sec. 2 and continuing north along said line to the S. E.
corner of the S. E. $\frac{1}{4}$ of the N. E. $\frac{1}{4}$ of sec. 34 T. 3 N. R. 40. E. W.
N. thence ^{along edge of bluff} running in a northwesterly direction or nearly so
to a point on the line between sections 28 and 34 about 220
yds east of the S. W. corner of S. W. $\frac{1}{4}$ of S. E. $\frac{1}{4}$ of sec. 28 thence
running west to said corner and from thence north along
the line $\frac{1}{4}$ of a mile and thus terminating. said road
to be 40 feet wide - ~~Said~~ Notice posted May. 3rd 04

BOND OF ROAD PETITIONERS.

KNOW ALL MEN BY THESE PRESENTS, That we, G.M. English and J.M. Perry, of the County of Union and State of Oregon, are held and firmly bound unto said county of Union, in the full sum of ONE HUNDRED DOLLARS (\$100.00) the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators firmly by these presents.

Signed this 12th day of May, A. D., 1904

Now, the conditions of the above obligation is such, that whereas G.M. English and others, have petitioned the County Court of said county of Union, at the June term, 1904, thereof, for a County Road, described in the petition and notice hereto annexed, as follows:

Now, if the above named G.M. English and J.M. Perry 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 the petitioners be not granted or allowed, then that this obligation shall be void, otherwise to remain in full force and virtue.

G.M. English (Seal)
J.M. Perry (Seal)

STATE OF OREGON, } ss.
COUNTY OF UNION,

I, G.M. English and J.M. Perry, each for himself, say I am worth the sum of TWO HUNDRED DOLLARS (\$200.00) over and above all debts and liabilities and property exempt from execution; that I am a resident householder in said county and state,

G.M. English
J.M. Perry

Subscribed and sworn to before me this 12th day of May, A. D., 1904

E.B. Morlock
Notary Public for Oregon

6/1/04 Bond approved
M.A. Harrison County Judge
Robert Blumhagen
Jas. A. Pelcher

By the County Court
of the State of Oregon
for the County of Clatsop

Do hereby certify that
the proposed County
road project known

as being

by W. J. Engstrom, et al

June 23, at 2:15 p.m

Book

Filed May 23, 1901

W. J. Engstrom

W. J. Engstrom

By J. H. [Signature]

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court for Union County, Oregon :

The undersigned Board of County Road Viewers, heretofore on the 1st day of June 1904, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by G. W. English et al., beg leave to report that on the 28 day of June 1904, in pursuance with said order, we proceeded to view out said proposed road for the whole distance thereof, and that in our opinions 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 greatly 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 _____

No claim for damages

D. L. K. Kennon
B. Logsdon
Arthur Curtis

Board of County
Road Viewers.

State of Oregon
County of Union }^{SS}

I hereby certify in the matter of
the County road petitioned for by G. W. English
and others, that the field Notes made by me are
true and correct and that the Plat accompanying
the same is a true and correct representation
of said road both together in angles and
distances.

Arthur Curtis
County Surveyor

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 G. W. English et al., beg leave to report that on the 28 day of June 1904 ~~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 North 13.65 chs, and North 51° 30' West 350 chs ^{Rock} from the S. E. Cor. of Sec. 10 T. 2 N. R. 40 E. W. M.; Then East 800 chs to Angle 1 a Rock; Then North 1.15 chs. to Angle 2 a rock; Then N. 47° W. 10.75 chs. to Angle 3 a rock; Then N. 37° 30' E 380 chs. to Sec. line N. S. and angle 4 a rock; Then North 13 chs ^{1/4} Sec. Cor.; 53.40 chs to Sec Cor; 56.40 chs to One mile rock Then North 17.30 chs to A. 5 a rock; then East 3.00 chs to A. 6 a rock; then North 2° West 11.20 chs to A. 7 tree then N. 13° W. 8.00 chs to A. 8 Rock; Then North 40.30 chs to 2 Mile Rock at the Cor. of Sec. ²³ T. 2 N. R. 40 E _{34 35 T. 3 N. R. 40 E}

Then North 40.40 chs to A. 9 stake, and ^{1/4} Sec Cor.

" " 37° 30' West 8.25 chs to A. 10 a rock

" " 36° " 13.00 chs " A. 11, " "

" " 40° " 18.35 " " 3 Mile tree

" " 40° " 40.65 " " A. 12, a rock

" West 9.85 " " A. 13 a rock ^{1/4} Sec Cor;

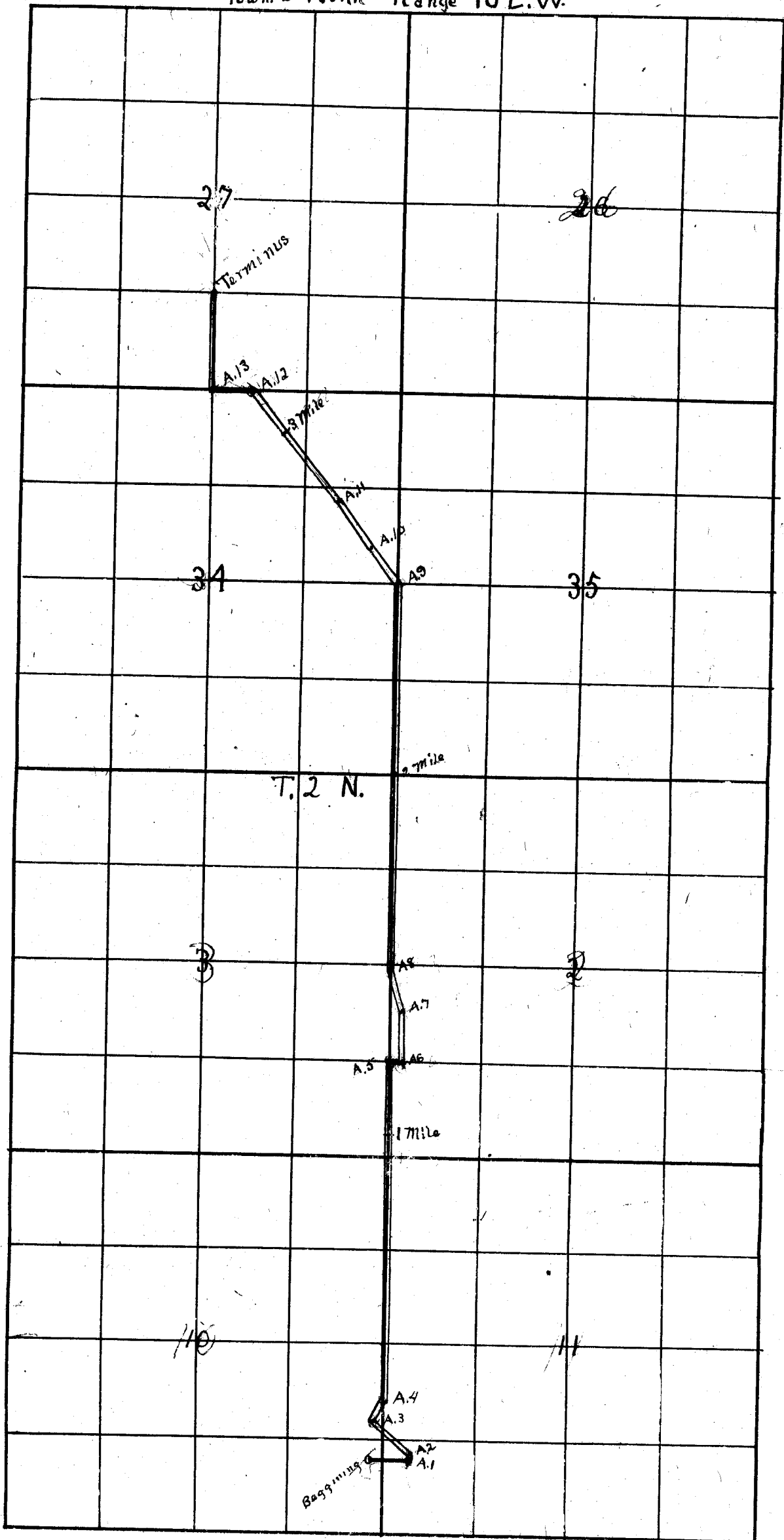
" North 20 chs to R. T. Pine tree 4ft in diam ^{marked}

R. T. at the N. W. Cor. of S. W. ^{1/4} of S. E. ^{1/4} of Sec 28 T. 3 N. R. 40 E, W. M.

Arthur Curtis
County Surveyor.

Road Petitioned for by G.W. English et. al.

Town. 3 North Range 40 E.W.



In the
Country Court
of the State of
Oregon for the
County

In the matter of
James Country
Great Distances
from the
- All England, et al.

Deputy of Viewers

Wm. F. Foy & Co.
J. B. Foy & Co.
Deputy