

#6

No

27

IN THE
CIRCUIT COURT,
UNION COUNTY, OREGON

~~EQUITY~~

The Oregon Railroad
and Navigation
Company Plaintiff

^{vs}
Yallow Valley
Railroad Company
Miller and Wife
Defendant

Docket

Page

Estlin, Corner and Crawford
Attorney for Plaintiff

Ramsay and Oliver
Attorney for Defendant

6th 1913

Presented by 77 1913

Ordered by Nov 2 1905

10 5 8 7
Road of

John L. Ross

100 27 1 21 3 5 2 0 0 0 0

THE IN

1 In the County Court of the County of Union and State of Oregon-

2
3 In the Matter of the Road)
4 of Public Easement of) Petition.
5 Private Necessity of John L. Ross-)
6

7 To the Honorable County Court
8 of Union County, Oregon-

9 Comes now John L. Ross and represents:-

10 That he is the owner in fee of the south half of the southwest qr of
11 Sec.27 in Township 1 north of Range 38 E.W.M. and in Union County,
12 Oregon and has his residence thereon;

13 That his said residence on said land is not reached by any convenient
14 public road heretofore provided by law or otherwise;

15 That it is necessary that the public and your petitioner-John L. Ross
16 shall have ingress and egress from the residence of said John L. Ross
17 so situated on said described land; that your petitioner has a dwelling
18 and barn and other buildings on said lands-and that about sixty acres
19 of said lands are in cultivation; and that your petitioner is required
20 to appeal to the kindness of others for a private way across their
21 lands to get out to a public highway;

22 That his said land is within eighty rods of a public highway on the
23 east and that a good road could be maintained across the land of Bert
24 Slack-being the southeast qr of said Section 27 in Township 1 north
25 of Range 38 E.W.M.-from your petitioner's said northeast corner of
26 his said land-directly east and on the north line of the south half
27 of said S.E. 1/4 Sec.27 -to the public highway running northwest and
28 southeast-and across the east part thereof-running from Summerville
29 Union County, Oregon-to Walla Walla, Washington-

30 Wherefore your petitioner prays you to order a road of public easemen
31 or private necessity 25 feet wide from the northeast corner of the S 1/2
SW 1/4 Sec.27 in Twp 1 N-Rge 38 E.W.M.in Union County, Oregon-directly
east across the land of Bert Slack-and intersection the public highway
at or near northeast corner-of the S 1/2 SE 1/4 Sec.27-Twp 1 N-Rge 38 E.W.M.
your petitioner paying the damage thereof.

John L. Ross
Petitioner.

Dated this September 6th 1905.

State of Oregon-

County of Union-SS:- I--John L.Ross being first duly sworn say:-

That I am the foregoing petitioner for a road of public easement or private necessity--and that the foregoing my petition is true as I verily believe.

John L. Ross

Subscribed and sworn to before me this the 6th day of September A.D. 1905.

C. H. Fin

Notary Public for Oregon.

In the County Court of
Union County
Oregon

Petition for
Road of Public
Easement by
John S. Ross,

Filed Sept. 6-1905

J. B. Vickman
Clerk

By J. H. Finn
attorney

FROM THE LAW OFFICE OF
C. H. FINN,
LA GRANDE, OREGON.

Attorney for Petitioner

REPORT OF VIEWERS.



To the Honorable County Court for Union County, Oregon:

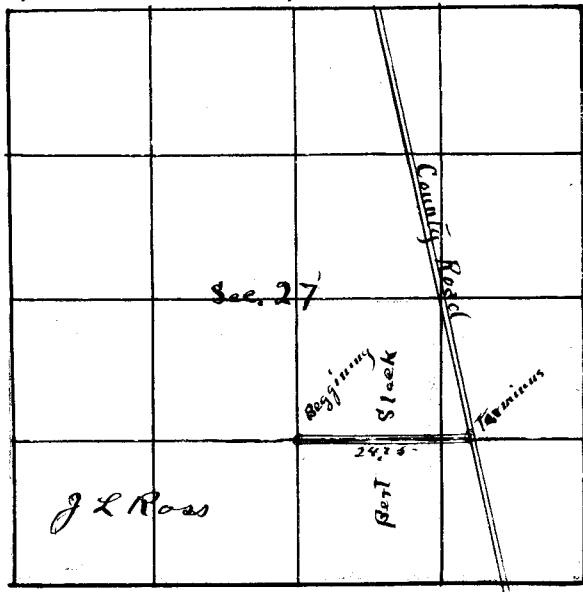
The undersigned viewers heretofore on the 6th day of September 1905, appointed to view, lay out and alter the proposed county road, ^{of Public Easement} of which the survey hereto attached is a true and correct description, as petitioned for by John L. Ross, ~~et al.~~, beg leave to report that on the 23rd day of September, 1905, 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 ^{of Public Easement} for the whole distance thereof, and that in our opinions said proposed road should be laid out 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 ^{of Public Easement} be laid out and

declared a public highway of said county. ^{and that by the location of said Road 20 ft wide there will be a damage to the property owners to the amount of} \$100⁰⁰/₁₀₀ (One hundred) Arthur Curtis
\$100⁰⁰/₁₀₀ - - - - - B. Logsdon
Two hundred Dollars E. B. Morelock
Damage

Board of County
Road
Viewers.

Road of Public Easement
Petitioned for by John L. Ross

Town 1 North Range 38 E. W. M.



State of Oregon
County of Union } s.s.

I hereby certify in the matter
of the road of Public Easement Petitioned for by
John L. Ross that the field Notes made by me
are True and correct and that the Plat accompanying
the same is True and correct

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
John L. Koss et al., beg leave to report that
 on the *23* day of *September 1920*, 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 the North East Cor. of the South Half of
 the South West 1/4 Sec. 27 Town 1 North Range 38 East
 W. M. at a stake marked R set in Mound. Then East
 24.25 Chs set stake in mound marked R. T. for terminus
 said road to be 25 feet wide, stakes are set in center of
 road.*

Arthur Curtis
 County Surveyor.