

No. 671

IN THE MATTER OF A
COUNTY ROAD

PETITION OF

Hans Westenskow
et al

Beginning at

Petition filed		1
Affidavit of Posting filed		1
Bond filed		1
Order Appointing Viewers and Surveyor made	Term	1
Page	Vol	Commissioners Journal
Oaths filed		1
Viewers Reports filed		1
Viewers Reports filed		1
Order of Court made		1

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M N F
BUSHONG & CO
OFFICE BANK AND COUNTY SUPPLIES
PORTLAND ORE

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 at the East end of the County bridge East of Imbler, on the section line between Sections 20 and 29, Tp. 1, S.R. 39, E.W.M., running thence South and East a distance of about 40 rods on the most practicable route to intersect the County road running East and West in front of the H. McGoldrick buildings, which buildings are located on the NW $\frac{1}{4}$ of Sec. 28, Tp. 1, S.R. 39, E.W.M., in Union County, Oregon.

Also to vacate the present County road, described as follows: Commencing at the East end of the County bridge East of Imbler, on the section line between Sections 20 and 29, Tp. 1, S.R. 39, E.W.M., running thence East about 40 rods and south about 30 rods, to where the present County road starts Easterly running in front of the H. McGoldrick buildings, which are located on the NW $\frac{1}{4}$ of Sec. 28, Tp. 1, S.R. 39, E.W.M. in Union County, Oregon, the terminus of the road to be vacated to be the terminus of the road above petitioned for.

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

NAMES:

NAMES:

Hans W. Estersfrom
 J. M. Kuchman
 J. J. Kure
 J. G. Ringarson
 A. L. Russell
 J. A. Gann
 J. M. Witt
 W. D. Pollins
 J. D. Woodell
 H. L. Ruckman
 J. W. Berry
 J. G. Reese
 J. L. Andrews
 Walter Strungham
 Ray Towal

H. M. Goldrick
 Sherwood Williams
 E. L. Kahan
 P. C. Osborn

BOND OF ROAD PETITIONERS

Know All Men by These Presents, That we, H. McGoldrick and I.M. Skillings,

and _____ 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 9th day of September A. D., 1916

Now, the conditions of the above obligation are such, that whereas, H. McGoldrick

_____ and others have petitioned the County Court of said County of Union, at the November term, 1916, thereof for a County Road, described

in the petition and notice hereto annexed, as follows: Commencing at the East end of the County bridge East of Imbler on the section line between Sections 20 and 29, in Township 1, S.R. 39, E.W.M., running thence South and East for a distance of about 40 rods on the most practicable route to intersect the County road running East and West in front of the H. McGoldrick buildings which buildings are located on the NW 1/4 of Sec. 28, Tp. 1, S.R. 39, E.W.M., in Union County, Oregon; and also for the vacation of the present County road, described as follows: Commencing at the East end of the County bridge East of Imbler, on the section line between Sections 20 and 29, in Tp. 1, S.R. 39, E.W.N., running thence east about 40 rods and south about 30 rods, to where the present County road starts East-erly running in front of the McGoldrick buildings, which are located in Section 28, Tp. 1, S.R. 39, E.W.M., in Union County, Oregon, the terminus of the road to be vacated to be the terminus of the road above petitioned for.

Now, if the above named H. McGoldrick, and others,

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.

H. McGoldrick (Seal)
I.M. Skillings (Seal)

STATE OF OREGON, } ss.
County of Union

I, H. McGoldrick and I.M. Skillings, 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.

H. McGoldrick
I.M. Skillings

Subscribed and sworn to before me this 9 day of Sept A. D., 1916.

[Signature]
NOTARY PUBLIC FOR OREGON.
My Commission Expires May 28th 1918

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 Wednesday, the ~~6th~~ ^{9th} day of ~~November~~ ^{September} A. D. 191 ~~6~~ ⁶ 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 east end of the County bridge east of Imbler, Oregon, on the section line between Sections 20 and 29, in Township 1, S.R. 39, E.W.M., running thence South and East for a distance of about 40 rods on the most practicable route to intersect the County road running East and West in front of the H. McGoldrick buildings, which buildings are located on the NW $\frac{1}{4}$ of Section 28, Township 1, S.R. 39, E.W.M., in Union County, Oregon.

And also to vacate the present County road, described as follows: Commencing at the East end of the County bridge east of Imbler, Oregon, on the section line between Sections 20 and 29, in Township 1, S.R. 39, E.W.M., running thence East about 40 rods and South about 30 rods, to where the present County road starts Easterly, running in front of the H. McGoldrick buildings, which are located in Section 28, Township 1, S.R. 39, E.W.M., the terminus of the road to be vacated to be the terminus of the road above petitioned for.

Dated at La Grande Oregon, the 9th day of September A. D. 1916.

NAMES	NAMES
Hans Westerskov	Alme Gallenick
T. M. Ruckman	Herwood Williams
Ed. Gure	C. C. Hohme
J. A. Bergaman	L. A. Osborn
A. J. Russell	
J. H. Gann	
Just Witt	
W. P. Rollins	
J. D. Woodell	
L. E. Ruckman	
W. Berry	
J. B. Berry	
J. Andrews	
Wm. Strangham	
Ray Noval	

STATE OF OREGON, }

County of Union: } ss.

H. Mc Goldrick

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 beginning of said ^{proposed} road & vacation on post, on at end of said ^{proposed} road and vacation of road and one about middle of road proposed to be vacated

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 5th day of Star Oct 1946

and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 11th day of Oct 1946

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 La Grande, in the said County and State, and that said notices remained posted thirty days previous to the presentation of said petition as I verily believe.

H. Mc Goldrick

Subscribed and sworn to before me this 7 day of Dec 1946

Arthur H. Smith

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 3rd day of January, A. D., 1917, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J. F. Phy, County Judge,
C.A. Galloway, Commissioner,
W.J. Townley, Commissioner,
C.K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 4th day of January, A. D. 1917, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed county road petitioned for by Hans Westenskow et al

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Now at this time it is ORDERED that this matter be, and the same is hereby continued for the term

(Sd) J.F. Phy, County Judge
C.A. Galloway, Commissioner
W.J. Townley, Commissioner

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of February, A. D., 1917, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J.F.Phy, County Judge,
C.A.Galloway, Commissioner,
W.J.Townley, Commissioner,
C.K.McGormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 8th day of February, A. D. 1917, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed
county road petitioned for by
Hans Westenskow
et al.

Q 93

Now at this time, it is ORDERED that this matter be, and the same is hereby continued for the term.

(Sgd) J.F.Phy, County Judge
C.A.Galloway, Commissioner
W.J.Townley, Commissioner

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 7th day of March, A. D., 1917, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J.F.Phy, County Judge,
C.A.Galloway, Commissioner,
W.J.Townley, Commissioner,
C.K.McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 8th day of March, A. D. 1917, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the proposed county road petitioned for by Hans Westenskow et al

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Now at this time it is ORDERED that this matter be, and the same is hereby continued for the term.

(Signed) J.F.Phy, County Judge
C.A.Galloway, Commissioner
W.J.Townley, Commissioner

BE IT REMEMBERED, That at a regular term of the County Court of the State of Oregon, for the County of Union, sitting for the transaction of County business, begun and held at the Court House in the City of La Grande, in said County and State, on Wednesday, the 4th day of April, A. D., 1917, the same being the first Wednesday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable J.F.Phy, County Judge,
C.A.Galloway, Commissioner,
W.J.Townley, Commissioner,
C.K.McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 5th day of April, A. D. 1917, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the latter of the proposed County road petitioned for by Hans Westenskow et al.

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Comes now Hans Westenskow 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 east end of the county bridge east of Imbler, on the section line between sections 20 and 29, Tp.1 S.R.39 E.W.M., running thence south and east a distance of about 40 rods on the most practicable route to intersect the County road running east and west in front of the H.McGoldrick buildings, which buildings are located on the NW $\frac{1}{4}$ of Sec. 28, Tp.1 S.R. 39 E.W.M. in Union County, Oregon.

Also to vacate the present county road, described as follows: Commencing at the east end of the county bridge east of Imbler, on the section line between sections 20 and 29, Tp.1 S.R.39 E.W.M., running thence east about 40 rods and south about 30 rods, to where the present county road starts easterly running in front of the H.McGoldrick buildings, which are located on the NW $\frac{1}{4}$ of Sec. 28, Tp.1 S.R.39 E.W.M. in Union County, Oregon, the terminus of the road to be vacated to be the terminus of the road above petitioned for.

And it appearing to the court that said petition is signed by more than twelve freeholders of this county, residing in the road district where the hereinbefore described road is proposed to be, 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 city of La Grande, Union County, Oregon, and also in three public places in the vicinity of said proposed road, to-wit: one at beginning of said proposed road and vacation on post, one at end of said proposed road and vacation of road, and one about middle of road proposed 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 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 Arthur Curtis County Surveyor, and W. E. Ruckman and J. A. Gaskill constituting the Board of County Road Viewers, be, and they are hereby directed to meet at Imbler, Oregon on the 17th day of April 1917, at the hour of ten o'clock A M., or within five days thereafter and proceed to survey, view and lay out said road according to law.

(Sd) J.F.Phy, County Judge
W.A.Galloway, Commissioner
W.J.Townley, Commissioner

Attest: _____
County Clerk

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 4th day of April 1907, 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 Harro Westenskow et al., beg leave to report that on the 17 day of April 1907, 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 and that the present road laying between the beginning and Terminus be vacated

Arthur Curtis
J. G. Gaskill
W. E. Ruckman

Board of County
Road Viewers.

REPORT OF SURVEYOR

TO the Hon. County Court of UNION COUNTY, OREGON.

In the matter of the County Road as petitioned for by Hans Westenskow and others, I beg to report as follows, that I met the Viewers upon the 17 day April 1917 as per. appointment and we proceeded to view said change for the whole distance thereof the following being the field notes of said change.

Commencing at a point 560 ft. West of the N.E. Cor. of Sec. 29 T.1 S. R.39 E. W. M. Thence south 20 degrees East 150 ft. to angle 1. thence South 55 Degrees East 585 ft. to west line of present County Road at a point 475 ft. ~~North~~ South of the N.E. Cor. Sec.29 T.1 S. R. 39 E. W. M.

State of Oregon

County Of Union. ss.

I Arthur Curtis County Surveyor of Union County, Oregon

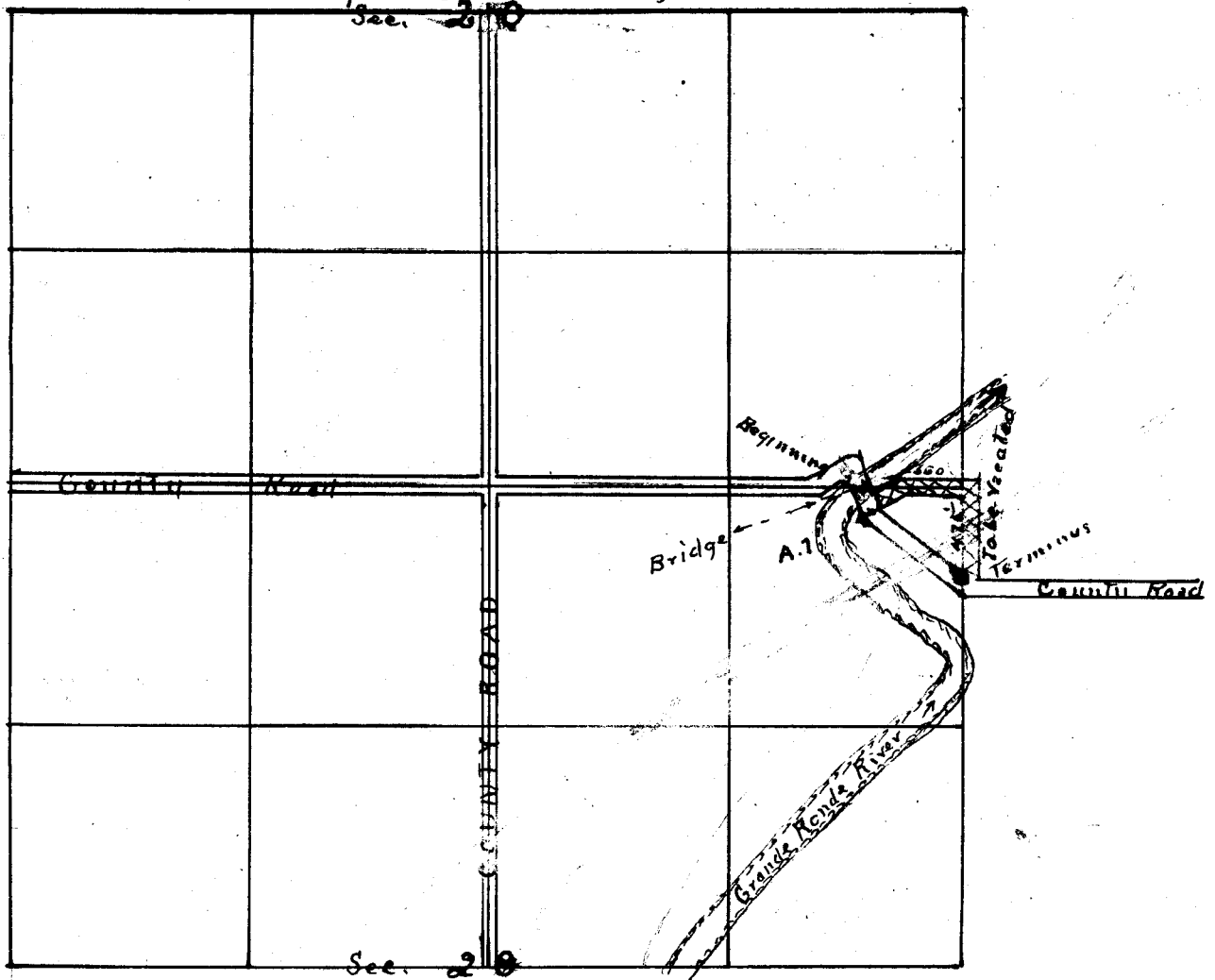
hereby certify that I surveyed the County Road as petitioned for by Hans Westenskow and others and that the Field Notes made by me are true and correct and that the Plat accompanying the same is a true and correct representation of said road both together in angles and distances.

Arthur Curtis

County Surveyor of Union Co.

Road Petitioned for. by Hans Westenskow. et al

Township 1 South Range 39 E.W.M.



Arthur Curtis
County Surveyor

5/29/17

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, said County and State, on ~~Wednesday~~ ^{Thursday} the ~~5th~~ ^{5th} day of ~~July~~ ^{Wednesday having been a non-judicial day} ~~July~~ A. D. 1907, the same being the first ~~Wednesday~~ ^{Thursday} in said month and the time fixed by law for holding a regular term of said Court, when were present to-wit:

The Hon. J. F. Phy Judge, Presiding.
The Hon. C.A. Galloway County Commissioner.
The Hon. W.J. Townley County Commissioner.
C.K. McCormack Clerk.
Lee Warnick Sheriff.

When on ~~Thurs~~ ^{Friday} day, the 6th day of July A. D. 1907, or the 2nd Judicial day of said term, among others, the following proceedings were had, to-wit:

In the Matter of the Proposed County Road Petitioned
for by Hans Westenskow et al.

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This matter came to be heard at this time on the report of the Board of County Road Viewers for a second reading, as provided by law, said report being in words following to-wit:

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

To the Honorable County Court of Union County, Oregon:

The undersigned Board of County Road Viewers heretofore on the 4th day of ~~April~~ ^{April} 1907, instructed to view, ~~lay out~~ ^{lay out} and alter the proposed county road, of which the survey hereto attached is a true and correct description, as petitioned for by Hans Westenskow et al., beg leave to report that on the 17 day of April 1907, 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 and that the present road laying between the beginning and terminus be vacated

Arthur Curtis

J. A. Gaskill

W. E. Ruckman

Board of County
Road Viewers.

And said report of the Board of County Road Viewers 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 Board of County Road Viewers report favorably thereon, 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 that portion of the present road lying between the beginning and the terminus of the new road petitioned for be vacated, and the court being satisfied from the report of the Board of County Road Viewers that such road will be of public utility; the report of the viewers being favorable thereto, and all the files and records of said proceedings having been submitted to the District Attorney, who has advised this court as to the legality of said proceedings, it is therefore considered and ordered by the court that the report of the Board of County Road Viewers be placed on record in this journal, and that the surveyor's profile and 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 said proposed road be declared a public highway of Union County, Oregon, and ordered opened up and placed in repair for travel according to law, and that portion of the present road lying between the beginning and the terminus of the new road petitioned for be vacated, and that
Willis Wright Road Supervisor of Road District No. 6, 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.

J.F.Phy
County Judge.

C.A.Galloway
Commissioner.

W.J.Townley
Commissioner.

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, _____, Clerk of the County Court of the State of Oregon for the County of Union, do hereby certify that the foregoing copy of Journal Entry has been by me compared with the original entry made in the above entitled proceedings, now remaining of record in my office; that it is a correct transcript therefrom, and the whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said court this _____ day of _____ A. D. 190__.

Clerk.
By _____
Deputy.