

PLAINTIFFS  
EXHIBIT 3

NO A 733 CLERK S ROAD FILE

No 693

Received  
7-9-53 VRE

IN THE MATTER OF A

# COUNTY ROAD

PLIITION OF

*J P Good*

et al

Beginning at the NE corner of  
the SW 1/4 of Sec 11 of  
Section 8 T. 2 N. R. 40 E

Petition filed July 7 1919

Affidavit of Posting filed Aug 4 1919

Bond filed August 4, 1919

Order Appointing Viewers and Surveyor

made August Term 1919

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Order is filed 1

Viewers Report filed 1

Viewer Reports filed 1

Order of Court made June 7 1920

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d l l y b l p p d f t t t t t h y

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

E. P. Jones

Left again

# 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 northeast corner of the southwest quarter of the southwest quarter of Section 8 Twp. 2 N. R. 40 E.W.M. thence running due North one-half mile to the southwest corner of the northeast quarter of the Northwest quarter of said Section 8, thence at random in a northerly direction according to route chosen by viewers for a distance of 3/4 mile to where a small draw intersects the south line of the southwest quarter of the northwest quarter of Section 5 in above Township and Range, thence following northward along said draw or canyon a distance of 3/4 mile across the Farm of Wm. Peck, thence following northeastward along the Grande Ronde River to the County Bridge now spanning said river near Palmer Junction, Oregon, the entire length of said road being Two and one-half miles.

And in testimony whereof your petitioners will ever pray,  
 A.D. 1913, 3rd day of July

NAMES:

NAMES:

J. P. Good  
 Frank Fine  
 A. Rydman  
 Walter Hill  
 J. H. Wickens  
 Emil Miller  
 Jay Breshears  
 J. H. Green  
 Burton Scott  
 P. H. Glasson  
 E. R. Carver  
 Martin Witty  
 J. C. Rydman  
 Albert Rydman  
 Garrett Rydman  
 John C. Smith  
 Wm. Fine  
 Cliff Fine  
 Howard Good  
 Albert Scott

W. E. English  
 John B. Scott  
 John S. Kennedy  
 J. W. Buschick  
 E. W. Witty  
 Heber Fox  
 D. W. Witty  
 J. T. Wickens

In the matter of the  
proposed and  
petitioned for by  
J. P. Good et al.

Filed July 17, 1919.  
at Hills & Co. Clerk  
County Clerk

# BOND OF ROAD PETITIONERS.

Know All Men By These Presents, That we, John P. Good

and Lincoln Wood 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 2nd day of August A. D. 1909.

Now, the conditions of the above obligation are such, that whereas,

John P. Good and others have petitioned the County Court of said County of Union, at the August term, 1909, thereof, for a County Road, described in the petition and notice hereto annexed, as follows:

~~as per description of route on petition in connection herewith~~

Now, if the above named John P. Good

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.

John P. Good (Seal)  
Lincoln Wood (Seal)

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

I, John P. Good and Lincoln Wood 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.

John P. Good  
Lincoln Wood

Subscribed and sworn to before me this 2nd day of

August A. D. 1909.

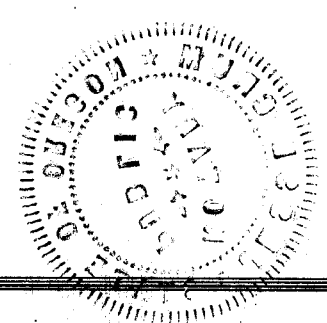
James C. Brown

NOTARY PUBLIC FOR OREGON  
My Commission Expires Feb. 6, 1921

In re County Bond  
petitioned for by  
J. P. Good et al.

Bond

Filed Aug 14, 1919.  
C. H. McComick  
County Clerk



# 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 day of August A. D. 1919 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 northeast corner of the southwest quarter of~~  
the southwest quarter of Section 8 Twp. 2 N. R. 40 E.W.M. thence running  
due North one-half mile to the southwest corner of the northeast quarter  
~~of the northwest quarter of said section 8, thence at random in a north-~~  
erly direction according to route chosen by viewers for a distance of  
~~3.4 mile to where a small draw intersects the south line of the south-~~  
west quarter of the northwest quarter of Section 6 in above township and  
Range, thence following northward along said draw or canyon a distance  
of 3/4 mile across the farm of Wm. Peck, ~~thence following northeastward~~  
along the Grande Ronde River to the County Bridge now spanning said  
~~river near Palmer Junction, Oregon, the entire length of said road~~  
being Two and one-half miles.

Dated at Elgin Oregon, the 3rd day of July  
A. D. 1919

NAMES	NAMES
J. P. Good	John Cruikshank
Frank Fine	Wm. Fine
A. Rysdam	Cecil Fine
Walter Hill	Howard Good
J. H. Wickens	Albert Scott
Emil Miller	G. W. English
Jay Breshears	John B. Scott
Jno Green	John S. Kennedy
Overton Scott	E. W. Burchfield
R. H. Glasson	E. W. Witty
E. R. Carver	Heber Fox
Mantus Witty	Q. V. Witty
J. E. Rysdam	J. T. Wickens
Albert Rysdam	
Garrett Rysdam	

7/7/19

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

I, John P. Good, 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 South end of the proposed road on a telephone pole, one at the North end of said proposed road on the County Bridge which spans the Grande Rounde River, and one along the County road on a telephone pole at the center of Section 17 Twp. 2 North, Range 40 E. W. M.

Thirty days previous to the presentation of the road petition therein mentioned, to-wit: On the 3rd day of ~~August~~ July 1919, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 5th day of July 1919, I <sup>had</sup> 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.

Subscribed and sworn to before me this 2nd day of August 1919

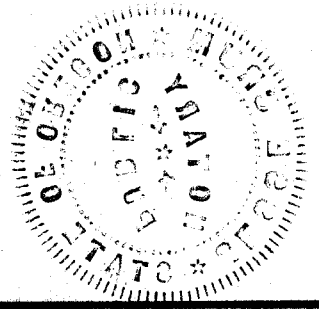
John P. Good  
Jesse [Signature]  
NOTARY PUBLIC FOR OREGON  
My Commission Expires Feb. 8, 1921



In re County Road  
petition for say  
J. P. Good deal.

Attendant of Court

Filed August 14, 1919  
at McComb  
County Tenn



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

I, C. K. McCormick 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~~ 7th day of  
August 1919, I posted a true and correct <sup>copy attached</sup> copy of ~~said~~ notice at the place of hold-  
ing 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 7<sup>th</sup> day of August, 1919.  
C. K. McCormick  
County Judge

for the County Road  
petitioned for by  
J. O. Goodrich

Attendants of meeting

held Aug 7, 1919  
A. H. M. & Connick  
County Clerk

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 Thursday, the 7th day of August, A. D. 1919, Court having by statute, been adjourned from the first Wednesday of said month, and the time fixed by law for holding a regular term of said court, for the reason that but one commissioner, C. A. Galloway appeared on said date, 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 Saturday, the 16th day of August A. D. 1919, or the \_\_\_\_\_ Judicial Day of said term, among others the following proceedings were had, towit:

In the matter of the proposed County Road petitioned for by J. P. Good et al.

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Comes now J. P. Good, 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, towit:

Commencing at the northeast corner of the southwest quarter of the southwest quarter of Section 8, Twp. 2, N. R. 40 E.W.M., thence running due North one-half mile to the southwest corner of the northeast quarter of the Northwest quarter of said Section 8, thence at random in a northerly direction according to route chosen by viewers for a distance of  $\frac{3}{4}$  mile to where a small draw intersects the south line of the southwest quarter of the northwest quarter of section 5, in above Township and Range, thence following northward along said draw or canyon a distance of  $\frac{3}{4}$  mile across the farm of Wm. Peck, thence following northeastward along the Grande Ronde River to the County Bridge now spanning said river near Palmer Junction, Oregon, the entire length of said road being two and one-half miles.

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 from the affidavits of posting on

file in this matter that notice has been given by advertisement posted at the place of holding County Court, towit:- 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, towit:- One on a telephone pole at the South end of the proposed road; one on the County ~~xxxx~~ bridge which spans the Grande Ronde River at the North end of the proposed road; and one <sup>on</sup> a telephone pole along the line of the proposed road at the center of Section 17, Township 2, North Range 40 E.W.M. 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, towit: August 6th, 1919 and that the notices so posted were in due form and duly signed by the petitioners and that a bond for the cost ~~fax~~ of this proceeding has been duly given.

It is therefore ORDERED that Roscoe Neal, County Surveyor, and Albert Ohms and J. M. Darr constituting the Board of County Road Viewers be, and they are hereby directed to meet at Elgin, Oregon on August 30th, 1919, and proceed to survey, view and lay out said road according to law.

It is further ORDERED that said Board of County Road Viewers file its report with the Clerk of this court on or before September 3rd, 1919.

\_\_\_\_\_ County Judge

\_\_\_\_\_ Commissioner

\_\_\_\_\_ 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 3rd day of September, A. D., 1919, 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 September, A. D. 1919, 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 J. P. Good, et al.

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Now at this time it appearing to the Court that the Board of County Road Viewers heretofore appointed on August 16th, 1919 to survey, view and lay out the above entitled road, did not meet on the date set and failed to file their report on September 3rd, 1919, as required in said order appointing said viewers,,

It is therefore ORDERED that Roscoe Neal, County Surveyor, and Albert Ohms and J. M. Darr be and they are hereby re-appointed as a Board of County Road Viewers and are hereby directed to meet at Elgin Oregon, on Wednesday, September 17th, 1919 at 10 A. M., and proceed to survey, view and lay out said proposed road according to law, or on failure to meet on said day, then within ten days thereafter.

It is further ORDERED that said Board of County Road Viewers file its report with the Clerk of this Court on or before Wednesday, October 1st, 1919.

County Judge  
Commissioner  
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 2nd day of June, A. D., 1920, 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,  
O. A. Galloway, Commissioner,  
W. J. Townley, Commissioner,  
C. K. McCormick, Clerk,  
Lee Warnick, Sheriff.

WHEN, on Monday, the 7th day of June, A. D. 1920, or the \_\_\_\_\_ 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 J. P. Good et al.

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Now at this time it is ORDERED that the above entitled matter be and the same is hereby dismissed and the petition denied.

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