

No. 1695

IN THE MATTER OF A  
**COUNTY ROAD**

*Resolution*

PETITION OF

*Warehouse Road*  
et al

Beginning at NW corner 20 7p 35 R

37 E then S bet. lines 29 + 30 + 31

+ 32 to end of right of way OWR 7

*etc*  
Petition filed *June 7* 1920

Affidavit of Posting filed *July 7* 1920

Bond filed 1

Order Appointing Viewer and Surveyor

made *July* Term 1920

Page Vol 0 Commissioners Journal

Oath filed 1

Viewer Reports filed 1

Viewers Reports filed 1

Order of Court made *aug 5* 1920

*Dismissing Petition*

11 f u l t e l l f l p p b l a g e t o  
d l l y b s h p e d f u t f e t i d s o

MANUF  
**BUSHONG & CO**  
OFFICE BANK AND COUNTY SUPPLIES  
- PORTLAND ORE

In the County Court of the State of Oregon for Union County.

Sitting as a Commissioners' Court. .

IN THE MATTER OF ESTABLISHING BY  
RESOLUTION THE WAREHOUSE ROAD.

)\* Resolution to Establish a Road.

0-445

WHEREAS, the public convenience, utility and use requires and demands that a public and county highway and road be located, laid out and established between the Southwest corner of Section 20 in Township 3 South, Range 39 E. W. M., and the Warehouse of the Albers Bros. on the O-W R.R. & N. Company's track, situated in the NE $\frac{1}{4}$  of Sec. 5, Twp 4 South, Range 39 E. W. M., all in Union county, Oregon; and,

WHEREAS, the urgency and needs of the public are such that this court should proceed to establish such road by resolution;

THEREFORE, BE IT RESOLVED, and it is hereby declared to be the intention of this court, -the County Court of the State of Oregon, for Union County, -locate, lay out and establish a public and county highway and road, between the fowing terminals and upon the following described route or line, towit:

Beginning at the Southwest corner of Section 20, Township 3 South, Range 39 E. W. M., in Union county, Oregon, the proposed road shall run thence south along the section lines between sections 29 and 30, and 31 and 32 in said township and range till said section line intersects the northeast boundary line of the right-of-way of the Oregon-Washington Railroad and Navigation Company, in the Sw $\frac{1}{4}$  of Section 32 in said Township and Range, thence said proposed highway and road shall follow said northeast boundary line of said right-of-way till it intersects with the public and county road in the Northeast corner of Section 5, in Township 4 South, Range 39 E. W. M., at the Albers Bros. Warehouse, and there terminates, all in Union county, Oregon.

That the width of said proposed shall be 60 feet, and the middle line of the same shall follow the route indicated, excepting along the right-of-way of the O-W R.R. & N. Company, said proposed road to be wholly outside said right of way.

Dated at La Grande, June, 7, 1920, at regular term of said court.

County Judge

County Commissioner

County Commissioner.

In the County Court of the State of Oregon for Union County,  
Sitting as a Commissioners' Court.

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RESOLUTION THE WAREHOUSE ROAD.

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WHEREAS, the urgency and needs of the public are such that this court should proceed to establish such road by resolution;

THEREFORE, BE IT RESOLVED, and it is hereby declared to be the intention of this court, -the County Court of the State of Oregon, for Union County, -locate, lay out and establish a public and county highway and road, between the following terminals and upon the following described route or line, to-wit:

Beginning at the Southwest corner of Section 20, Township 3 South, Range 39 E. W. N., in Union county, Oregon, the proposed road shall run thence south along the section lines between sections 29 and 30, and 31 and 32 in said township and range till said section line intersects the northeast boundary line of the right-of-way of the Oregon-Washington, Rail-road and Navigation Company, in the SW1/4 of Section 22 in said Township and Range; thence said proposed highway and road shall follow said northeast boundary line of said right-of-way till it intersects with the public and county road in the Northeast corner of Section 5, in Township 4 South, Range 39 E. W. N., at the Albers Bros. Warehouse, and thence terminates, all in Union county, Oregon.

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Dated at La Grande, June 7, 1920, at regular term of said court.

(Sd) J. F. Phy

County Judge

C. A. Galloway

County Commissioner

W. J. Townley

County Commissioner.

STATE OF OREGON, )  
County of Union } ss

I C K McCormick County Clerk and Ex Officio Clerk of the \_\_\_\_\_ County \_\_\_\_\_ Court  
of Union County State of Oregon do hereby certify that the foregoing copy of \_\_\_\_\_

~~Resolution~~ \_\_\_\_\_

\_\_\_\_\_ has been compared by me with the original and it is a correct  
transcript therefrom and of the whole of such original \_\_\_\_\_ Resolution  
as the same appears \_\_\_\_\_ of record \_\_\_\_\_ in my office and in my custody

IN WITNESS WHEREOF I have hereunto set my hand and affixed the  
seal of said court this 7th day of June A D 1920

*I C K McCormick* County Clerk

By \_\_\_\_\_ Deputy

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

(copies of resolution)

I, John F. Birney being first duly sworn, say that I posted three several notices, of which the ~~notice~~ <sup>resolution</sup> 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 on a telephone pole at L. J. Ferguson place near the beginning of the proposed road; one on a fence post near the middle of the proposed road and one on Albert's Warehouse at the terminus of said proposed road

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 7th day of June 1920, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 7th day of June 1920, I posted a true and correct copy of said ~~notice~~ <sup>resolution</sup> 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 <sup>(resolutions)</sup> remained posted thirty days previous to the presentation of said petition as I verily believe.

Subscribed and sworn to before me this 7th day of July 1920  
John F. Birney C. Roadmaster  
J. H. Mc Cormick  
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 Wednesday, July 7th, 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

C. A. Galloway, Commissioner

W. J. Townley, Commissioner

C. K. McCormick, Clerk

Lee Warnick, Sheriff

WHEN, on Thursday, the 8th day of July A. D. 1920, or the 2nd Judicial Day of said term, among others the following proceedings were had, towit:

In the matter of establishing )  
by resolution the Warehouse )  
Road. )  
----- )

0-457

Now at this time the above entitled matter comes on to be heard upon the Resolution heretofore passed by this Court on June 7th, 1920 declaring its intention to lay out and establish a county road upon the following described line or route, towit:

Beginning at the Southwest corner of Section 20, Township 3 South Range 39 E.W.M., in Union County, Oregon, the proposed road shall run thence south along the section lines between sections 29 and 30, and 31 and 32 in said township and range till said section line intersects the Northeast boundary line of the right-of-way of the Oregon-Washington Railroad and Navigation Company, in the SW $\frac{1}{4}$  of Section 32 in said Township and Range, thence said proposed highway and road shall follow said Northeast boundary line of said right-of-way till it intersects with the public and County road in the Northeast corner of Section 5, in Township 4 South Range 39 E.W.M., at the

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 August, A. D., 19120, 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 August, A. D. 1920, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the establishment  
by resolution of the Warehouse Road.

O - 466

Now at this time the above entitled matter comes on to be heard for the consideration of the Resolution heretofore passed by this Court declaring its intention to establish and lay out a certain County Road within Union County to be known as the Warehouse Road and it appearing to the Court that the Notice of the hearing of said Resolution is defective in that no date is shown therein, on which said resolution will be heard,

It is therefore CONSIDERED AND ORDERED that all proceedings had in the above entitled matter be and the same are hereby dismissed.

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

Albers Bros. Warehouse, and there terminates, all in Union County, Oregon. That the width of said proposed road shall be 60 feet, and the middle line of the same shall follow the route indicated, excepting along the right-of-way of the O-W R.R. & N. Company, said proposed road to be wholly outside said right of way.

And it appearing to the Court from the affidavit of the County Road Master on file 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 on a telephone pole at the L. J. Furgason place near the beginning of the proposed road, one on a fence post near the middle of said proposed road, and one on Albers Bros. Warehouse at the terminus of said proposed road, for more than thirty days immediately prior to to this date, which notice consisted of true and correct copies of said Resolution duly certified by the County Clerk.

It is therefore ORDERED that D. J. McLellan, County Surveyor, and J. E. Reynolds and Ernest De Long constituting a Board of County Road Viewers, be and they are hereby directed to meet at the residence of Ernest De Long on Monday, the 19th day of July, 1920 at 9 o'clock A. M. and proceed to survey, view and lay out said proposed road according to law, and to file their report with the County Clerk not later than July 23rd, 1920.

(Sd) J. F. Phy, County Clerk

W. J. Townley, Commissioner

C. A. Galloway, Commissioner



# 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 7th day of July 1920, 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~~ <sup>established</sup> by resolution of the County Court, beg leave to report that on the 20th day of July, 1920, 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 not be laid out or established as a public highway of Union County, Oregon; that the same while practicable and would add nothing to the convenience of the householders residing in the vicinity thereof. We therefore recommend that said proposed road be not laid out or declared a public highway of said county.

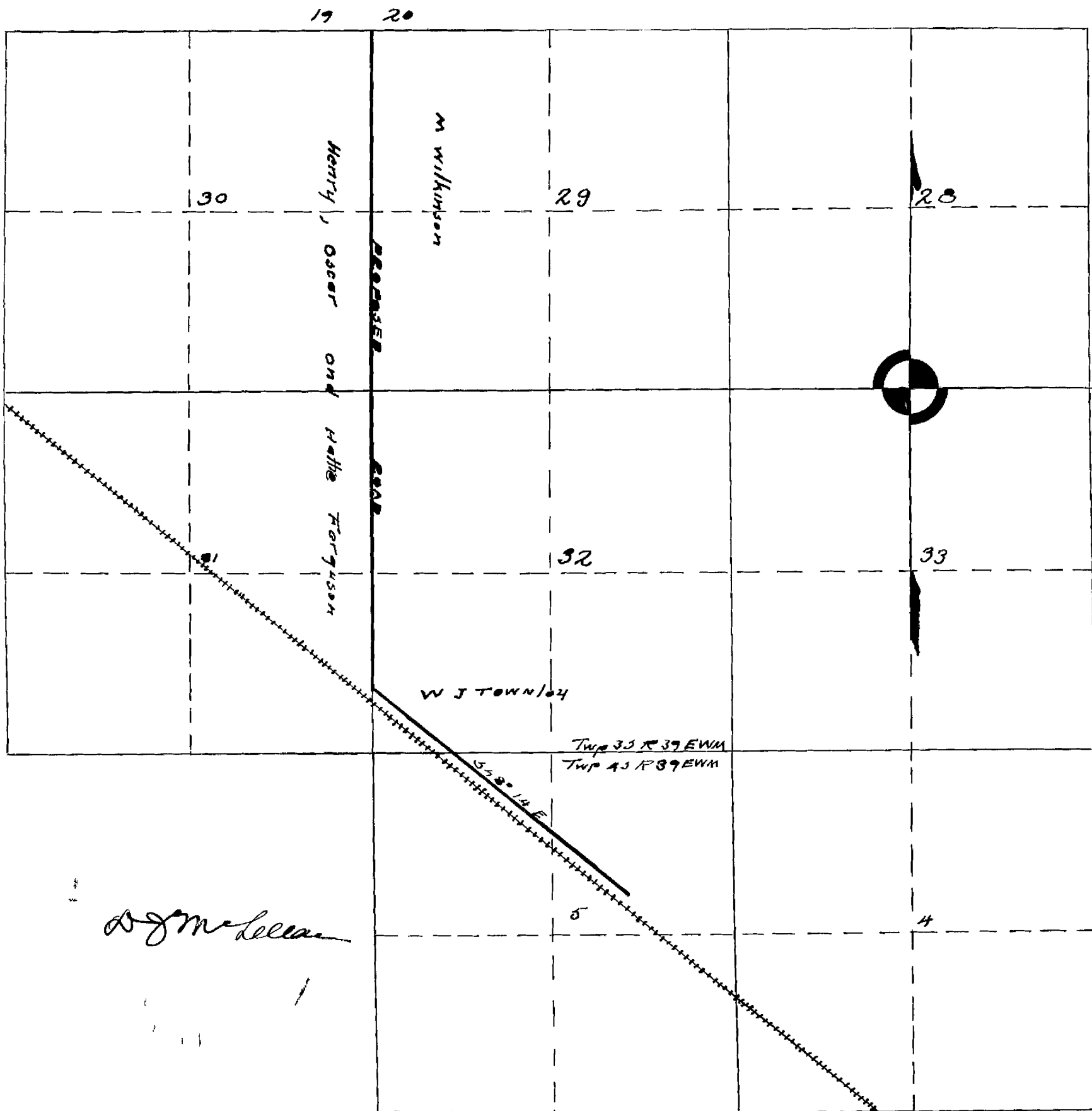
*W. McCallan*  
*Ernest J. Long*  
*J. Reynolds*

} Board of County  
Road Viewers.

Dr. McElantraine ~~Dr.~~

Personal reports.

Filed July 23, 1930  
C. K. M. O'Connell  
County Clerk



Beginning at the sec cor sec 19, 20, 29 & 30 thence  
 S 10077 ft E within 80 ft of owner in E thence S 48° 14' E  
 paralling said E and intersecting warehouse road #668  
 terminating there

D J McHellan  
 County Surveyor  
 7/23/10

**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 August, 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.  
C. A. Galloway, Commissioner  
W. J. Townley, Commissioner  
C. E. McCormick, Clerk.  
Lee Warnick, Sheriff.

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Now at this time the above entitled matter comes on to be heard for the consideration of the Resolution heretofore passed by this Court declaring its intention to establish and lay out a certain County Road within Union County to be known as the Warehouse Road, and it appearing to the Court that the Notice of the hearing of said Resolution is defective in that no date is shown therein, on which said resolution will be heard,

It is therefore **CONSIDERED AND ORDERED**, that all proceedings had in the above entitled matter be and the same are hereby dismissed.

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

San. J. McEllan

ROOM 12 LA GRANDE NAT'L BANK BLDG.

LA GRANDE, OREGON  
July 29 1920To The County Court,  
La Grande, Oregon.


Gentlemen:

Following are field notes on the Warehouse road.

Beginning at the SW Cor. Sec 20 T 3s R 39 N1/2M, running thence South along the Section Line 10047 feet to the intersection of the North Right of Way line of the O\*W R & N. Co thence S. 48 deg. 14 min. E. along said right of way line 4668 feet to intersect with the present County Road and the O.W. R & N Right of way.

Attached are tracing and blue print of this road.

Yours very truly,

  
County Surveyor.