

No 697

IN THE MATTER OF A
COUNTY ROAD

Resolutions
PETITION OF

Corie Cut Off Road
et al

Beginning at NW cor Sec 15 Tp
3 S R 39 when NE

Petition filed August 5 1920

Affidavit of Posting filed Nov 9 1920

Bond filed 1

Order Appointing Viewers and Surveyor

made November Term 1920

Page 498 Vol 0 Commissioners Journal

Oaths filed 1

Viewers Reports filed *Mar 20* 1920

Viewers Reports filed 1

Order of Court made *Dec 3rd* 1920

Il d 1 1 1 s f r b l p d p l t h l f l p l b i g n t c
d 1 1 1 s f r b l p d p l t h l f l p l b i g n t c

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY
SITTING AS COMMISSIONERS' COURT

In the Matter of establishing by)
Resolution the Cove Cut-Off Road.)
-----)

0-466
RESOLUTION TO ESTABLISH ROAD

WHEREAS, the distance from La Grande to Cove, Union County, Oregon, can be materially shortened, and also, the public convenience, utility and use demand that a public and county highway and road be located, laid out and established through sections 14 and 15 in township 3 South, Range 39 E.W.M., in said county and state; and,

WHEREAS, the urgency and needs of the general public are such that this Court of its own motion should declare its intention to, and proceed to such road located, laid out and established, beginning at the Southwest corner of said Section 15, and terminating on the public road on the center line, 660 feet east of the center of said Section 14, all in said township and range;

THEREFORE, BE IT RESOLVED, and it is hereby declared to be the intention of the County Court of the State of Oregon for Union County, to locate, lay out and establish a public and county highway and road, sixty feet wide, upon the following route and line, to wit:

Beginning at the Southwest corner of Section 15, Twp., 3, South, Range 39 E.W.M., in Union County, Oregon, the middle line of said proposed road shall run thence in a northeasterly direction to a point on the center line passing through said sections 14 and 15, 660 feet east of the center of said section 15, thence along said center line through said sections 15 and 14 to the present county road between La Grande and Cove, to a point 660 feet east of the center of said section 14, and there terminating on said County Road.

It is FURTHER RESOLVED that this resolution will be considered on Wednesday, the 6th day of October, 1920.

Dated at La Grande, Oregon, this the 5th day of August, 1920, at regular session of said court.

(sd) J. J. Piny, County Judge
C. A. Galloway, County Commission
W. J. Journey, County Commission

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

I, John F. Biency being first duly sworn, say that I posted three several notices, ^(copies of resolution) 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 on a telephone pole at the beginning of the proposed road, one on a fence post near the middle of the proposed road and one on a telephone pole at the terminus of said proposed road

Thirty days previous to the presentation of the road petition therein mentioned to-wit: On the 13th day of August ¹⁹²⁰ ~~190~~, and that thereafter and thirty days previous to the presentation of said road petition therein mentioned, to-wit: On the 13th day of August ¹⁹²⁰ ~~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 La Grande ~~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 9th day of November ¹⁹²⁰ ~~190~~.
John F. Biency
C. Roadmaster.
C. K. Mc Cormick, Co. Clerk
By Hattie McMurry, Deputy

In the matter of
Establishing by Reso-
lution the Core Cut-
Off Road.

Affidavit of Posting

Filed November 9, 1920.
C. K. McCormick, Clerk
By Hattie McMurry, Deputy

NOTICE OF ROAD RESOLUTION

TO ALL PERSONS CONCERNED: You and each and all of you, will take notice that the County Court of Union County, Oregon, will at its regular session to be held on Wednesday, the 6th day of October, A. D. 1920, consider a resolution of said Court to lay out and establish a County Road within said county, on the following line, or route and in accordance with the following resolution:

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY
SITTING AS COMMISSIONERS' COURT

In the Matter of establishing by)
Resolution the Cove Cut-Off Road.) RESOLUTION TO ESTABLISH ROAD

WHEREAS, the distance from La Grande to Cove, Union County, Oregon, can be materially shortened, and also, the public convenience, utility and use demand that a public and county highway and road be located, laid out and established through sections 14 and 15, in township 3 South, Range 39 E.W.M., in said County and State; and,

WHEREAS, the urgency and needs of the general public are such that this Court of its own motion should declare its intention to, and proceed to such road located, laid out and established, beginning at the Southwest corner of said Section 15, and terminating on the public road on the center line, 660 feet east of the center of said Section 14, all in said township and range;

THEREFORE, BE IT RESOLVED, and it is hereby declared to be the intention of the County Court of the State of Oregon for Union County, to locate, lay out and establish a public and county highway and road, sixty feet wide, upon the following route and line, to wit:

Beginning at the Southwest corner of Section 15, Twp. 3, South Range 39 E.W.M., in Union County, Oregon, the middle line of said proposed road shall run thence in a northeasterly direction to a point on the center line passing through said sections 14 and 15, 660 feet east of the center of said section 15, thence along said center line through said sections 15 and 14 to the present county road between La Grande and Cove, to a point 660 feet east of the center of said section 14, and there terminating on said County Road.

It is FURTHER RESOLVED that this resolution will be considered on Wednesday, the 6th day of October, 1920.

Dated at La Grande, Oregon, this the 5th day of August, 1920, at regular session of said court.

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 in re establishing by resolution the Cove Cut-Off Road _____
_____ 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 16th day of August A. D., 1920.

C. K. McCormick Co Clerk
By _____ Deputy

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, November 3rd, 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 4th day of November 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 Cove Cut-Off Road.

O. 498

Now at this time the above entitled matter comes on to be heard upon the Resolution heretofore passed by this Court on August 5th, 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 15, Twp. 3, South, Range 39 E.W.M., in Union County, Oregon, the middle line of said proposed road shall run thence in a northeasterly direction to a point on the center line passing through said sections 14 and 15, 660 feet east of the center of said Section 15, thence along said center line through said sections 15 and 14 to the present county road between La Grande and Cove, to a point 660 feet east of the center of said Section 14, and there terminating on said county road.

And it appearing to the Court from the affidavit of the County Roadmaster on file 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 beginning of the proposed road, one on a fence post near

the middle of the proposed road and one on a telephone post at the terminus of said proposed road, for more than thirty days immediately prior 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, W. D. Hanks and C. J. Black, constituting a Board of County Road Viewers, be and they are hereby directed to meet at the ~~beginning~~ beginning of said proposed road on Tuesday, the 16th day of November 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 November 20th, 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 4th day of November 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 by resolution of the County Court (Cove Cutoff Road) leave to report that on the 18th day of November, 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 be laid out and 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 be laid out and declared a public highway of said county, and that no damages be allowed to any of the land owners thro whose land the road runs, but that the County construct all necessary fences. On T. H. Schwabke's land we recommend that two gates be put in the fences to allow passage from one field to another divided by this road and that by means of an underground crossing or thro arrangement between the County Court and A. B. Conley or the owner of the S.E. 1/4 of Sec. 15, Twp. 3 S. R. 39, E.W.M.; the stock belonging to T. H. Schwabke may get to water without opening and closing gates.

D. M. Deegan
W. D. Nank
C. J. Black

} Board of County
Road Viewers.

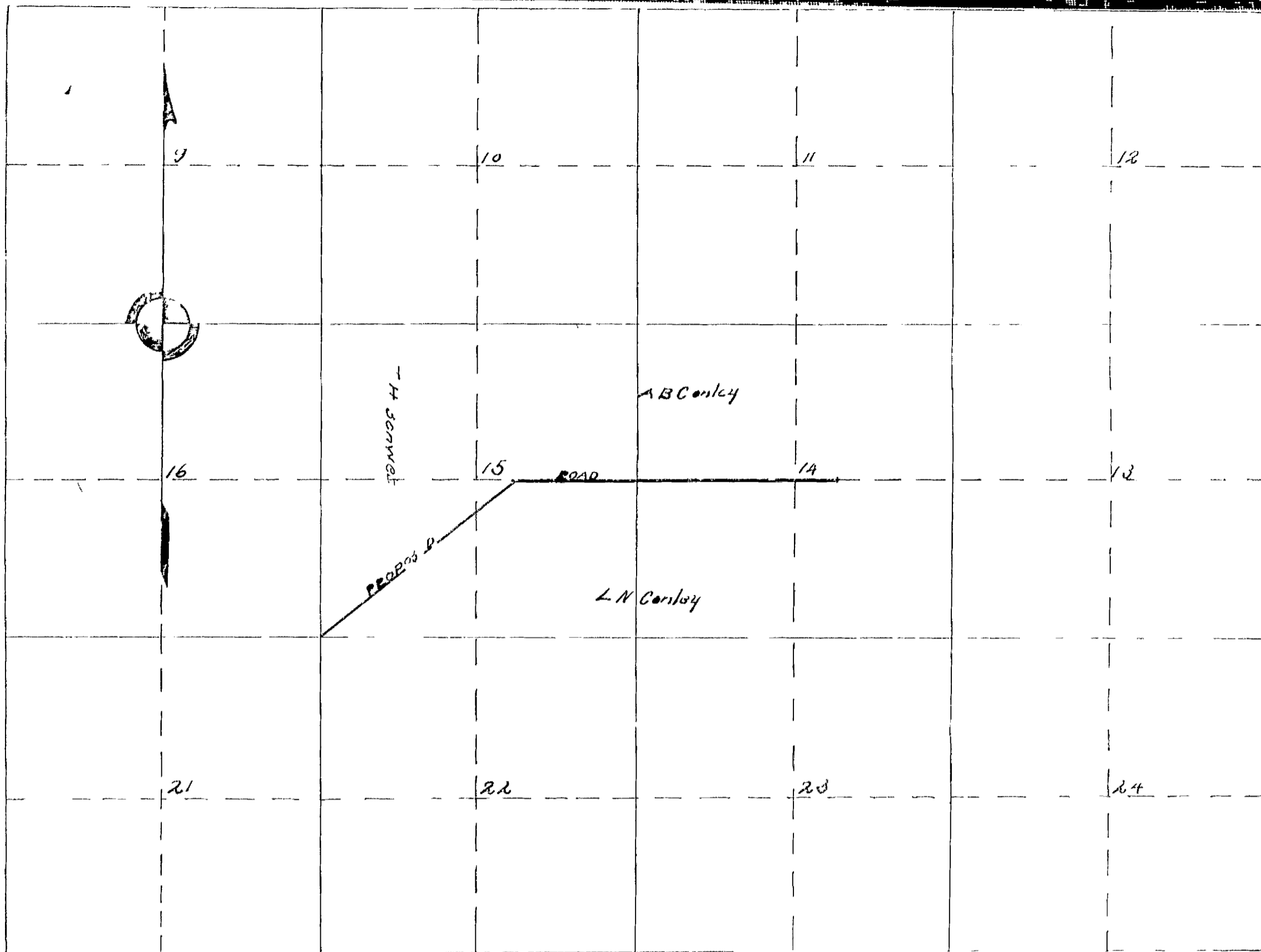
Shore Line Land off
Road.

Report of Damages

Filed Nov 50, 1950

@ H. M. Carmichael

County Clerk



Beginning at sec cor sec 1 1000 thence in a northeasterly direction to a point on the 1/4 line dividing sec 10, 11, 16 + 1 660 ft E of 1/4 line dividing sec 10, 11 thence E 0' there intersecting with live road and to center,

7/1/20

18 11 01

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 1st day of December, 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,
_____, Commissioner,
W. J. Townley, Commissioner,
C. K. McCarroll, Clerk,
Lee McCarroll, Sheriff.

WHEN, on Friday, the 3rd day of December, A. D. 1920
191, or the _____ Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the **establishment of the Cove Cut-Off Road by Resolution.**

0-511

Now at this time the above entitled matter comes on to be heard upon the report of the Board of County Road Viewers, said report being in words and figures as follows, to-wit:

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 November 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 by resolution of the County Court (Cove Cut off Road) beg leave to report that on the 19th day of November 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 be laid out and 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 be laid out and declared a public highway of said county, and that no damages be allowed to any of the land owners thro whose land the road runs, but that the county construct all necessary fences. On T. H.

5

Schwebke's land we recommend that two gates be put in the fences to allow passage from one field to another divided by this road and that by means of an underground crossing or thro arrangement between the County Court and A. B. Conley or the owner of the S.E. $\frac{1}{4}$ of Sec. 15, Twp. 3, S. R. 39 E.W.M.; the stock belonging to T. H. Schwebke may get to water without opening and closing gates.

D. J. McLellan

W. D. Hanks

C. J. Black

Board of County Road Viewers

And said report of Board of County Road Viewers having been publicly read on two preceding days of this term, towit, - December 1st and 2nd, and it appearing to the court that report is favorable and that the Viewers recommend that said proposed road be established as a County Road and declared a public highway of Union County, Oregon, and no remonstrance having been filed or claim for damages and no cause having been shown why said proposed road should not be declared a public highway,

It is therefore CONSIDERED AND ORDERED that the ~~report of the~~ Board of County Road Viewers be adopted and that said proposed road be and the same is hereby declared a public highway of Union County, and that same be placed in repair and opened to the public for travel.

(Sd) J. F. Phy, County Judge

W. J. Townley, Commissioner