

No 4962

IN THE  
**CIRCUIT COURT**  
UNION COUNTY OREGON

**EQUITY**

*Grace Butcher*

*Plaintiff*

VS

*Ernest W. Butcher*

*Defendant*

*Docket*

*Page*

*R. J. Fletcher*  
*Attorney for Plaintiff*

*Attorney for Defendant*

GLASS & PRUDHOMME CO. COUNTY SUPPLY SPECIALTY HOUSE

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In re vacation of  
Warehouse Road

Road ordered vacated  
Nov 6, 1924  
Journal P page 254

IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY

In the matter of the vacation  
of the Warehouse Road.

WHEREAS it appears to the County Court of Union  
County, Oregon, that that certain road known as the WAREHOUSE ROAD  
heretofore established on Dec. 3rd, 1920 and described as follows:

Beginning at the section corner common to Sections 19, 20,  
29 and 30, Twp. 3 S., Range 39, EWM., in Union County, Oregon,  
running thence South 1077 feet to a point within 80 feet of  
the center line of the O.W.R. & N.Co right-of-way, thence  
South 48°14' east and parallel with said center line of said  
right-of-way 4668 feet to a point where said road intersects  
the County Road in the Northeast Corner of Section 5, Twp.  
4 S., Range 39, EWM., at the Albers Bros Warehouse,

has never been put in condition for travel.

That said Road is useless as a part of the general  
road system of Union County and would be burdensome to maintain, and  
that the public would be benefited by its vacation.

Therefore, BE IT RESOLVED that such proceedings be  
taken as are required by law to vacate said above described road.

Done and dated at La Grande, Oregon, in open Court,  
this 4th day of September, A.D., 1924.

U. G. Covert County Judge

J. H. [unclear] Commissioner

John Wells 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 Septebmer, A. D., 1924, 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 U. G. Couch, County Judge,  
J. F. Hutchinson, Commissioner,  
John Wells, Commissioner,  
C. K. McCormick, Clerk,  
Lee Warnick, Sheriff.

WHEN, on Thursday, the 4th day of September, A. D. 1924, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation  
of the Warehouse Road.

Now at this time it appearing that a resolution has been passed by this Court declaring that proceedings to vacate the above named road will be undertaken,

It is CONSIDERED AND ORDERED that the County Road Master be and he is hereby directed to examine said road and to make a report to this Court in writing on the same.

(Sd) U. G. Couch, County Judge,  
J. F. Hutchinson, Commissioner,  
John Wells, Commissioner.

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON.

I beg leave to report that on the 11th day of August, 1924, in pursuance with said order, I proceeded to view out the Warehouse Road for the whole distance thereof, which was established as a county road by resolution on the 3rd day of December, 1920, but not built, and that in my opinion said road should be closed as a public highway, that the same is not practicable, and would add nothing to the convenience of the householders residing in the vicinity thereof. I therefore recommend that said road be closed as a public highway of Union County as I believe that the expense of building the road will be too great for the amount of good that will be derived from it at this time.

Respectfully submitted,

*S. M. Morgan,*  
County Roadmaster.

In the vicinity of  
Wardhouse Pond

Postmaster's Report

This Sept 30, 1924  
at the Commission  
County Clerk  
Ware County Road



NOTICE OF ROAD VACATION

Notice is hereby given that the County Court of Union County, Oregon, will on the 6th day of November, 1924, at the County Court Room in La Grande, in said County and State, at the hour of two in the afternoon, hear the report of the County Roadmaster of said County made upon his survey of the hereinafter described portion of the public road which by resolution of the said Court made and entered on the 4th day of September, 1924, was ordered to be vacated. All persons concerned or having objections to said resolution or the report thereon of the County Roadmaster may appear and be heard at said time and place.

The said resolution is as follows:

"In the matter of the vacation of the Warehouse Road.

WHEREAS it appears to the County Court of Union County, Oregon, that that certain road known as the WAREHOUSE ROAD heretofore established on Dec. 3rd, 1920 and described as follows:

Beginning at the section corner common to Sections 19, 20, 29 and 30, Twp. 3 S., Range 39, EWM., in Union County, Oregon, running thence South 1077 feet to a point within 80 feet of the center line of the O.W.R. & N.Co right-of-way, thence South 48°14' east and parallel with said center line of said right-of-way 4668 feet to a point where said road intersects the County Road in the Northeast Corner of Section 5, Twp. 4 S., Range 39, EWM., at the Albers Bros. Warehouse,

has never been put in condition for travel; that said road is useless as a part of the general road system of Union County and would be burdensome to maintain and that the public would be benefited by its vacation.

THEREFORE, BE IT RESOLVED that such proceedings be taken as are required by law to vacate said above described road.

Done and dated at La Grande, Oregon, in open Court, this 4th day of September, A.D., 1924.

U.G.Couch, County Judge,  
J. F. Hutchinson, Commissioner  
John Wells, Commissioner."

WITNESS, the Hon. U. G. Couch, County Judge, J. F. Hutchinson and John Wells, County Commissioners of Union County, Oregon, with the seal of the County Court affixed this the 7th day of October, 1924.

Attest

*E. M. Carmick*  
County Clerk and ex-officio  
Clerk of the County Court.





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 5th day of November, A. D., 1924, 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 U. G. Couch, County Judge,  
J. F. Hutchinson, Commissioner,  
John Wells, Commissioner,  
C. K. McCormick, Clerk,  
Lee Warnick, Sheriff.

WHEN, on Thursday, the 6th day of November, A. D. 1924, or the second Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of the Warehouse Road.

Now at this time the above entitled matter comes on to be heard upon the resolution heretofore passed by this Court on September 4th, 1924, and the report of the County Roadmaster on the proposed vacation of what is commonly known as the warehouse road which said road is described as follows:

Beginning at the section corner common to Sections 19, 20, 29 and 30, Twp. 3 S., Range 39 E.W.M. in Union County, Oregon, running thence South 1077 feet to a point within 80 feet of the center line of the O.W.R. & N.Co right-of-way, thence South 48° 14' east and parallel with said center line of said right-of-way 4668 feet to a point where said road intersects the County Road in the Northeast Corner of Section 5, Twp. 4 S., Range 39, E.W.M., at the Albers Bros. Warehouse,

and it appearing to the Court from the Report of the County Roadmaster that said road is burdensome to maintain and is not practicable and that the traveling public is amply served by other roads in the immediate vicinity of said road and that said road should be vacated; and it further appearing from the affidavit of posting on file that the County Roadmaster, more than 30 days prior to this date, posted three notices of the date set for hearing his report in the vicinity of the road proposed to be vacated and one notice at the place of holding County Court; and that said notices remained posted at least 30 days before the date set for hearing; and it further appearing that no person has objected to the vacation of said road and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that that certain road known as the Warehouse road and more particularly described herein be, and the same is, hereby vacated.

(sd) U. G. Couch County Judge,  
J. F. Hutchinson Commissioner,  
John Wells Commissioner.

SECOND JUDICIAL DAY

THURSDAY, SEPTEMBER 4th, 1924.

Zurbrick and W. E. Ruckman be and they are hereby appointed as members of the Budget Committee of Union County.

In the matter of the vacation  
of the Warehouse Road.

Now at this time it appearing that a resolution has been passed by this Court declaring that proceedings to vacate the above named road will be undertaken,

It is CONSIDERED AND ORDERED that the County Road Master be and he is hereby directed to examine said road and to make a report to this Court in writing on the same.

Thereupon it was ORDERED that Court be now adjourned until Tuesday, September 16th, 1924, for the purpose of receiving bids for the grading of the Telocaset-Medical Springs Market Road and the consideration of such other business as may properly come before the Court.

SECOND JUDICIAL DAY

THURSDAY, OCTOBER 2nd, 1924.

In the matter of fixing a time  
for preparing the County Budget.

Now at this time it is ORDERED that Friday, November 7th, 1924, at 10 AM,  
be, and the same is hereby fixed as the time for preparing a budget for Union County for  
1925 and the County Clerk is hereby directed to notify the members of the Budget Committee  
to be present at the office of the County Judge at that time.

In the matter of advertising  
for bids for the surfacing of  
a portion of the Elgin-Cabin  
Creek Market Road.

Now at this time it is ORDERED that the County Road Master be and he is  
hereby authorized and directed to advertise for bids for the surfacing of a portion of the  
Elgin-Cabin Creek Market Road in accordance with plans and specifications to be prepared  
by him, said bids to be filed on or before November 6th, 1924, at 2 PM.

In the matter of transferring  
funds from the General Fund  
to the Road Bond Fund.

Now at this time it appearing to the Court that the Road Bond Fund of the  
County is exhausted and that obligations have been incurred which are chargeable to said  
fund,

It is CONSIDERED AND ORDERED that the County Treasurer be and she is  
hereby authorized and directed to transfer the sum of \$20,000.00 from the General Fund  
to the credit of the Road Bond Fund.

In the matter considering  
bids for the furnishing of  
a carload of culverts.

Now at this time this matter comes on for the consideration of the bids of  
the Canton Culvert and Silo Company, Coast Culvert & Flume Co, and Feenaughty Machinery  
Company for the furnishing of a carload of culverts for use on the roads of the County  
and the Court having considered said bids and not now being ready to take final action  
on same,

It is ORDERED that this matter be continued for further consideration.

In the matter of the vacation  
of the Warehouse Road.

Now at this time it appearing to the Court that the County Roadmaster has  
filed a report recommending that that certain road known as the warehouse road be vacated.

It is CONSIDERED AND ORDERED that Thursday, the 6th day of November, 1924,  
at the County Court Room in La Grande, Oregon, at the hour of 2 PM be and the same is  
hereby fixed as the time for hearing said report. It is FURTHER ORDERED that the County  
Roadmaster post notices as required by law notifying all persons of the time and place of  
said hearing.

Thereupon the Journal of today's proceedings was read, approved, and is  
here now signed, and it was ORDERED that Court be now adjourned for the term.

*W. G. Couch* County Judge.  
*John A. Wells* Commissioner.  
*John A. Wells* Commissioner.

SECOND JUDICIAL DAY

THURSDAY, NOVEMBER 6th, 1924.

by law notifying all persons of the time and place of said hearing.

In the matter of the vacation  
of the Warehouse Road.

Now at this time the above entitled matter comes on to be heard upon the resolution heretofore passed by this Court on September 4th, 1924, and the report of the County Roadmaster on the proposed vacation of what is commonly known as the warehouse road which said road is described as follows:

Beginning at the section corner common to Sections 19, 20, 29 and 30, Twp. 3 S., Range 39 E.W.M., in Union County, Oregon, running thence South 1077 feet to a point within 80 feet of the center line of the O.W.R & N.Co right-of-way, thence South 48° 14' east and parallel with said center line of said right-of-way 4668 feet to a point where said road intersects the County Road in the Northeast Corner of Section 5, Twp. 4 S., Range 39, E.W.M., at the Albers Bros. Warehouse,

and it appearing to the Court from the report of the County Roadmaster that said road is burdensome to maintain and is not practicable and that the traveling public is amply served by other roads in the immediate vicinity of said road and that said road should be vacated; and it further appearing from the affidavit of posting on file that the County Roadmaster, more than 30 days prior to this date, posted three notices of the date set for hearing his report in the vicinity of the road proposed to be vacated and one notice at the place of holding County Court; and that said notices remained posted at least 30 days before the date set for hearing; and it further appearing that no person has objected to the vacation of said road and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that that certain road known as the Warehouse Road and more particularly described herein be, and the same is, hereby vacated.

Thereupon it was ORDERED that Court be now adjourned until Friday, November 7th, 1924, at 9:00 o'clock, A.M.