

No 4982

IN THE
CIRCUIT COURT
UNION COUNTY OREGON

EQUITY

Stephen A Hutchinson

Plaintiff

vs

Jennie Gibson, et al

Defendant

Doclet

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B Wilson

Attorney for Plaintiff

Attorney for Defendant

GLASS & PRUDHOMME CO COUNTY SUPPLY SPECIALTY HOUSE

65 07 BR W P L O

710

In re location of
a portion of the
Geo Sparrington Road

Road vacated Jan 9, 1925
Journal F page 277

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 January, A. D., 1925, 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,
- John Wells, Commissioner,
- W. W. Stevens, Commissioner,
- C. K. McCormick, Clerk,
- Jesse Breshears, Sheriff.

WHEN, on Friday, the 9th day of January, A. D. 1925, or the 3rd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of a portion of the Road petitioned for by George Yarrington, et al.

Now at this time the above entitled matter comes on for the hearing of the report of the County Roadmaster on the proposed vacation of a portion of that certain road petitioned for by George Yarrington, et al., and more particularly described as follows:

Commencing at a point 270 feet North of the \dagger corner between Sections 2 and 3 T 1 NR 40 EWM, thence North Var 19 degrees 30' E., 2370 feet to the NE Corner of Section 3 T 1 NR 40 EWM. Thence North 20 degrees West 396 feet, thence North 15 degrees East 528 feet. Thence North on the Section line 4474.8 feet to the Northeast corner of Section 34 T 2 NR 40 EWM.

and it appearing to the Court from said report that the portion of said road proposed to be vacated is no longer useful as a part of the general road system of the County in that the travelling public is amply served by another road of less grade and that the road proposed to be vacated is burdensome to maintain and it further appearing from the affidavit of posting on file that the County Roadmaster, more than 30 days prior to January 9th, 1925, the date set for hearing the said Road Master's Report, posted 3 notices of the hearing in the vicinity of the road proposed to be vacated and one notice at the place of holding County Court; that said notices remained posted at least 30 days before the date set for the hearing and it further appearing that no person has appeared to object to the vacation of said road and that no remonstrance has been filed,

It is CONSIDERED AND ORDERED that said road be and the same is hereby vacated between the points described herein.

U. G. Couch County Judge,
 Commissioner,
W W Stevens 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 1st day of October, 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 2nd day of October, 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 a portion of the George Yarrington Road.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of that certain road petitioned for by George Yarrington, et al., and heretofore established on September 7th, 1899, and described as follows:

Commencing at a point 270 feet north of the quarter corner between Sections 2 and 3, Twp. 1 North, Range 40 EWM., thence North Var 19 degrees 30' East, 2370 feet to the NE corner of Section 3 T 1 NR 40 EWM., thence North 90 degrees West 396 feet, thence North 15 degrees East 528 feet, thence north on the section line 4474.8 feet to the Northeast corner of section 34 T 2 NR 40 EWM

is no longer useful as a part of the general road system of Union County and is burdensome to maintain, and

WHEREAS, the traveling public is amply served by another road in the vicinity of the above described road and the public would be benefited by its vacation, THEREFORE

BE IT RESOLVED that such proceedings be taken as are required by law to vacate that portion of the George Yarrington Road above described.

(Sgd) U. G. Couch, County Judge,
 J. F. Hutchinson, 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 1st day of October, 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. Hutchinsen, Commissioner,
John Wells, Commissioner,
C. K. McCormick, Clerk,
Lee Warnick, Sheriff.

WHEN, on Thursday, the 2nd day of October, 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 a portion of the George Yarrington Road.

Now at this time it appearing that a resolution has been passed by this Court that proceedings to vacate a portion of 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 same.

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

OFFICE OF
COUNTY ROADMASTER
UNION COUNTY, OREGON

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON.

I beg leave to report that on the 15th day of October, 1924, in pursuance with said order, I proceeded to view out the Road as petitioned for by George Yarrington and others, and ordered opened September 7, 1899.

The new road as petitioned for by John B. Scott, and built in April and May, gives the householders residing in the vicinity thereof a road with less grade and serves more people, than the George Yarrington Road. I therefore recommend that the following described portion of the George Yarrington's Road be closed.

Commencing at a point 270 feet North of the $\frac{1}{4}$ corner between Sections 2 and 3 T I N R 40 EWM, thence North Var 19 degrees 30' E, 2370 feet to the N E Corner of section 3 T I N R 40 EWM. Thence North 20 degrees West 396 feet, thence North 15 degrees East 528 feet. Thence North on the section line 4474.8 feet to the North East corner of section 34 T 2 N R 40 EWM.

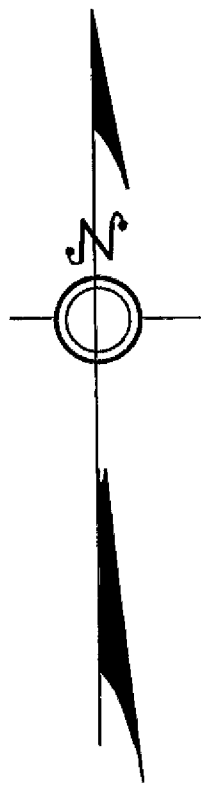
Respectfully submitted,



County Roadmaster.

In the location of
a portion of the
Georgetown Road

Filed Dec 20, 1924
C. M. McCormick
County Clerk



Point of Ending

Minnie Blumstein

34

Geo Yarrington

Harlen & Don Yarrington

Minnie Yarrington

T 2 N R 40 E W M
T 1 N R 40 E W M

Anna C Barnes

H J Hug

Point of Beginning

3

Commencing at a point 270 feet North of the $\frac{1}{4}$ corner between Sections 2 and 3 T 1 N R 40 E W M thence North Var 19° 30' E 2370 feet to the NE Cor Sec 3 T 1 N R 40 E W M Thence N 20° W 396 feet thence N 15° E 528 feet Thence North on the section line 4474 feet to the NE cor of sec 34 T 2 N R 40 E W M the point of Ending

New Road Built 1924

John B Scott Roads

N 20° W 396 ft
N 15° E 528 ft

George Yarrington Road

Road to be closed

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 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of a portion of the George Yarrington Road.

Now at this time it appearing to the Court that the County Roadmaster has filed a report recommending that a portion of that certain road known as the George Yarrington Road be vacated,

It is CONSIDERED AND ORDERED that Thursday, January 8th, 1925, 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.

(Sd) U. G. Couch, County Judge,
J. F. Hutchinson, 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 7th day of January, A. D., 1925, 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,
John Wells, Commissioner,
W. W. Stevens, Commissioner,
_____, Clerk,
_____, Sheriff.

WHEN, on Friday, the 9th day of January, A. D. 1925, or the third Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of a portion of the road petitioned for by George Yarrington, et al.

Now at this time the above entitled matter comes on for hearing of the report of the County Roadmaster on the proposed vacation of a portion of that certain road petitioned for by George Yarrington, et al., and more particularly described as follows:

Commencing at a point 270 feet North of the $\frac{1}{4}$ corner between Sections 2 and 3 T 1 N R 40 EWM, thence North Var 19 degrees 30' E., 2370 feet to the NE Corner of Section 3 T 1 N R 40 EWM. Thence North 20 degrees West 396 feet, thence North 15 degrees East 528 feet. Thence North on the Section line 4474.8 feet to the Northeast corner of Section 34 T 2 N R 40 EWM,

and it appearing to the Court from said report that the portion of said road proposed to be vacated is no longer useful as a part of the general road system of the County in that the travelling public is amply served by another road of less grade and that the road proposed to be vacated is burdensome to maintain and it further appearing from the affidavit of posting on file that the County Roadmaster, more than 30 days prior to ~~the~~ January 9th, 1925, the date set for hearing the said Roadmaster's Report, posted 3 notices of the hearing in the vicinity of the road proposed to be vacated and one notice at the place of holding County Court; that said notices remained posted at least 30 days before the date set for the hearing and it further appearing that no person has appeared to object to the vacation of said road and that no remonstrance has been filed,

It is **CONSIDERED AND ORDERED** that said road be and the same is hereby vacated between the points described herein.

U. G. Couch, County Judge,
John Wells, Commissioner,
W. W. Stevens, Commissioner.

SECOND JUDICIAL DAY

THURSDAY, OCTOBER 2nd, 1924.

In the matter of the acceptance
of a deed for a road right-of-way
from the Bowman-Hicks Lbr Co.

Now at this time is presented to the Court the deed of Bowman-Hicks Lbr. Co., a corporation, to a right-of-way for a county road described as follows: Beginning at a point 225 feet West of the Southeast corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29, Twp., 3 North of Range 40 East of the Willamette Meridian; thence in a northerly direction to a point 480 feet West of the Southeast corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, Tp. 3 N.R. 40 EWM., thence in a Northerly direction through said quarter section and across the South line of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section; thence in a Southwesterly direction into the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 20, TWP 3 NR 40 EWM, to the place of intersection of said new County road with old County Road, the above right of way to be not over sixty (60) feet in width; and it appearing to the Court that said road was heretofore petitioned for by a number of persons residing in the vicinity of said proposed road and that said petition was denied for the reason that said Bowman-Hicks Lumber Company had agreed to deed to the County the necessary right-of-way, and it further appearing that said proposed road would add to the convenience of the traveling public,

It is CONSIDERED AND ORDERED that said deed be accepted and that the said road described in said deed be and the same is hereby declared a public highway of Union County, Oregon.

In the matter of the vacation
of a portion of the George
Yarington Road.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of that certain road petitioned for by George Yarington, et al., and heretofore established on September 7th, 1899, and described as follows:

Commencing at a point 270 feet north of the quarter corner between Sections 2 and 3, Twp 1 North, Range 40 EWM., thence North Var 19 degrees 30' East, 2370 feet to the NE corner of Section 3 T 1 NR 40 EWM, thence North 20 degrees West 396 feet, thence North 15 degrees East 528 feet, thence north on the section line 4474.8 feet to the Northeast corner of section 34 T 2 NR 40 EWM

is no longer useful as a part of the general road system of Union County and is burdensome to maintain, and

WHEREAS, the traveling public is amply served by another road in the vicinity of the above described road and the public would be benefited by its vacation,
THEREFORE

BE IT RESOLVED that such proceedings be taken as are required by law to vacate that portion of the George Yarington Road above described.

In the matter of the vacation
of a portion of the George
Yarington Road.

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

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

SECOND JUDICIAL DAY

THURSDAY, NOVEMBER 6th, 1924.

the credit of the Road Bond Fund.

In the matter of considering bids

for the furnishing of a carload of Culverts.

Now at this time this matter comes on for further consideration of the bids of the Canton Culvert and Silo Company, the Coast Culvert Company and Feenaughty Machinery Company for the furnishing of a carload of culverts and it appearing to the Court that all of said bids are too high,

It is ORDERED that same be and they are hereby rejected.

In the matter of opening bids for the surfacing of Unit A of the Elgin-Palmer Junction Market Road.

Now at this time this matter comes on for opening bids for the surfacing of Unit A of the Elgin-Palmer Junction Market Road and it appearing to the Court that 3 bids have been presented for said work, said bids were ordered opened and read by the Clerk and found to be as follows:

	Halmer G. Johnson Const. Co.		Ekstrom & Co.		Clyde R. Seitz	
	Unit price	Amount	Unit Price	Amount	Unit Price	Amount
Crushed Gravel Surf. 6800 C.Y.	1.77	12,036.00	1.85	12,580.00	1.70	11,560.00
Crushed Gravel Maintenance 300 C.Y.	1.73	519.00	1.75	525.00	1.35	405.00
Filler - 1700 C.Y.	1.73	<u>745.00</u>	.60	<u>1,020.00</u>	.40	<u>680.00</u>
Total		\$13,300.00		\$14,125.00		\$12,645.00

and the Court having duly considered said bids finds that the bid of Clyde R. Seitz is the lowest and best bid presented,

It is therefore CONSIDERED AND ORDERED that the bids of Halmer G. Johnson Construction Company and Ekstrom & Company be and the same are hereby rejected and the bid of Clyde R. Seitz continued for further consideration.

In the matter of filling a vacancy on the Budget Committee.

Now at this time it appearing to the Court that Geo. W. Benson, who was heretofore appointed a member of the Budget Committee of Union County to prepare the budget for 1925, is unable to serve as a member of said committee,

It is therefore ORDERED that L. A. Wright of Union, Oregon, be and he is hereby appointed as a member of said committee.

In the matter of the vacation of a portion of the George Yarrington Road.

Now at this time it appearing to the Court that the County Roadmaster has filed a report recommending that a portion of that certain road known as the George Yarrington Road be vacated,

It is CONSIDERED AND ORDERED that Thursday, January 8th, 1925, 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

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.

THIRD JUDICIAL DAY

FRIDAY, JANUARY 9th, 1925.

In the matter of the appointment
of a Traffic Officer.

Now at this time this matter comes on for the appointment of a County Traffic Officer and it appearing to the Court that C. P. Holbrook, a former Deputy Sheriff of this County, has applied for said appointment, and it further appearing that the applicant is qualified for said office.

It is CONSIDERED AND ORDERED that the C. P. Holbrook be and he is hereby appointed as County Traffic Officer to enter upon his duties as such when ordered to do so by this Court.

In the matter of the appointment
of a Superintendent for the County
Poor Farm.

Now at this time this matter comes on for the appointment of a superintendent for the County Poor Farm and it appearing to the Court that H. J. Reher has applied for said position and it further appearing that the applicant is a man qualified for said position.

It is CONSIDERED AND ORDERED that said H. J. Reher be and he is hereby appointed as superintendent of the County Poor Farm.

In the matter of ratifying the
action of the County Treasurer
in transferring certain funds.

Now at this time, it appearing to the Court that there was not sufficient money to the credit of the Road Bond Fund and Road Bond Redemption Fund to pay the interest and bonds due on January 15th, 1925, and that the Treasurer has transferred the sum of \$378.29 and the sum of \$3824.46 from the General Fund to the Road Bond Interest Fund and Road Bond Redemption Fund respectively.

It is CONSIDERED AND ORDERED that the action of the Treasurer in making such transfers be and the same is hereby ratified and approved.

In the matter of the Transfer
of Funds.

Now at this time, it appearing to the Court that there is not sufficient money to the credit of the General Road Fund and Road Bond Fund to pay all claims that have been allowed and ordered paid from said funds.

It is CONSIDERED AND ORDERED that the County Treasurer be and she is hereby authorized and directed to transfer the sum of \$9000.00 from the General Fund to the General Road Fund and the sum of \$1500.00 from the General Fund to the Road Bond Fund.

In the matter of the vacation
of a portion of the road
petitioned for by George
Yarrington, et al.

Now at this time the above entitled matter comes on for the hearing of the report of the County Roadmaster on the proposed vacation of a portion of that certain road petitioned for by George Yarrington, et al, and more particularly described as follows:

THIRD JUDICIAL DAY

FRIDAY, JANUARY 9th, 1925.

Commencing at a point 270 feet North of the $\frac{1}{4}$ corner between Sections 2 and 3 T 1 N R 40 EWM, thence North Var 19 degrees 30' E., 2370 feet to the NE Corner of Section 3 T 1 NR 40 EWM. Thence North 20 degrees West 396 feet, thence North 15 degrees East 528 feet. Thence North on the Section line 4474.8 feet to the Northeast corner of Section 34 T 2 NR 40 EWM.

and it appearing to the Court from said report that the portion of said road proposed to be vacated is no longer useful as a part of the general road system of the County in that the travelling public is amply served by another road of less grade and that the road proposed to be vacated is burdensome to maintain and it further appearing from the affidavit of posting on file that the County Roadmaster, more than 30 days prior to January 9th, 1925, the date set for hearing the said Road Master's Report, posted 3 notices of the hearing in the vicinity of the road proposed to be vacated and one notice at the place of holding County Court; that said notices remained posted at least 30 days before the date set for the hearing and it further appearing that no person has appeared to object to the vacation of said road and that no remonstrance has been filed,

It is CONSIDERED AND ORDERED that said road be and the same is hereby vacated between the points described herein.

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

Ch. G. Couch County Judge,
John Willis Commissioner,
W. W. Stevens Commissioner.