

No. _____

EQUITY

IN THE
CIRCUIT COURT
UNION COUNTY

S M Smith

Plaintiff

Walter Dunplee et al

Defendant

Docket

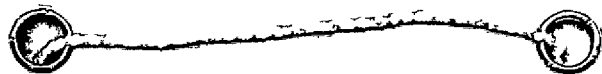
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Geo S Hodgen

Attorney for Plaintiff

Attorney for Defendant

Fels # 716



In re vacation of a
portion of Rock # 579



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

In the matter of the vacation
of a portion of County Road No.
579.

P 367

WHEREAS, it appears to the County Court of Union County,
Oregon, that a portion of County Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the
original road description, said point being 2547.6' West and 917.4'
south of the quarter corner common to Sections 22 and 21 Tp 2 N,
R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57°30'
W, a distance of 264 ft., thence S 81° W a distance of 330 ft.,
thence S 89° W a distance of 537.9 ft to the end,

is useless as a part of the general road system of Union County and is
burdensome to maintain,

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

Dated this 8th day of April, 1926, at La Grande, Oregon.

U. G. Couch	County Judge,
John Wells	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 _____ day of _____, A. D., 191____, 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,
G. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of April, A. D. 1926, 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 County Road No. 579.

P 368

Now at this time, it appearing ^{that} ~~this~~ Court has resolved to take such proceedings as ~~are~~ required by law to vacate that portion of County Road No. 579, described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' south of the quarter corner common to sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end,

It is therefore ORDERED that S. B. Morgan, County Engineer, be and he is hereby directed to examine the above described portion of said road and report to this court, in writing, at its May term, to-wit: May 6th, 1926, the advisability of preserving same as a part of the general road system of Union County.

U. G. Couch County Judge,
John Wells 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 _____ day of _____, A. D., 191____, 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 Thursday, the 6th day of May, A. D. 1926, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

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In the matter of the vacation of a portion of County Road No. 579.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 8th, 1926, at 10:00 AM, and the County Court Room in the city of LaGrande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

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

NOTICE OF ROAD VACATION

Notice is hereby given that the County Court of Union County, Oregon, will on the 8th day of July, 1926, at the County Court Room in La Grande, in said county and state, at the hour of 10:00 A.M., hear the report of the County Surveyor 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 8th day of April, 1926, was ordered to be vacated. All persons concerned or having objections to said resolution or the report thereon of the County Surveyor may appear and be heard at said time and place.

The said resolution is as follows:

"In the matter of the vacation
of a portion of County Road No. 579.

Whereas, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' South of the quarter corner common to sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end,

is useless as a part of the general road system of Union County and is burdensome to maintain,

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

Dated this 8th day of April, 1926, at La Grande, Oregon.
U.G.Couch, County Judge,
John Wells, Commissioner,
W. W. Stevens, Commissioner."

WITNESS, the Hon. U. G. Couch, County Judge, John Wells, Commissioner, and W. W. Stevens, Commissioner, of Union County, Oregon, with the seal of the County Court affixed this the 18th day of May, 1926.

Attest *C. 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 7th day of July, A. D., 1926, 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,
G. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 8th day of July, A. D. 1926, 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 County Road No. 579**

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' South of the quarter corner common to Sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said 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

(over)

at least thirty days before the date set for 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 therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

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

6/15 #

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

TO THE HONORABLE COUNTY COURT OF UNION COUNTY, OREGON.

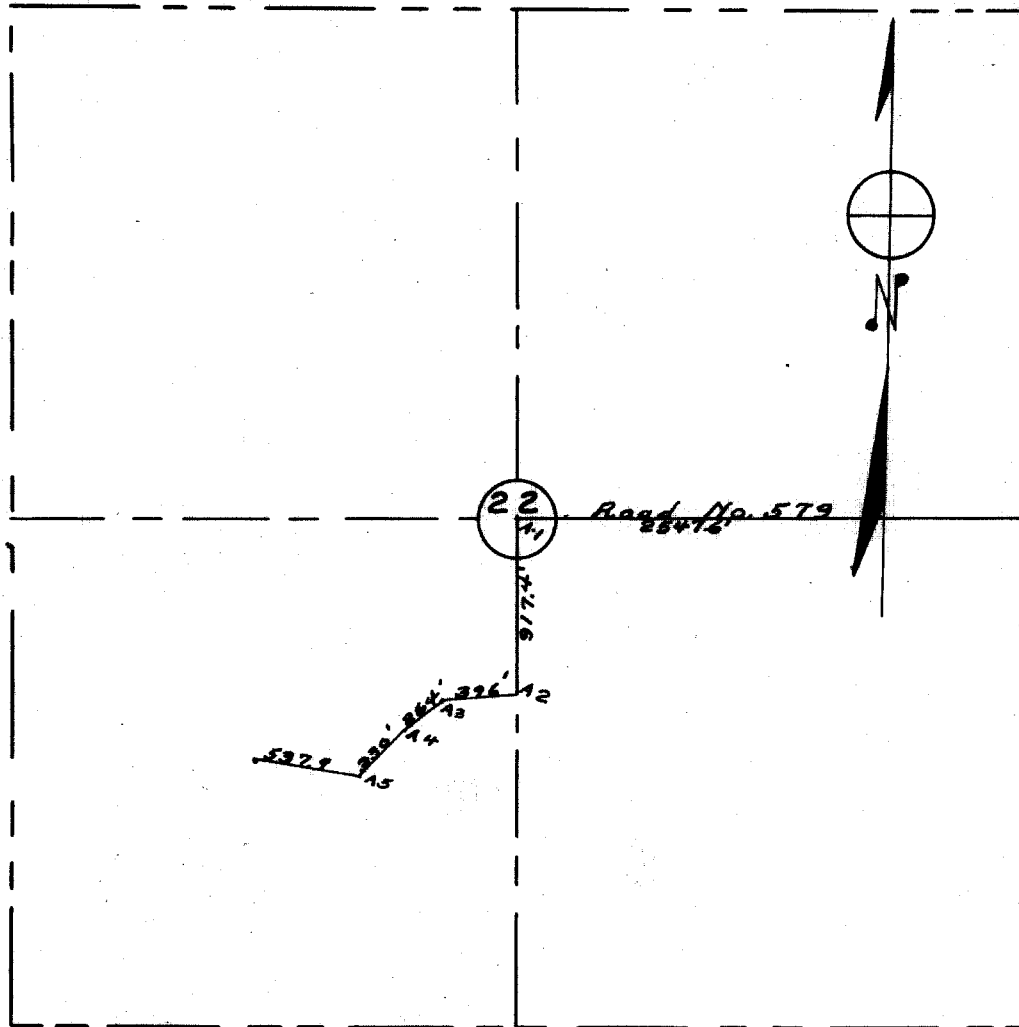
I beg leave to report that on the 27th day of April, 1926, in pursuance with said order, I proceeded to view out that portion of Road No. 579, as shown on the map attached hereto. This road does not add to the convenience of the householders residing in the vicinity thereof, and is an added expence to maintain. I therefore recommend that said road be closed as a public highway of Union County, Oregon.

Respectfully submitted,



County Engineer.

Thompson



**MAP OF PROPOSED PARTIAL ROAD
VACATION OF ROAD NO 579 SEC.22
TN.2 N R 40 E W.M.**

Beginning at a point designated as "A-2" of the original Road description, said point being 2547.6' West and 917.4' South of the 1/4 Cor. common to Sec's. 22/21 Tn. 2 N R 40 E W.M., thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end
The portion proposed for vacation being shown in Red

SECOND JUDICIAL DAY

THURSDAY, APRIL 8th, 1926.

In the matter of the petition of
G. M. Gilkison, et al., for the
establishment of a special District
for the control of rodents.

Now at this time is presented to the Court the petition of G. M. Gilkison, et al, for the formation of a special district for the control of the Oregon Ground Squirrel and the Timber or Red Squirrel, and it appearing to the Court that the law provides for the formation of such a district requiring that the petition contain the names of 75 per cent of the farm owners residing within the proposed district,

It is therefore CONSIDERED AND ORDERED that the said petition be referred to H. G. Avery, County Agricultural Agent, for the purpose of verifying the qualification of the signers.

In the matter of the vacation
of a portion of County Road
No. 324.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 324 described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, EWM, thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point; continuing N 6° W a distance of 61.5 ft., the Road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

is useless as a part of the general road system of Union County and is burdensome to maintain,

Therefore, be it resolved, that such proceedings be taken as are required by law to vacate said above described portion of said road.

In the matter of the vacation
of a portion of County Road
No. 324.

Now at this time, it appearing that this Court has resolved to take such proceedings as are required by law to vacate that portion of County Road No. 324, described as follows:

Beginning at a point which is 3993.0 ft north of the section corner common to Sec. 23, 24, 25, 26 Tn. 2 S., R 39, EWM, thence East 726 ft., thence N 22° E 1518 ft., thence N 4½° E 363 ft., thence N 41° E 1155 ft., thence N 89° E 1650 ft., thence N 4° W 1155 ft., thence N 8° W 412.5 ft., thence N 47° W 429.0 ft., thence N 6° W 175.0 ft., to the intersection of the right-of-way of the Alicel-Lower Cove Mkt Road from which point, continuing N 6° W a distance of 61.5 ft., the road No. 324 shall not be vacated, thence N 6° W a distance of 605.0 ft., to the end,

It is therefore ORDERED that S. B. Morgan, County Engineer, be and he is hereby directed to examine the above described portion of said road and report to this Court, in writing, at its May term, to-wit: May 6th, 1926, the advisability of preserving same as a part of the general road system of Union County.

In the matter of the vacation
of a portion of County Road No.
579.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' south of the quarter corner common to Sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft to the end,

SECOND JUDICIAL DAY

THURSDAY, APRIL 8th, 1926.

is useless as a part of the general road system of Union County and is burdensome to maintain,

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

In the matter of the vacation
of a portion of County Road
No. 579.

Now at this time, it appearing that this Court has resolved to take such proceedings as are required by law to vacate that portion of County Road No. 579, described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' south of the quarter corner common to sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft, to the end,

It is therefore ORDERED that S. B. Morgan, County Engineer, be and he is hereby directed to examine the above described portion of said road and report to this Court, in writing, at its May term, to-wit: May 6th, 1926, the advisability of preserving same as a part of the general road system of Union County.

In the matter of the vacation
of a portion of County Road
No. 238.

WHEREAS, it appears to the County Court of Union County, Oregon, that a portion of County Road No. 238, described as follows:

Beginning at a point approximately 1063 ft. north and 655 ft West of the quarter corner between sections 2 and 11 T 5 S, R 40 EWM, thence 573° 00' E a distance of 100 ft., thence S 48° 10' E a distance of 159 ft., thence N 75° 40' E a distance of 400 ft., thence N 86° 15' E a distance of 620.5 ft., thence S 86° 55' E a distance of 526.7, thence S 63° 55' E a distance of 823.1 ft., thence N 84° 35' E a distance of 270.5 ft., thence S 84° 30' E a distance of 222 ft., thence S 31° 57' E a distance of 320.5 ft., thence S 53° 42' E a distance of 340 ft.,

Also beginning at a point approximately 883 ft South and 118 ft East of the quarter corner between sections 1 and 12 T 5 SR 40 EWM, thence N 50° 30' E a distance of 467 ft, thence N 85° 26' E a distance of 277 ft., thence S 82° 54' E a distance of 675 ft., thence S 77° 54' E a distance of 800 ft., thence N 24° 26' E a distance of 529.6 ft., thence N 42° 21' E a distance of 312 ft., thence N 34° 21' E a distance of 120.8 ft., thence N 76° 12' E a distance of 185 ft., thence N 48° 02' E a distance of 246 ft.,

is useless as a part of the general road system of Union County and is burdensome to maintain,

AND WHEREAS, the travelling public is amply served by the Union-Medical Springs Market Road which is of a much better grade and but a short distance from the road proposed to be vacated,

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

In the matter of the vacation
of a portion of County Road
No. 238.

Now at this time, it appearing that this Court has resolved to take such proceedings as are required by law to vacate that portion of County Road No. 238, described as follows:

Beginning at a point approximately 1063 ft. North and 655 ft West of the quarter corner between sections 2 and 11 T 5 SR 40 EWM, thence S 73° 00' E a distance of 100 ft., thence S 48° 10' E a distance of 159 ft., thence N 75° 40' E a distance of 400 ft., thence N 86° 15' E a distance of 620.5 ft., thence S 86° 55' E a distance of 526.7, thence S 63° 55' E a distance of 823.1 ft., thence N 84° 35' E a distance of 270.5 ft., thence S 84° 30' E a distance of

SECOND JUDICIAL DAY

THURSDAY, MAY 6th, 1926.

Oregon, and also in three public places in the vicinity of said proposed road, to-wit: One on a gate at the north terminus of the proposed road; one on a telephone pole at the north end of Main Street in Elgin, Oregon, where said Main Street connects with the lane connecting with the proposed road; one on an electric light pole in the front of the Hill Hardware Store on east side of Front Street in the city of Elgin, Union County, Oregon, 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 its present session and that notices so posted were in due form and duly signed by the petitioners, and that a bond for the cost of this proceeding has been duly filed,

It is therefore ORDERED that S. B. Morgan, County Roadmaster, A. C. Glenn and Wm. Ruckman, constituting a Board of County Road Viewers, be and they are hereby directed to meet at Elgin, Oregon, on Friday, May 14th, 1926, at 10:00 AM, and proceed to survey, view and lay out said proposed road according to law, and that said Board of County Road Viewers file its report with this Court not later than May 22nd, 1926.

In the matter of opening the bids for the grading of a section of the Hunter Lane Market Road and the Alicel-Lower Cove Market Road.

Now at this time it is ORDERED that the time for the opening of bids for Unit B of the the grading of Hunter Lane-Pleasant Grove Market Road and the Becker Corner-Warm Creek Market Road be and the same is hereby continued until May 15th, 1926, at 2 PM.

In the matter of the vacation of a portion of County Road No. 324.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 8th, 1926, at 10:00 A.M., and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 579.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above-named road proposed to be vacated and has filed his written report recommending that said road be vacated,

It is therefore CONSIDERED AND ORDERED that July 9th, 1926, at 10:00 AM, and the County Court Room in the city of La Grande, Oregon, be fixed as the time and place for hearing the resolution of the Court, and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

In the matter of the vacation of a portion of County Road No. 238.

Now at this time, it appearing to the Court that the County Engineer has viewed the portion of the above named road proposed to be vacated and has filed his

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1926.

to the vacation of said road, and that no remonstrance has been filed,

It is therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

1715
In the matter of the vacation
of a portion of County Road
No. 238.

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 238 described as follows:

beginning at a point approximately 1063 ft., north and 655 ft West of the quarter corner between sections 2 and 11 T 5 S, R 40 EWM, thence S 73° 00' E a distance of 100 ft., thence S 48° 10' E a distance of 159 ft., thence N 75° 40' E a distance of 400 ft., thence N 86° 15' E a distance of 620.5 ft., thence S 86° 55' E a distance of 526.7, thence S 63° 55' E a distance of 823.1 ft., thence N 84° 35' E a distance of 270.5 ft., thence S 84° 30' E a distance of 222 ft., thence S 31° 57' E a distance of 320.5 ft., thence S 53° 42' E a distance of 340 ft.,

also beginning at a point approximately 883 ft South and 118 ft East of the quarter corner between Sections 1 and 12 T 5 S, R 40 EWM, thence N 50° 30' E a distance of 467 ft., thence N 85° 26' E a distance of 277 ft., thence S 82° 54' E a distance of 675 ft., thence S 77° 54' E a distance of 800 ft., thence N 24° 26' E a distance of 529.6 ft., thence N 42° 21' E a distance of 312 ft., thence N 34° 21' E a distance of 120.8 ft., thence N 76° 12' E a distance of 185 ft., thence N 48° 02' E a distance of 246 ft.,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said 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 thirty days before the date set for 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 therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

1716
In the matter of the vacation
of a portion of County Road No. 579.

Now at this time the above entitled matter comes on for the hearing of the report of the County Engineer on the proposed vacation of a portion of Road No. 579 described as follows:

Beginning at a point designated as "A-2" of the original road description, said point being 2547.6' West and 917.4' South of the quarter corner common to Sections 22 and 21 Tp 2 N, R 40 EWM, thence S 86° W, a distance of 396 ft., thence S 57° 30' W, a distance of 264 ft., thence S 51° W a distance of 330 ft., thence S 89° W a distance of 537.9 ft, to the end,

and it appearing to the Court from the report of the County Engineer that the portion of said road proposed to be vacated is burdensome to maintain and is no longer practical or useful to the traveling public for the reason that new roads have been laid out in the same vicinity, which are more practical, and it further appearing from the affidavit of posting on file that the County Engineer, more than thirty days prior to July 8th, 1926, the date set for hearing said Engineer's Report, posted three notices of the date set for hearing said report in the vicinity of the road proposed to be vacated, and one notice at the place

SECOND JUDICIAL DAY

THURSDAY, JULY 8th, 1926.

of holding County Court, and that said notices remained posted at least thirty days before the date set for 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 therefore CONSIDERED, ORDERED AND ADJUDGED that said road be and the same is hereby vacated between the points along the line described above.

Thereupon it was ORDERED that Court be now adjourned until Friday, July 9th, 1926, at 9:00 o'clock, A.M.