

No. _____

EQUITY

IN THE
CIRCUIT COURT
UNION COUNTY

*The Federal Land
Bank of Spokane*

Plaintiff

John Wells et al^{ys.}

Defendant

Docket _____

Page

F-14

J. M. Rice

Attorney for Plaintiff

Attorney for Defendant

#496

OK.

In the vacation of
Levy Street and Bidwell
Avenues in Union
Cochran Tracts

Vacated April 3, 1920
Journal "P" page 636

1 BEFORE THE COUNTY COURT OF UNION COUNTY, STATE OF OREGON

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3 TO: THE HONORABLE COUNTY COURT AND THE COUNTY COMMISSION

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5 Comes now A. B. Hamps, the present, or immediately past, owner of
6 Tracts Twenty (20), Twenty-one (21), Twenty-five (25), Twenty-six (26),
7 Twenty-seven (27) and Twenty-eight (28), of the Union Orchard Tracts
8 near the City of Union, Union County, Oregon, which tracts are platted
9 and filed in the records of said county, hereby petition you for the
10 vacation of that certain platted road known as Levy Street, 1270 feet
11 in length and 30 feet wide easterly and westerly along the southerly
12 boundary of Tracts Twenty-seven (27) and Twenty-eight (28), also that
13 right-of-way for road known as Bidwell Avenue, running northerly and
14 southerly along the southerly line of Tracts Twenty (20), Twenty-six
15 (26), and Twenty-seven (27), of the said Union Orchard Tracts, the same
16 being 30 feet wide and the part for which it is desired to vacate being
17 666.4 feet in length, and respectfully represent unto the Court, and to
18 the Honorable County Commissioners thereof, that although the said
19 roads, or streets, were dedicated to the public use upon the 23rd day
20 of July, 1910, the said roads, or streets, for which an order of vaca-
21 tion is desired have never been opened and have never been used by
22 the public; that all of the land contained in the said right-of-ways
23 belonged originally to me and to my grantees; that there is no imme-
24 diate nor possible future use for the said right-of-ways and that my-
25 self and my grantees are desirous of cultivating and developing said
26 land; that with the exception of myself, the only other adjacent or
27 adjoining owners are Edward R. Grigg and the State of Oregon, the
28 tract belonging to the latter being known as the "Eastern Oregon
29 Experiment Station.

HUGH E. BRADY
ATTORNEY AT LAW
LA GRANDE, OREGON

30 WHEREFORE, your petitioner prays that the Court set this matter
31 for hearing during its regular meeting on Wednesday, the 2nd day of
32 April, 1930, the same being more than 30 days from the date of the

1 filing of this petition.

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A B Hempke

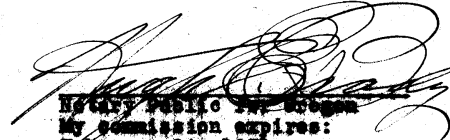
6 Subscribed and sworn to before me this 7th day of February, 1950.

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Notary Public for Oregon
My commission expires:
February 24, 1951

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HUGH E. BRADY
ATTORNEY AT LAW
LA GRANDE, OREGON

BEFORE THE COUNTY COURT
OF UNION COUNTY
STATE OF OREGON

PETITION FOR VACATION OF
LEVY STREET AND BIDWELL
AVENUE, UNION ORCHARD TRACTS

Filed: *February 7* 1930

K. M. Coburn
County Clerk

By: _____

Deputy

FROM THE LAW OFFICE OF
HUGH E. BRADY
LA GRANDE, OREGON

STATE OF OREGON
STATE BOARD OF HIGHER EDUCATION

March 31, 1930

A. R. WATZEK, TEMPORARY SECRETARY
609 AMERICAN BANK BUILDING
PORTLAND, OREGON

I, A. R. Watzek, hereby certify that I am Temporary Secretary
of Oregon State Board of Higher Education.

I further certify that the following resolution was unanimously
adopted by the Executive Committee on March 31, 1930:

"Resolved that the consent of State Board of Higher Education be
given to the vacation of a 30 ft. right-of-way for a County road,
designated as "Bidwell Avenue," which extends for a distance of
868 ft. along the east boundary line of the tract of land at
Union, in Union County, Oregon, owned by the State of Oregon and
occupied by the Eastern Oregon Branch Experiment Station of
Oregon State Agricultural College."

a. r. watzek

BEFORE THE COUNTY COURT
OF UNION COUNTY, OREGON

IN THE MATTER OF THE
VACATION OF BIDWELL
AVENUE IN UNION ORCHARD
TRACTS

Filed: April 2 1930

Wm. Carmack
County Clerk

By: _____
Deputy

We, the undersigned, John R. Turner and Maude B. Turner, owners of the south 232.4 feet of Tracts Twenty (20), and Twenty-one (21), all of Tracts Twenty-five (25), Twenty-six (26), Twenty-seven (27) and Twenty-eight (28), of Union Orchard Tracts, Union County, Oregon, the same being the land abutting upon Levy Street and Bidwell Avenue, for which a petition of vacation has been filed by A. B. Hempe, hereby consent to said vacation and offer no objections thereto, the said vacation to be for a strip 30 feet wide and 1270 feet long upon Levy Street, the same being along the southerly line of Tracts Twenty-seven (27) and Twenty-eight (28), and for a strip 30 feet wide and 866.4 feet in length along the westerly boundary of Tracts Twenty (20), Twenty-six (26) and Twenty-seven (27).

John R. Turner
Maude B. Turner

Subscribed and sworn to before me this 8 day of February,
1933.

Emma M. Puckett
Notary Public for Oregon
My commission expires: April 2, 1933

BEFORE THE COUNTY COURT
OF UNION COUNTY, OREGON

IN THE MATTER OF THE
VALLEY OF BIRNELL
AVENUE IN UNION OREGON
TRACTS.

Filed April 3 1930

K M Oystum
County Clerk

By: _____
Secretary

We, the undersigned, Edward R. Griggs and Ruth Griggs, hereby consent to the vacation of Levy Street in accordance with the petition of A. B. Hempe filed with the County Court of Union County, Oregon, on the 7th day of February, 1930; that we, with the petitioner, A. B. Hempe, John R. Turner and Maude L. Turner his wife, and the State of Oregon are the only owners of property abutting upon the said roads to be so vacated, our property abutting upon Levy Street only; that our property abuts upon the southerly line of the said Levy Street.

Edward R. Griggs

Ruth Griggs

Subscribed and sworn to before me this 8 day of February, 1930.

Emma M. Puckett
Notary Public for Oregon
My commission expires:

BEFORE THE COUNTY COURT
OF UNION COUNTY, OREGON

IN THE MATTER OF THE
VACATION OF BIDWELL
AVENUE, IN UNION
ORCHARD TRACTS

Filed: April 9 1930

Wm. L. Conner
County Clerk

BY: _____
Deputy

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NOTICE

Notice is hereby given that the undersigned, A. B. Hempe, has petitioned the County Court of Union County, Oregon, for an order vacating the following dedicated but unused avenues or roads in that certain platted district known as Union Orchard Tracts in Union County, Oregon, to-wit: Levy Street, 30 feet wide and 1270 feet in length easterly and westerly along the southern boundary of Tracts Twenty-seven (27) and Twenty-eight (28) of the said Union Orchard Tracts, also that street or avenue known as Bidwell Avenue, 30 feet wide and 866.4 feet in length northerly and southerly along the western boundary of Tracts Twenty (20), Twenty-six (26) and Twenty-seven (27) of the said Union Orchard Tracts, the land contained in the said dedicated roadways belonging to the undersigned, A. B. Hempe, or his grantees. Any individual or corporation having any objection to the said vacation shall file their objections thereto with the County Clerk of Union County, Oregon, on or before the 2nd day of April 1930, the same being the 1st Wednesday of April, 1930, and the date upon which the petition for vacation will be heard.

A. B. Hempe
Address: Union Oregon

COPY

HUGH E. BRADY
ATTORNEY AT LAW
LA GRANDE, OREGON

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**BEFORE THE COUNTY COURT
OF UNION COUNTY, STATE
OF OREGON**

**In the Matter of the
Vacation of a Portion
of Levy Street and
Bidwell Avenue.**

**AFFIDAVIT OF POSTING
NOTICES**

Filed: April 28 1930

K. M. Conrath
County Clerk

By: _____
Deputy

1 BEFORE THE COUNTY COURT OF UNION COUNTY, STATE OF OREGON

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3 In the Matter of the)
4 Vacation of a Portion)
5 of Levy Street and)
6 Bidwell Avenue,)

AFFIDAVIT OF POSTING NOTICES

6 STATE OF OREGON)
7 COUNTY OF UNION)
8 SS

9 I, A. B. Hempe, being first duly sworn depose and say: that
10 I am the petitioner in the above entitled matter; that as such I pre-
11 pared, after filing the said petition, a notice, a copy of which is
12 attached hereto and by reference made a part hereof; that I posted
13 three copies of said notice as follows: one on the West side of Union
14 Orchard Tracts upon that portion of Levy Street sought to be vacated,
15 one upon that portion of Bidwell Avenue sought to be vacated south of
16 the said Union Orchard Tracts, and one upon the County Road on the
17 East line of said Orchard Tracts, all in the immediate vicinity of the
18 road for which the petition for vacation was filed; that the said notices
19 were firmly affixed in place and remained in place to my personal know-
20 ledge from the 8th day of February, 1930, the date upon which they were
21 posted, to the 1st day of April, 1930; that I make this affidavit for
22 the purpose of showing that the said notices were posted in accordance
23 with the statute regulating the vacation of roads in platted tracts and
24 unincorporated towns within the State of Oregon.

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HUGH E. BRADY
ATTORNEY AT LAW
LA GRANDE, OREGON

A B Hempe

Subscribed and sworn to before me this 9th day of April, 1930.


Notary Public for Oregon
My commission expires:
February 24, 1931

BEFORE THE COUNTY COURT OF UNION COUNTY OREGON

In the Matter of the
Petition of A. B. Hempe
for vacation of certain
dedicated streets and
roads.

ORDER OF VACATION

Now at this time this matter coming on regularly to be heard upon the date to which the hearing was postponed from the 2nd day of April, 1930, and,

IT APPEARING TO THE COURT that Levy Street, 1270 feet in length and 30 feet wide along the southerly boundry of Tracts 27 and 28, and that portion of Bidwell Avenue running northerly and southerly along the southerly line of Tracts 20, 26 and 27, ^{all} of Union Orchard Tracts, the same being 30 feet wide and 866.4 feet in length, have never been opened and have never been used by the public; that all of the land contained in the said rights-of-way belonged originally to your petitioner and to his grantees; that there is no immediate nor possible future use for the said rights-of-way and that the petitioner and his grantees are desirous of cultivating and developing said land; that the only parties owning real estate adjacent to said roads are your petitioner, Edward R. Griggs, John R. Turner and the State of Oregon; that each of these parties has filed his or its written verified consent to said vacation; that notice of the filing of the petition herein, and of the application therein contained, was posted in three public places along the said rights-of-way, ^{for more than 30 days} as shown by the affidavit of your petitioner, and no objection has been made to the hearing of the petition or the granting of an order thereon, therefore,

IT IS HEREBY CONSIDERED ORDERED AND ADJUDGED by the County Court and its Commissioners in session that Levy Street, 1270 feet in length and 30 feet in width along the southerly boundry of Tracts 27 and 28, and that portion of Bidwell Avenue running northerly and southerly along the southerly line of Tracts 20, 26 and 27, ^{all} of Union Orchard Tracts, be, and they hereby are, vacated and the easement here-

tefers created in the State of Oregon and in the County of Union,
by dedication is hereby extinguished.

Done and dated at the Courthouse at La Grande, Oregon,
by the County Court of Union County, Oregon, in regular session
assembled this 3rd day of April, 1930.

D. G. Couch

County Judge

W W Stevens
H. P. Liddleton
Commiss.

4/3/30

In the matter of the
petition of A. B. Hempe
for vacation of certain
dedicated streets and
roads

ORDER OF VACATION

FROM THE LAW OFFICE OF
HUGH E. BRADY
LA GRANDE, OREGON

2nd
~~THIRD~~ JUDICIAL DAY

THURSDAY, APRIL 3rd, 1930

above described property belonging to Ollie Cotner, by the Sheriff of Union County; and it further appearing that it is doubtful if said lien is a valid lien and can be enforced; and it further appearing that under the provisions of Chapter 182, Oregon Laws for 1929, the Court has authority to cancel the penalty and interest on taxes prior to and including 1927, if, in its opinion, such action would facilitate the collection of such taxes.

It is therefore CONSIDERED AND ORDERED that the Sheriff of Union County be, and he is, hereby authorized and directed to cancel the lien for personal property taxes against the above described land for the years 1926 and 1927, and to cancel all penalty and interest on taxes assessed against said land for the years, 1923 to 1927, inclusive.

In the matter of the petition of
 A. B. Hempe for vacation of certain
 dedicated streets and roads.

ORDER OF VACATION

Now at this time this matter coming on regularly to be heard upon the date to which the hearing was postponed from the 2nd day of April, 1930, and

It appearing to the Court that Levy Street, 1270 feet in length and 30 feet wide along the southerly boundry of Tracts 27 and 28, and that portion of Bidwell Avenue running northerly and southerly along the southerly line of Tracts 20, 26 and 27, all of Union Orchard tracts, the same being 30 feet wide and 866.4 feet in length, have never been opened and have never been used by the public; that all of the land contained in the said rights-of-way belonged originally to your petitioner and to his grantees; that there is no immediate nor possible future use for the said rights-of-way and that the petitioner and his grantees are desirous of cultivating and developing said land; that the only parties owning real estate adjacent to said roads are your petitioner, Edward R. Griggs, John R. Turner and the State of Oregon; that each of these parties has filed his or its written verified consent to said vacation; that notice of the filing of the petition herein, and of the application therein contained, was posted in three public places along the said rights-of-way, for more than 30 days, as shown by the affidavit of your petitioner, and no objection has been made to the hearing of the petition or the granting of an order therein, therefore,

It is hereby CONSIDERED, ORDERED AND ADJUDGED by the County Court and its Commissioners in session that Levy Street, 1270 feet in length and 30 feet in width along the southerly boundry of Tracts 27 and 28, and that portion of Bidwell Avenue running northerly and southerly along the southerly line of Tracts 20, 26 and 27, all of Union Orchard Tracts, be, and they hereby are, vacated and the easement heretofore created in the State of Oregon and in the county of Union, by dedication is hereby extinguished.

In the matter of the vacation
 of County Road No. 480.

WHEREAS, it appearing to the County Court of Union County, Oregon, that County Road Number 480 more particularly described as follows, to-wit: beginning 1320 feet east of the section corner common to sections 19 and 30 T 2 N, R 40 EWM and sections 24 and 25 T 2 N, R 39 EWM, thence south 1620 feet said point being approximately 1620 feet south and 1320 feet east of the above described section corner, is useless as a part of the general road system of Union County, and is burdensome to maintain, and

WHEREAS, the public will be benefited by the vacation of said road, therefore

BE IT RESOLVED that such proceedings as are required by law will be taken