

3413

Register

Page

1406

IN PROBATE

UNION COUNTY
OREGON

ESTATE OF

E. Myers

Deceased

*Mary E Myers,
&
Executrix*

ATTORNEYS

J. R. Reno

• G • I H G
LA

745

In re altering &
Changing Direction
of County Road
197-280 & 527

Altered &
reestablished
Apr 7-1939

1445
IN THE COUNTY COURT OF THE STATE OF OREGON FOR UNION COUNTY

In the matter of the altering,
re-establishing and changing the
direction of a portion county
roads No. 197, 280 and 527.

WHEREAS, the county court of Union County, Oregon, proposes to
improve that certain road to be known as the Sanderson Springs-Phillips
Creek Market Road No. 32, the same being a portion of county roads No.
197, 280 and 527, and

WHEREAS, public convenience requires that the said county roads
No. 197, 280 and 527 be altered, re-established and the direction thereof
changed between points designated as Engineer's station 388/40.2 and
Engineer's Station 533/88.6 for the purpose of securing a better alignment
and a more practical and convenient grade,

THEREFORE, BE IT RESOLVED, that it is the intention of the county
court of Union County, Oregon, to alter, re-establish and change the
direction of portions of County Roads No. 197, 280 and 527 between the
points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner
common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at
station 388/40.2 PC with an angle of $90^{\circ} 32'$, thence on a 20° curve
to the right a distance of 452.7 feet to station 392/92.9 PT, thence
south $89^{\circ} 09'$ east on the section line a distance of 2606.8 feet to
station 418/99.7 PC, thence on a 2° curve to the left with a central
angle of $37^{\circ} 33'$ a distance of 1877.5 feet to station 437/77.2 PT,
thence north $53^{\circ} 18'$ east a distance of 3482.3 feet to station 472/59.5
PC thence on a 1° curve to the left with a central angle of $18^{\circ} 09'$ a
distance of 1815.0 feet to station 490/74.5 PT back, which equals
490/63.7 ahead, thence north $35^{\circ} 09'$ east a distance of 485.8 feet to
station 495/49.5 PC, thence on a 1° curve to the left with a central
angle of $12^{\circ} 0'$ a distance of 1200.0 feet to station 507/49.5 PT,
thence north $23^{\circ} 09'$ east a distance of 2239.3 feet to station 529/88.8
PC, thence on an 8° curve to the right with a central angle of $21^{\circ} 46'$
a distance of 272.1 feet to station 532/60.9 PT, thence north $44^{\circ} 55'$
east a distance of 127.7 feet to station 533/88.6, said point being 111.4
feet east and 2502.2 feet north of the one-quarter corner common to
Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side
of the center line between engineer's station 388/40.2 and Engineer's
station 418/99.7, and 80 feet in width, or 40 feet on each side of
the center line from engineer's station 418/99.7 to engineer's station
478/30.0, and 60 feet in width, or 30 feet on each side of the
center line from engineer's station 478/30.0 to engineer's station
533/88.6.

BE IT FURTHER RESOLVED and declared to be the intention of the
county court of Union County, Oregon, to take such further action as is
provided for by law in the above entitled proceeding at its regular
meeting to be held on 2nd day of March, 1939.

Dated at La Grande, Oregon, this 5th day of January, 1939.

Chas. H. Brown County Judge,
Chris Johnson Commissioner,
Alex McHenry 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 March, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Bresnears, Sheriff.

WHEN, on Thursday, the 2nd day of March, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering,
re-establishing and changing the
direction of a portion of county
roads No. 197, 280 and 527.

Now at this time this matter comes on for further consideration of the resolution passed by this court on January 5th, 1939, declaring its intention to alter, re-establish and change the direction of a portion of county roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of $90^{\circ} 32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south $89^{\circ} 09'$ east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ} 33'$ a distance of 1877.5 feet to station 437/77.2 PT, thence north $53^{\circ} 18'$ east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of $18^{\circ} 09'$ a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north $35^{\circ} 09'$ east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ} 0'$ a distance of 1200.0 feet to station 507/49.5 PT, thence north $23^{\circ} 09'$ east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of $21^{\circ} 46'$ a distance of 272.1 feet to station 532/60.9 PT, thence north $44^{\circ} 55'$ east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6,

and it appearing to the court that notice has been given that further action would be taken upon said resolution on March 2nd, 1939, by a duly certified copy of said resolution being posted at the place of holding county court, to-wit: at the Court House in the city of La Grande, Union County, Oregon, and also in three public places in the vicinity of those portions of County Roads No. 197, 280 and 527 proposed to be altered, and re-located, to-wit: one on a fence post at the most southerly point, being the beginning of said proposed alteration and re-location of said roads as hereinbefore described, one on a fence post about midway between the beginning and terminus of the above described portions of said roads, and one on a bridge at Phillips Creek at the terminus of said proposed and described alteration and re-location, and that proof of the posting of said notices is shown by the affidavit of posting of S. B. Morgan, County Engineer, on file herein.

And it further appearing to the court that the record owners of the land which will be affected by said proposed re-establishment of said roads are as follows, to-wit:

David L. Sanderson
Mrs David L Sanderson
Emma F. Burnaugh
J. M. Burnaugh
Edwin L. Beem
Louisa E Beem
Randall D. Beem
Berniece A. Beem
Leo R. Niederer
Lillian B. Niederer
W. W. Sanderson
Hallie Sanderson
John G. Shea, Livingston, Montana,

And it further appearing that right-of-way deeds have been delivered to Union County, Oregon, by all of the above named persons except John G. Shea, and that from the affidavit of C. K. McCormick, County Clerk, a true copy of said notices, as posted, was mailed to Miles J. O'Connor, Administrator of the estate of John G. Shea, at Livingston, Montana, with postage fully prepaid, and it now appearing advisable to proceed with this matter to final determination,

It is CONSIDERED AND ORDERED that S. B. Morgan, County Engineer, and C. C. Welch and Burt M. Oliver, two qualified and disinterested freeholders of Union County, be, and they are, hereby appointed and constituted a board of county road viewers for the purpose of viwing that portion of county roads No. 197, 280 and 527 proposed to be re-established.

It is FURTHER ORDERED that said board of road viewers meet on March 8th, 1939, at 10 o'clock, A.M., for the purpose of viwing said road, and that they file their report with the County Clerk on or before March 22nd, 1939.

S. B. Morgan County Judge,
Burt M. Oliver Commissioner,
C. C. Welch Commissioner.

REGISTERED ARTICLE No

1235

1/11

1939

Addressed to

Miles J. O'Brien
Linn County, Oregon

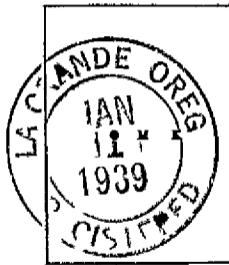
Return receipt fee

Delivery restricted to addressee

Special delivery fee

Postmaster per

W L



15-0889

RETURN RECEIPT

Received from the Postmaster the Registered or Insured Article the original number of which appears on the face of this Card

Wm. G. ...
(Name of recipient)

Wm. G. ...
(Signature of addressee)

1939

19

Date of delivery
Form 3811

EN EN IN IN

5-6116

Post Office Department

OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE \$300

REGISTERED ARTICLE

No. 1235

INSURED PARCEL

No.



POSTMARK OF DELIVERING

OFFICE

Return to
Street and Number }
at Post Office Box }

Co Clerk

BN 902

(NAME) (SEN)

Post Office at

La Grande, Oreg

State

Rev. 3 24

5-611

Affidavit of Mailing

State of Oregon
County of Union ^{SS}

I, C. K. McCormick, County Clerk of Union County, Oregon, being first duly sworn, say that On January 11th, 1939, I mailed to the following named person, as appears from registration receipt and return receipt attached hereto and made a part hereof, certified copy of the hereto attached resolution, to-wit:

Miles J. O'Connor, Livingston, Montana, (Administrator of the estate of John G. Shea, Deceased)

by securely sealing duly certified copy of said resolution in an envelope with postage fully paid thereon, and depositing same in the United States Post Office at La Grande, Oregon, said John G. Shea being the record owner of land on or over which county roads No. 197, 280 and 527 are to be re-established and changed. That the date of mailing said certified copy of resolution was more than thirty days previous to the date fixed in said resolution by the County Court of Union County, Oregon, for further consideration and action on said resolution.

C. K. McCormick

Subscribed and sworn to before me this 2nd day of March, AD, 1939.

W. J. O'Connell
County Judge of Union County, Oregon

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

In the matter of the altering,
re-establishing and changing the
direction of a portion county
roads No. 197, 280 and 527.

WHEREAS, the county court of Union County, Oregon, proposes to improve that certain road to be known as the Sanderson Springs-Phillips Creek Market Road No. 32, the same being a portion of county roads No. 197, 280 and 527, and

WHEREAS, public convenience requires that the said county roads No. 197, 280 and 527 be altered, re-established and the direction thereof changed between points designated as Engineer's station 388/40.2 and Engineer's Station 533/88.6 for the purpose of securing a better alignment and a more practical and convenient grade,

THEREFORE, BE IT RESOLVED, that it is the intention of the county court of Union County, Oregon, to alter, re-establish and change the direction of portions of County Roads No. 197, 280 and 527 between the points designated and along the line hereinafter described, to-wit:

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Tp 1N, R38, EWM, said point being at station 388/40.2 PC with an angle of 90° 32', thence on a 20° curve to the right a distance of 452.7 feet to station 392/92.9 PT, thence south 89° 09' east on the section line a distance of 2606.8 feet to station 418/99.7 PC, thence on a 2° curve to the left with a central angle of 37° 33' a distance of 1877.5 feet to station 437/77.2 PT, thence north 53° 18' east a distance of 3482.3 feet to station 472/59.5 PC thence on a 1° curve to the left with a central angle of 18° 09' a distance of 1815.0 feet to station 490/74.5 PT back, which equals 490/63.7 ahead, thence north 35° 09' east a distance of 485.8 feet to station 495/49.5 PC, thence on a 1° curve to the left with a central angle of 12° 0' a distance of 1200.0 feet to station 507/49.5 PT, thence north 23° 09' east a distance of 2239.3 feet to station 529/88.8 PC, thence on an 8° curve to the right with a central angle of 21° 46' a distance of 272.1 feet to station 532/60.9 PT, thence north 44° 55' east a distance of 127.7 feet to station 533/88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Tp 1N, R39, EWM.

The width of said road to be 60 feet, or 30 feet on each side of the center line between engineer's station 388/40.2 and Engineer's station 418/99.7, and 80 feet in width, or 40 feet on each side of the center line from engineer's station 418/99.7 to engineer's station 478/30.0, and 60 feet in width, or 30 feet on each side of the center line from engineer's station 478/30.0 to engineer's station 533/88.6.

BE IT FURTHER RESOLVED and declared to be the intention of the county court of Union County, Oregon, to take such further action as is provided for by law in the above entitled proceeding at its regular meeting to be held on 2nd day of March, 1939.

Dated at La Grande, Oregon, this 5th day of January, 1939.

(sd) U. G. Couch, County Judge,
Chris Johnson, Commissioner,
Alex McKenzie. Commissioner.

State of Oregon
ss
County of Union

I, C. K. McCormick, County Clerk and ex-officio Clerk of the

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

Copy of the Field Notes for the Partial Re-align-
ment of County Roads No. 197, 280, & 527

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Twp. 1 N R 38 EWM, said point being at station 388+40.2 PC with an angle of $90^{\circ}32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392+92.9 PT, thence south $89^{\circ}09'$ east on the section line a distance of 2606.8 feet to station 418+99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ}33'$ a distance of 1877.5 feet to station 437+77.2 PT, thence north $53^{\circ}18'$ east a distance of 3482.3 feet to station 472+59.5 PC, thence on a 1° curve to the left with a central angle of $18^{\circ}09'$ a distance of 1815.0 feet to station 490+74.5 PT back, which equals 490+63.7 ahead, thence north $35^{\circ}09'$ east a distance of 485.8 feet to station 495+49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ}0'$ a distance of 1200.0 feet to station 507+49.5 PT, thence north $23^{\circ}09'$ east a distance of 2239.3 feet to station 529+88.8 PC, thence on an 8° curve to the right with a central angle of $21^{\circ}46'$ a distance of 272.1 feet to station 532+60.9 PT, thence north $44^{\circ}55'$ east a distance of 127.7 feet to station 533+88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Twp. 1 N R 39 EWM.

The width of the right of way will be as noted on the accompanying map.

Re-location made, October 1938, for the above described road and the new route named "Sanderson Springs-Phillips Creek Market Road No. 32."

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 2nd day of March 19/39 instructed to view lay out and alter the proposed county road of which the survey hereto attached is a true and correct description as ~~per the resolution~~ **resolved by the county court** et al. do hereby report that on the 8th day of March 19/39 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 none of the property is made less valuable by the realignment of the Sanderson Springs Phillips Creek Road, and no damages allowed.

)
) Board of County
Road Viewers

Dep 134
Dunning Springs - Fla
Creek Road

Woods Park

FILED

MAR 8 - 1939

C. K. M. S. M. P. S.
COUNTY CLERK

BY *[Signature]*
DEPUTY

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

Copy of the Field Notes for the Partial Re-align-
ment of County Roads No. 197, 280 & 527

Beginning at a point 289.2 feet south of the quarter corner common to Sections 23 and 26, Twp. 1 NR 38 EWM, said point being at station 388+40.2 PC with an angle of $90^{\circ}32'$, thence on a 20° curve to the right a distance of 452.7 feet to station 392+92.9 PT, thence south $89^{\circ}09'$ east on the section line a distance of 2606.8 feet to station 418+99.7 PC, thence on a 2° curve to the left with a central angle of $37^{\circ}33'$ a distance of 1877.5 feet to station 437+77.2 PT, thence north $53^{\circ}18'$ east a distance of 3482.3 feet to station 472+59.5 PC thence on a 1° curve to the left with a central angle of $18^{\circ}09'$ a distance of 1815.0 feet to station 490+74.5 PT back, which equals 490+63.7 ahead, thence north $35^{\circ}09'$ east a distance of 485.8 feet to station 495.49.5 PC, thence on a 1° curve to the left with a central angle of $12^{\circ}0'$ a distance of 1200.0 feet to station 507+49.5 PT, thence north $23^{\circ}09'$ east a distance of 2239.3 feet to station 529+88.3 PC, thence on an 8° curve to the right with a central angle of $21^{\circ}46'$ a distance of 272.1 feet to station 532+60.9 PT, thence north $44^{\circ}55'$ east a distance of 127.7 to station 533+88.6, said point being 111.4 feet east and 2502.2 feet north of the one-quarter corner common to Sections 18 and 19, Twp. 1 NR 39 EWM.

The width of the right of way will be as noted on the accompanying map.

Re-location made, October 1938, for the above described road and the new route named "Sanderson Springs-Phillips Creek Market Road No. 32.

E. C. Myers
Chas. S. Johnson

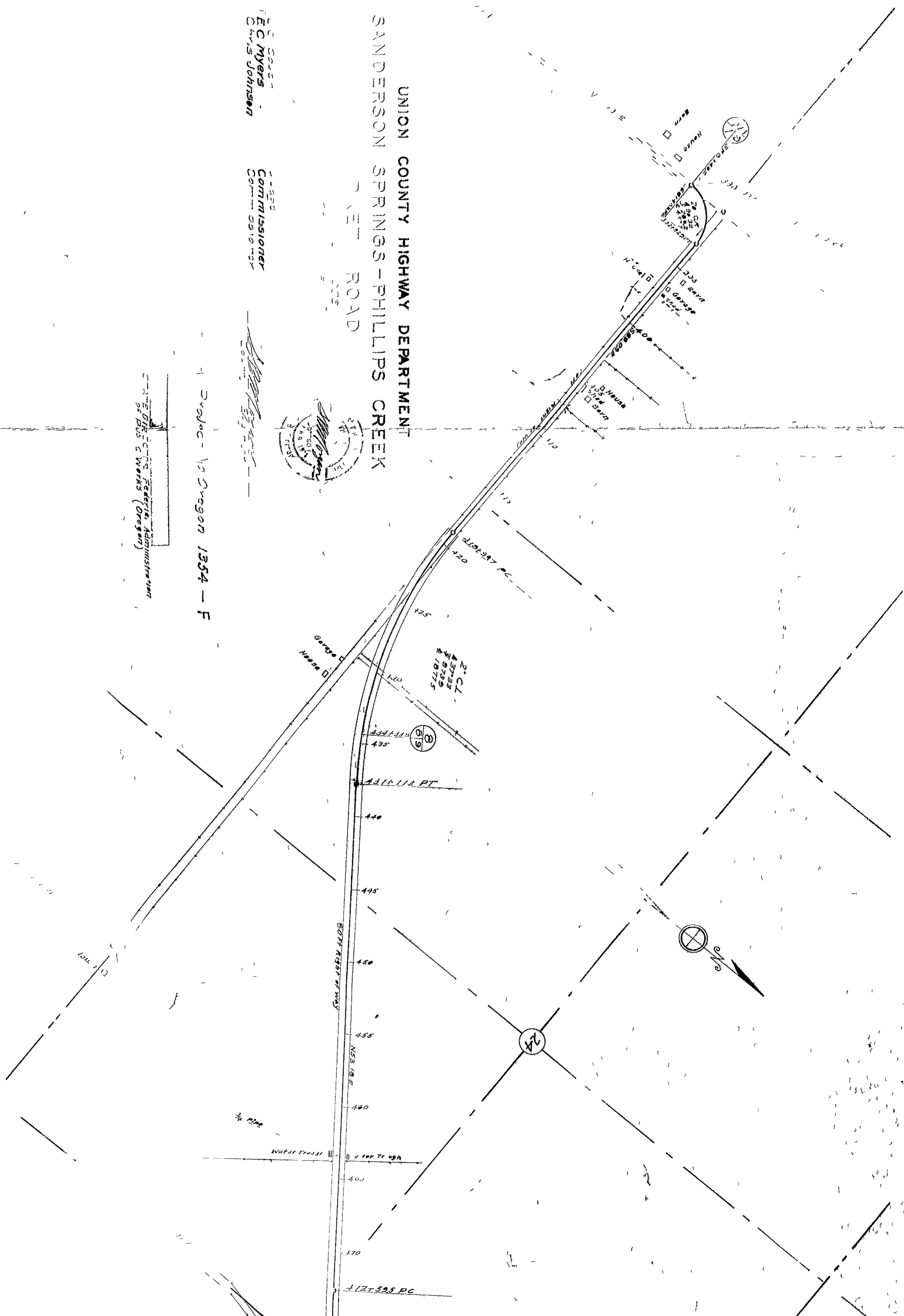
Commissioner
Comm 5310-101

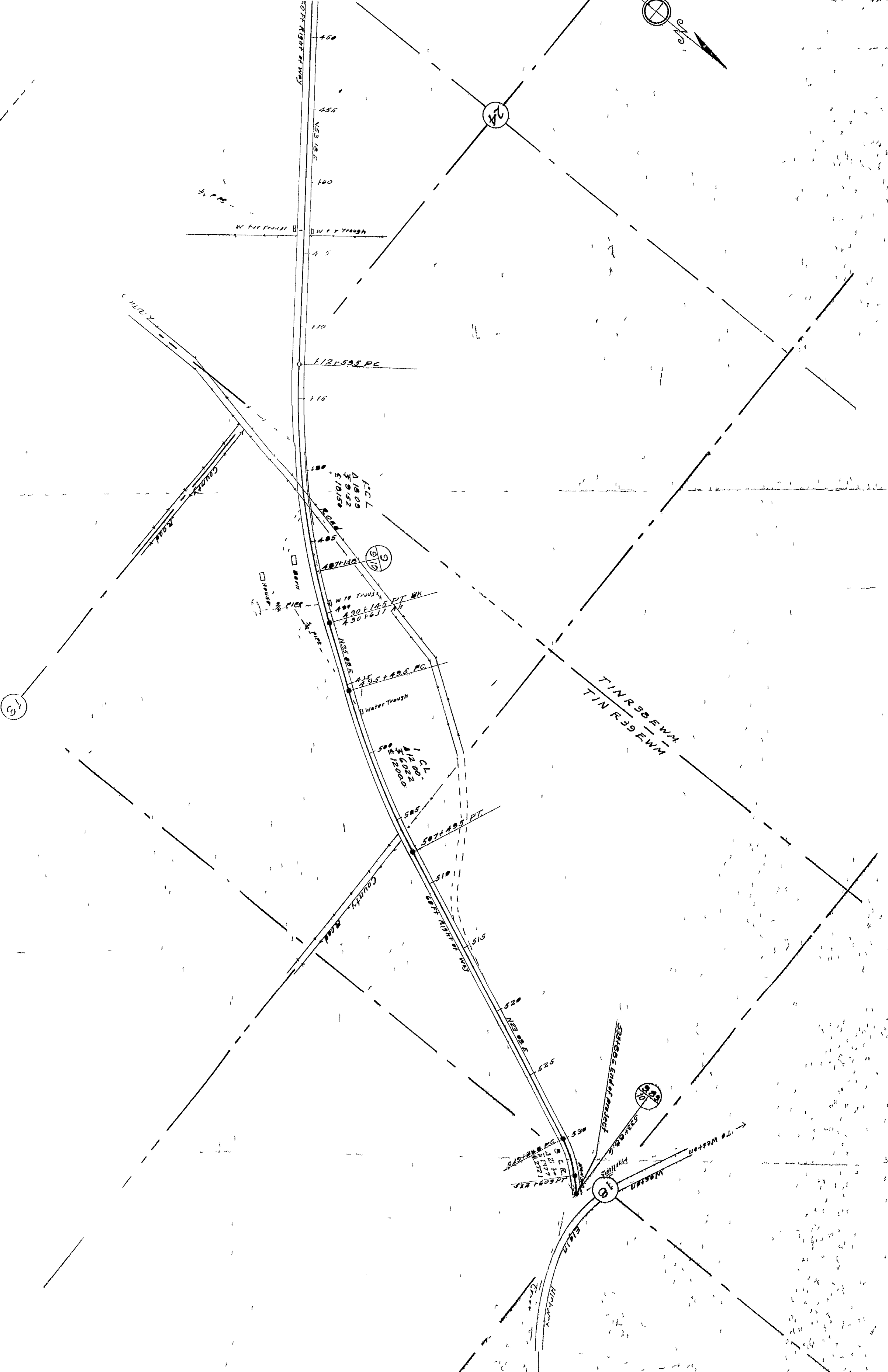
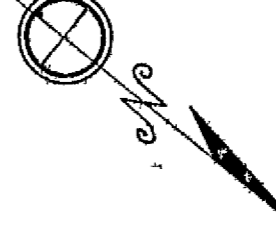


UNION COUNTY HIGHWAY DEPARTMENT
SANDERSON SPRINGS - PHILLIPS CREEK
ROAD

1 Engdoc - 1/2 Oregon 1354 - F

CHAS. S. JOHNSON
Federal Administrator
(Oregon)





EIGHT RIGHT HAND CURVES

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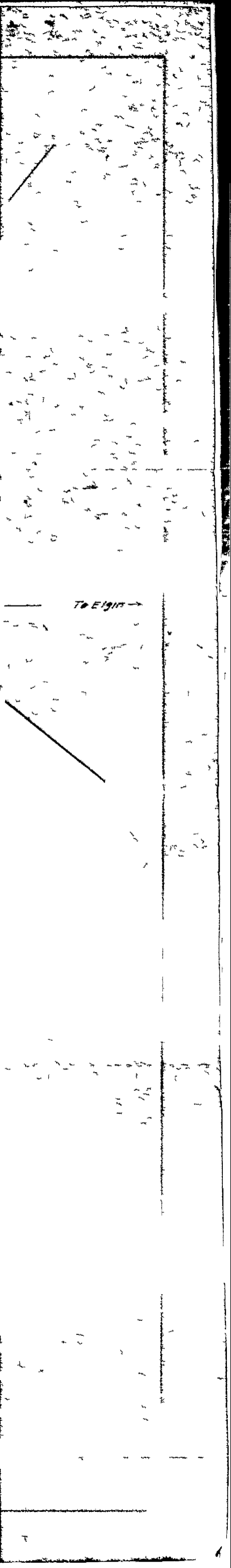
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TO E 1913 →

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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 6th day of April, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Friday April 7th, at 10:00 o'clock, A.M.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie 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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Friday, the 7th day of April, AD, 1939, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering, re-establishing and changing the direction of a portion of county roads No. 197, 280 and 527.

Now at this time, the above entitled matter comes on for action on the report of the Board of Roadviewers, heretofore appointed to view the above entitled road, 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 2nd day of March, 1939, instructed to view, lay out and alter the proposed county road, of which the survey hereto attached is a true and correct description, as resolutioned by the county court, et al., beg leave to report that on the 8th day of March, 1939, 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. None of the property is made less valuable by the re-alignment of the Sanderson Springs-Phillips Creek Road, and no damages allowed.

(sd) C. C. Welch
Burt M. Oliver
S. B. Morgan,
Board of County Road Viewers"

It appearing that said report has been read in open court on two different days of this term of this court immediately prior to this date, and it appearing further to the court that the report of said board of road viewers is favorable to the proposed alteration of said road and recommends that said alteration be made, and all the proceedings herein appearing to be legal and according to law, and no remonstrance or claim for damages having been filed herein and no cause having been shown why said proposed alteration should not be made,

It is therefore CONSIDERED AND ORDERED that the report of the Board of Road Viewers be, and the same is, hereby adopted and that the proposed changes in said roads be made between the points and along the line described in the resolution of this court on January 5th, 1939.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie 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 LaGrande, in said county and state, on Wednesday, the 5th day of April, AD, 1939, 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,
Chris Johnson, Commissioner,
Alex McKenzie, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Wednesday, the 5th day of April, AD, 1939, or the 1st judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the altering,
re-establishing and changing the
direction of a portion of county
roads No. 197, 280 and 527.

Now at this time this matter comes on to be heard for the reading of the report of the Board of Viewers heretofore filed, and said report having been duly read,

It is CONSIDERED AND ORDERED that this matter be and the same is hereby continued until Thursday April 6th, at 10:00 o'clock, A.M.

U. G. Couch County Judge,
Chris Johnson Commissioner,
Alex McKenzie Commissioner.