

IN PROBATE

UNION COUNTY
OREGON

ESTATE OF

Clyde E. Zimmerman
Deceased

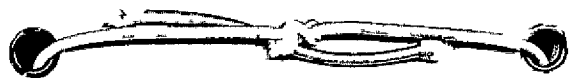
Emma Zimmerman
Executrix

ATTORNEYS

E. C. G. [unclear]



752



In re vacation of
portions of what is
known as Tucker
Flat Road

Aug 6-1942



152
IN THE COUNTY COURT OF THE STATE OF OREGON FOR THE COUNTY OF UNION

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

WHEREAS, it appears to the County Court of Union County, Oregon, that portions of what is known as Tucker Flat Road, more particularly described as follows:

Beginning at a point approximately 650 ft east of the 1/4 Sec Corner between Sections 21 and 28, thence N30° W 751 ft, thence North to Center Section 21, thence west 1/4 mile, thence north 1/2 mile, thence west 1/4 mile, thence north 1/4 mile, thence N48° 10' E 200 ft, thence N58° 35' E 410 ft, thence N4° 10' E 435 ft, thence N2° 10' E 900 ft, thence N7° 30' E 1125 ft, thence N4° 30' E 675 ft,

Also beginning at a point approximately 1230 ft East of the Section corner sections 7, 8, 17 and 18, thence west 500 ft, thence north 700 ft, thence west 170 ft, same section, township and range,

are useless as a part of the general road system of Union County and are burdensome to maintain, that a new road has been constructed which takes the place of the above portions of road, and

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

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

Done and dated at La Grande, Oregon, April 2nd, 1942.

U. G. Couch, County Judge,
Alex McKenzie Commissioner,
Chris Johnson 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 1st day of April, AD, 1942, 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 2nd day of April, 1942, or the 2nd judicial day of said term, among others, the following proceedings were had, to-wit:

In the matter of the vacation of portions
what is known as Tucker Flat Road
in Sections 8-17-16-21 T6S,R38,EWM.

At this time, it appearing that this court has adopted a resolution declaring its intention to undertake such proceedings as are required by law, to vacate a portion of the Tucker Flat Road in Sections 8, 17, 16 and 21, Tp 6S, R38, EWM,

It is ORDERED that the County Engineer be, and he is, hereby directed to examine that portion of said road proposed to be vacated and to file a report in writing setting forth his recommendations as to the vacation of said road, said report to be filed prior to May 6th, 1942.

U. G. Couch, County Judge,
Alex McKenzie Commissioner,
Chris Johnson 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 6th day of May AD, 1942, 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 7th day of May AD, 1942, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, it appearing to the court that the County Engineer has filed a report in writing recommending that portions of Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, be vacated,

It is CONSIDERED AND ORDERED that Thursday, July 2nd, 1942, at 10:00 o'clock, A.M., be and the same is hereby fixed as the time for hearing said report;

It is FURTHER CONSIDERED that the County Engineer post notices as required by law notifying all persons of the time and place of said hearing.

U. G. Couch, County Judge,
Alex McKenzie Commissioner,
Chris Johnson 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 3rd day of June AD, 1942, 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 4th day of June AD, 1942, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, it appearing to the Court that the County Engineer did not post notices as required by law, and as ordered by this Court on May 7th, 1942, and that a new date for hearing the report of the County Engineer regarding the vacation of portions of the Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, should be fixed,

It is CONSIDERED AND ORDERED that Thursday, August 6th, 1942, at 10:00 o'clock, AM, be and the same is hereby fixed as the time for hearing said report.

It is FURTHER CONSIDERED that the County Engineer post notices as required by law notifying all persons of the time and place of said hearing.

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

NOTICE OF ROAD VACATION

NOTICE IS HEREBY GIVEN, that the County Court of Union County, Oregon, will on the 6th day of August, 1942, at the County Court Room at La Grande, Oregon, at the hour of 10:00 o'clock in the forenoon of said date, hear the report of the County Engineer of Union County made upon his survey, for the vacation of that portion of County Road No. "Tucker Flat Road", described as follows:

Beginning at a point approximately 650 feet east of the Quarter Corner between Sections 21 and 28, Tp 6S, R38, EWM, thence N 30° W 751 feet, thence north to center section 21, thence west 1/4 mile, thence north 1/2 mile, thence west 1/4 mile, thence north 1/4 mile, thence North 48° 10' E 200 feet, thence North 58° 35' E 410 feet, thence North 4° 10' East 435 feet; thence North 2° 10' East 900 feet, thence North 7° 30' East 1125 feet, thence North 4° 30' East 675 feet.

Also beginning at a point approximately 1230 feet east of the section corner sections 7, 8, 17 and 18, thence west 500 feet, thence north 700 feet, thence west 170 feet.

All persons concerned or having objections to the vacation of said above described portions of said road or to the report of the County Engineer relative thereto, may appear and be heard at said time and place.

Witness the Honorable U. G. Couch, County Judge, Chris Johnson, Commissioner, and Alex McKenzie, County Commissioner, of Union County, Oregon, with the seal of the County Court affixed this 4th day of June, 1942.

Attest: C. K. McCormick,
County Clerk and ex-officio Clerk of
the County Court of Union County, Oregon,

By *[Signature]* Deputy.

OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON

May 5, 1942

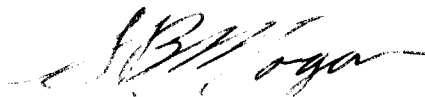
To the Honorable County Court of Union County.

Dear Sir:

I beg leave to report that on the 15th day of April 1942, in pursuance with said order I proceeded to view out portions of the Tucker Flat road in sections C-17-16 and 21T6SR36W. Portion of that Tucker Flat road to be closed is shown in red on the accompanying map. It also shows the new Tucker Flat road which has been constructed to take the place of a portion of the old road. After the new Tucker Flat road was constructed portion of the old road adds nothing to the convenience of the house-holders and is an added expense to the County to maintain, therefore the public will be benefited by the closure of the same.

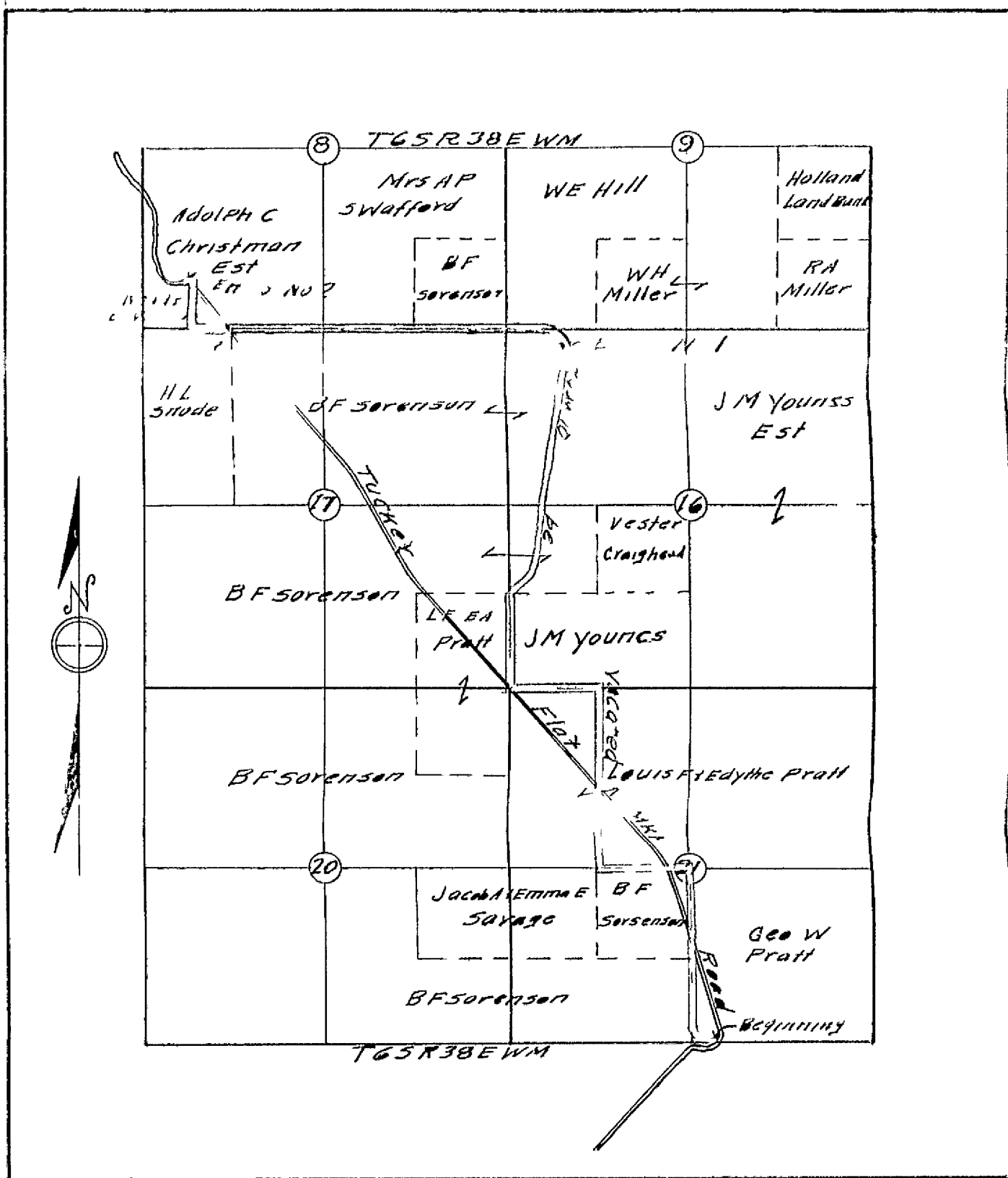
I therefore recommend that the said portions of the Tucker Flat road be closed as a public highway of Union County Oregon.

Respectively submitted,



County Engineer.

SEM:H

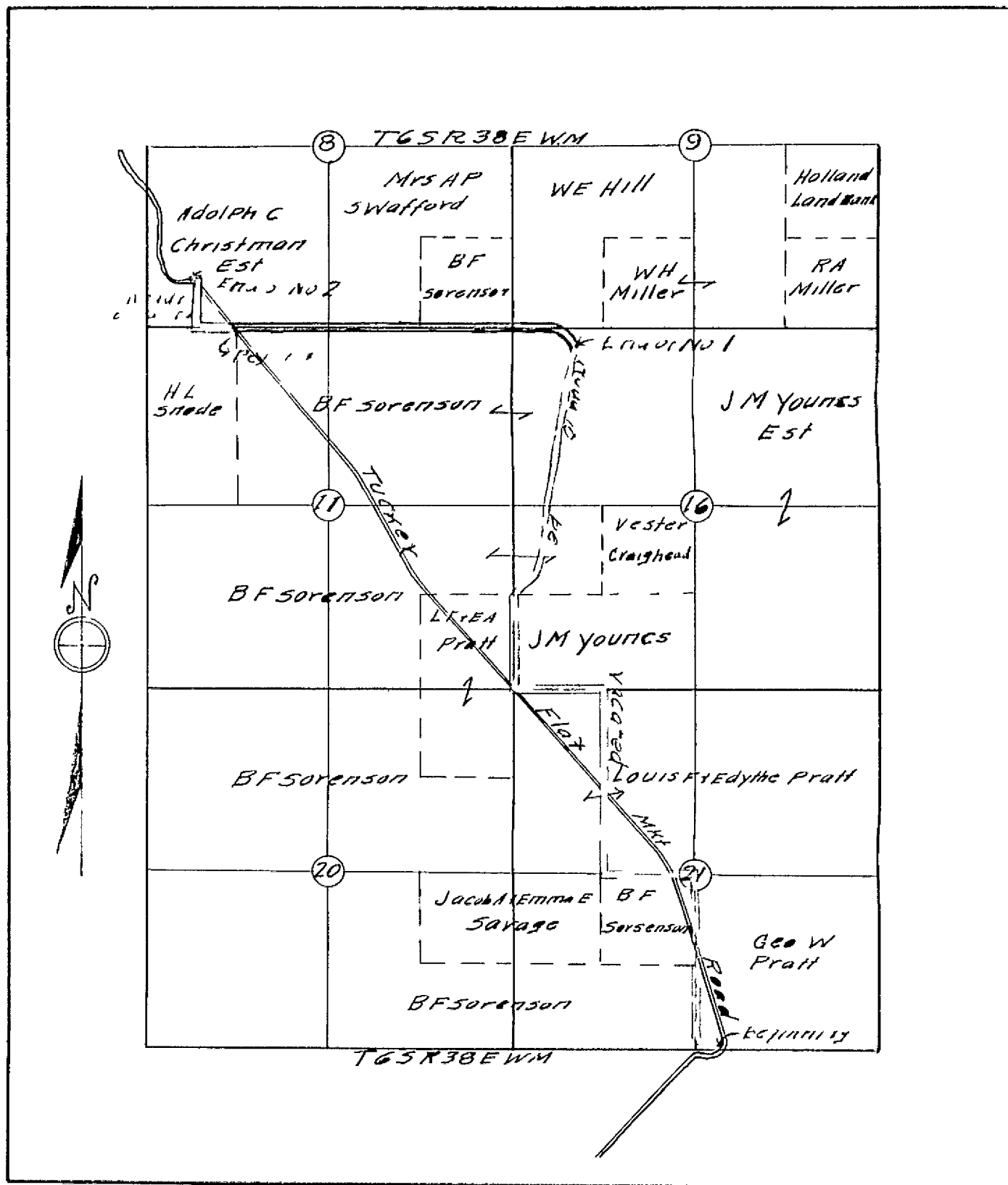


Notice of Road Vacation in T65R38EWM

That portion shown in red to be closed

Beginning at a point approximately 650ft east of the $\frac{1}{4}$ sec corner between sections 21 and 28 thence N30°W 751ft, thence North to center section 21, thence west $\frac{1}{4}$ mile, thence North $\frac{1}{2}$ mile, thence West $\frac{1}{4}$ mile thence North $\frac{1}{4}$ mile thence N48°10' E 200ft, thence N58°35' E 410ft, thence N41°0' E 435ft, thence N21°0' E 900ft, thence N13°0' E 1125ft, thence N43°0' E 615ft end of No 1

Beginning at a point approximately 1230ft east of the section corner sections 7, 8, 11 and 18, thence west 500ft, thence North 700ft, thence west 170ft to end of No 2



Notice of road vacation in T6SR38EWM

That Portion Shown in red to be Closed

Beginning at a point approximately 650ft east of the 1/4 sec Corner between sections 21 and 28 thence N30°W 151ft, thence North to Center section 21, thence West 1/4 mile, thence North 1/2 mile, thence West 1/4 mile thence North 1/4 mile thence N48 10 E 200ft, thence N58 35 E 410ft, thence N4 10 E 435ft, thence N2 10 E 90ft, thence N 1 30 E 1125ft, thence N4 30 E 615ft end of No 1

Beginning at a point approximately 1230ft east of the section corner sections 18 17 and 18 thence West 500ft, thence North 700ft, thence West 170ft

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 August AD, 1942, 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 August AD, 1942, or the 2nd judicial day of said term, among others the following proceedings were had, to-wit:

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, the above entitled matter comes on for hearing upon the report of the County Engineer on the proposed vacation of portions of Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, more particularly described as follows, to-wit:

Beginning at a point approximately 650 ft east of the 1/4 Sec. Corner between Sections 21 and 28, thence N30° W 751 ft, thence North to Center Section 21, thence West 1/4 mile, thence North 1/2 mile, thence West 1/4 mile, thence North 1/4 mile, thence N48° 10' E 200 ft, thence N58° 35' E 410 ft, thence N4° 10' E 435 ft, thence N2° 10' E 900 ft, thence N7° 30' E 1125 ft, thence N4° 30' E 675 ft.

Also beginning at a point approximately 1230 ft east of the section corner sections 7, 8, 17 and 18, thence west 500 ft, thence north 700 ft, thence west 170 ft.

and it appearing to the court from said report that the portions of said road proposed to be vacated are no longer useful as a part of the general road system of the county and are burdensome to maintain, and it further appearing from the affidavit of posting on file that the County Engineer, more than 30 days prior to August 6th, 1942, the date set for hearing the Engineer's report, posted 3 notices of the hearing in the vicinity of those portions of said 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 said hearing, and it further appearing that no person has appeared to object to, or remonstrate, against said vacation,

It is therefore CONSIDERED AND ORDERED that the portions of said Tucker Flat Road above described be, and the same are hereby, vacated.

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

SECOND JUDICIAL DAY

THURSDAY, APRIL 2nd, 1942

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

WHEREAS, it appears to the County Court of Union County, Oregon, that portions of what is known as Tucker Flat Road, more particularly described as follows:

Beginning at a point approximately 650 ft east of the 1/4 Sec. corner between Sections 21 and 28, thence N30° W 751 ft, thence North to Center Section 21, thence west 1/4 mile, thence north 1/2 mile, thence west 1/4 mile, thence north 1/4 mile, thence N48° 10' E 200 ft, thence N58° 35' E 410 ft, thence N4 10' E 435 ft, thence N2° 10' E 900 ft, thence N7° 30' E 1125 ft, thence N4 30' E 675 ft,

Also beginning at a point approximately 1230 ft East of the Section corner Sections 7, 8, 17 and 18, thence west 500 ft, thence north 700 ft, thence west 170 ft, same section, township and range,

are useless as a part of the general road system of Union County and are burdensome to maintain, that a new road has been constructed which takes the place of the above portions of road, and

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

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

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

At this time, it appearing that this court has adopted a resolution declaring its intention to undertake such proceedings as are required by law, to vacate a portion of the Tucker Flat Road in Sections 8, 17, 16 and 21, Tp 6S, R38, EWM,

It is ORDERED that the County Engineer be, and he is, hereby directed to examine that portion of said road proposed to be vacated and to file a report in writing setting forth his recommendations as to the vacation of said road, said report to be filed prior to May 6th, 1942.

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.

County Judge,
Commissioner,
Commissioner.

SECOND JUDICIAL DAY

THURSDAY, MAY 7th, 1942

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the monthly report of the County Treasurer and credits given him.

Comes now Al Harlow, Treasurer of Union County, Oregon, and presents to the court certain vouchers, warrants, and receipts showing that he has paid out of the various funds of the county certain sums of money. And it appearing to the court, from an examination of said vouchers and warrants, that the sums have been duly paid out of the funds applicable thereto; that the warrants were regularly issued on the order of the court, and that the Treasurer should have credit upon his account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

82 General Fund Warrants	\$ 7,864.28
86 Road Fund Warrants	4,751.14
42 Market Road Fund Warrants	2,402.98
1 Indigent Soldier Fund Warrant	48.23
3 Employee Bond Fund Warrants	357.45
1 Law Library Fund Warrant	10.00
1 Receipt, High School Fund	7,452.77
1 Receipt, School Fund	12,107.90
1 Receipt, Elementary School Fund	11,877.00
11 Receipts, Cities, Spl Tax	20,729.80
61 Receipts, School Dist, Spl Tax	<u>54,480.37</u>
	\$122,081.92

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, it appearing to the court that the County Engineer has filed a report in writing recommending that portions of Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, be vacated,

It is CONSIDERED AND ORDERED that Thursday, July 2nd, 1942, at 10:00 o'clock, A.M., be and the same is hereby fixed as the time for hearing said report;

It is FURTHER CONSIDERED that the County Engineer post notices as required by law notifying all persons of the time and place of said hearing.

SECOND JUDICIAL DAY

THURSDAY, JUNE 4th, 1942

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

County Judge,
Commissioner,
Commissioner.

Due proclamation of the opening of court having been made, the following proceedings were had, to-wit:

In the matter of the monthly report of the County Treasurer and credits given him.

Comes now Al Harlow, Treasurer of Union County, Oregon, and presents to the court certain vouchers, warrants, and receipts showing that he has paid out of the various funds of the county certain sums of money. And it appearing to the court, from an examination of said vouchers and warrants, that the sums have been duly paid out of the funds applicable thereto; that the warrants were regularly issued on the order of the court, and that the Treasurer should have credit upon his account for the same,

It is therefore ORDERED that said vouchers, receipts, etc., be filed and the Treasurer be given credit therefor as follows:

105 General Fund Warrants	\$8,033.70
36 Road Fund Warrants	9,071.27
1 Indigent Soldier Fund Warrant	24.02
34 Market Road Fund Warrants	1,048.81
3 Law Library Fund Warrants	70.00
3 Employees' Bond Fund Warrants	234.25
83 Receipts, School Dist, Spl Tax	64,133.69
12 Receipts, Cities, Spl Tax	22,702.81
1 Receipt, PUD Fund	2,808.65
1 Receipt, High School Fund	21,987.17
1 Receipt, School Fund	8,489.58
1 Receipt, Elementary School Fund	<u>4,960.52</u>
	\$143,564.47

In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, it appearing to the court that the County Engineer did not post notices as required by law, and as ordered by this Court on May 7th, 1942, and that a new date for hearing the report of the County Engineer regarding the vacation of portions of the Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, should be fixed,

It is CONSIDERED AND ORDERED that Thursday, August 6th, 1942, at 10:00 o'clock, A.M., be and the same is hereby fixed as the time for hearing said report.

It is FURTHER CONSIDERED that the County Engineer post notices as required by law notifying all persons of the time and place of said hearing.

SECOND JUDICIAL DAY

THURSDAY, AUGUST 6th, 1942.

Court met pursuant to adjournment.

Present: Same officers as on last judicial day.

Due proclamation of the opening of court having been made, the journal of the last day's proceedings was read, approved and is here now signed.

County Judge,
Commissioner,
Commissioner.

Whereupon the following proceedings were had, to-wit:

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In the matter of the vacation of portions of what is known as Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM.

Now at this time, the above entitled matter comes on for hearing upon the report of the County Engineer on the proposed vacation of portions of Tucker Flat Road in Sections 8, 17, 16 & 21, Tp6S, R38, EWM, more particularly described as follows, to-wit:

Beginning at a point approximately 650 ft east of the 1/4 Sec. Corner between Sections 21 and 28, thence N30° W 751 Ft, thence North to Center Section 21, thence West 1/4 mile, thence North 1/2 mile, thence West 1/4 mile, thence North 1/4 mile, thence N48° 10' E 200 feet, thence N58° 35' E 410 ft, thence N4° 10' E 435 ft, thence N2° 10' E 900 ft, thence N7° 30' E 1125 ft, thence N4° 30' E 675 ft.

Also beginning at a point approximately 1230 ft east of the section corner sections 7, 8, 17 and 18, thence west 500 ft, thence north 700ft, thence west 170 ft,

and it appearing to the court from said report that the portions of said road proposed to be vacated are no longer useful as a part of the general road system of the county and are burdensome to maintain, and it further appearing from the affidavit of posting on file that the County Engineer, more than 30 days prior to August 6th, 1942, the date set for hearing the Engineer's report, posted 3 notices of the hearing in the vicinity of those portions of said 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 said hearing, and it further appearing that no person has appeared to object to, or remonstrate, against said vacation,

It is therefore CONSIDERED AND ORDERED that the portions of said Tucker Flat Road above described be, and the same are hereby, vacated.

In the matter of the cancellation of the contract of F. L. Stevens for the purchase of real property from Union County.

Now at this time, it appearing to the court that on December 14th, 1940, F. L. Stevens entered into a contract with the County Court of Union County, Oregon, for the purchase of the following described real property, to-wit:

Lots 6, 7 & 8, Block 18, North Elgin, Elgin, Oregon,

the said real property having been foreclosed by Union County, Oregon, for delinquent taxes, and caused to be advertised for sale in accordance with the laws pertaining thereto; that said contract provided that certain sums of money be paid to Union County by the said purchaser on specified dates. And it further appearing to the court that the said purchaser has defaulted in the payments due on the contract, thereby constituting a breach of the conditions of the agreement,

Now therefore, it is CONSIDERED, ORDERED AND ADJUDGED that said F. L. Stevens be, and he is hereby declared, in default for payments due on his contract, and it is FURTHER ORDERED that the contract between said F. L. Stevens and the County Court of Union