

771

Vacation of
Portion of
Road No 153

EXPANDING
ENVELOPE

QUANTITY
SERIALS

SMITHSONIAN INSTITUTION
WASHINGTON, D. C.

Northwest quarter
range 39 east of the Willamette Meridian lying
Weston-Flgin Highway, more particularly describe as follows

Commencing at a point 40 rods south of the northwest corner of the
quarter of northeast quarter of said section 16, and
running thence east 665 feet, more or less, to the southerly line
of the Weston-Flgin highway, thence northwest along the southerly
line of said highway to a point on the section subdivision line
due north of the point of beginning, thence south 100 feet, more
or less, to the point of beginning. Subject to roads as same may
appear of record or exist thereon.

EXCEPTING that part of said parcel of land conveyed to LeRoy Kelley
and wife by deed dated June 24, 1948 (deed book 116, page 470), said
exception being a parcel of land 116 feet east and west near the
easterly end of said triangular tract

Stark property

Beginning 25 feet west of a point which is 49 rods west and 40 rods
north of the southeast corner of the southwest quarter of northeast
quarter of Section 16, township 1 north, range 39 East of the Willamette
Meridian (being a point west of the same point described as being 31
rods east and 40 rods north of the center of said section), running
thence south 100 feet, thence north 106 feet, thence northeasterly
to a point 116 feet east of the point of beginning, thence continuing
north to the southerly line of the highway known as Flgin-Weston
Highway, thence Northwesterly along the southerly line of said
highway to a point due north of the point of beginning, thence
south to the point of beginning

Commencing at a point 32 rods west and 20 rods north of the southwest
corner of the east half of northeast quarter of Section 16, township
1 north, range 39 east of the Willamette Meridian, running thence
east 2 rods, thence north 20 rods, thence east 19 rods, thence
south 20 rods, thence east 17 rods to the point of beginning

SAVE and EXCEPTING therefrom the following described tract of land,
to-wit Commencing at a point 49 rods west and 40 rods north of the
Southeast corner of the southwest quarter of the Northwest quarter
of Section 16, township 1 north Range 39 EWM, being the same point
described as being 31 rods east and 40 rods north of the center of
said section, running thence south 100 feet, thence east 31 feet,
thence north 106 feet, thence northwesterly to the point of beginning,
thence west 91 feet to the point of beginning

ALSO EXCEPTING that parcel of land in the northeast corner of said
premises (to-wit, for the Weston-Flgin State Highway, and subject
to easements for Ligation Hitches and County Roads as same may now
exist

BE IT REMEMBERED, that at a regular term of the County Court of the State of Oregon, for the County of Union in probate sitting, begun and held at the Court House in the City of La Grande, in said County and State, on Monday, the _____ day of _____ A. D., 19____, the same being the first Monday of said month and the time fixed by law for holding a regular term of said Court, when were present:

The Honorable C. K. McCORMICK, County Judge,
C. L. GRAHAM, Clerk,
H. A. KLINGHAMMER, Sheriff.

When, on Wednesday, the 3rd day of Sept A. D., 1958
or the _____ 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 #453

ORDER

Sign

WHEREAS on the 3rd day of September, 1958, at the 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 Courthouse in the City of LaGrande in said County and State on Wednesday the 3rd day of September, 1958, the same being the first Wednesday of said month and the time fixed by the law for holding of a regular term of said Court; and it appearing to the Court that a certain portion of County Road #453 is no longer used as a part of the general road system of Union County and said Resolution having been duly signed by the said C. K. McCormick, Herbert J. Speckhart and Ray C. Baum; and whereas at the present time there is no County Surveyor or County Road Master, but that the said Ray C. Baum has been acting as the County Road Master; and whereas it is required by law generally and ORS 368.570 that the County Surveyor or County Road Master examine the road and make a report in writing on said road setting forth whether in his opinion the road should be vacated, whether the road is, or has been in use, whether it will be advisable to preserve the road for a general road system in the future, or whether the public will be benefited by the vacation and all other facts, merits and things which are of importance to the County Court;

AND WHEREAS it is required by law generally and ORS 368.575 specifically that the County Court in session shall fix a date for hearing the report mentioned in ORS 368.570 and that the County Court shall cause notice of the hearing to be given by advertisement posted at the place of holding County Court and at three public places in the vicinity of the road, at least thirty (30) days before the date set for hearing, and that proof that said notice has been given shall be made by the Affidavit of the person directed by the County Court to pose the notices; NOW THEREFORE,

IT IS HEREBY ORDERED by the above entitled Court that Ray C. Baum shall make a written report as the acting County Road Master in compliance with ORS 368.570; that the date for the hearing of said report shall be Wednesday, October 1st, 1958. That the said Ray C. Baum shall post the notices of hearing at the County Courthouse and at three public places in the vicinity of the road at least thirty (30) days prior to the 1st day of October, 1958 and that the said Ray C. Baum shall make proper proof of notice by affidavit.

C. K. McCormick
COUNTY JUDGE

H. J. Speckhart
Commissioner

Ray C. Baum
Commissioner

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. 453

5/536

At this time it appearing that the Court has adopted a resolution declaring it's intention to undertake such proceedings as are required by law to vacate that portion of County Road No 453, located within the lands of Clarence E. Merritt and Olive V. Merritt, and Clyde L. Stark, situated in the Southwest quarter of the Northeast quarter of Section 16, Township 1 North, Range 39, E. W. M., Union County, Oregon.

It is ORDERED that the Acting County Roadmaster, be hereby directed to examine that portion of said road proposed to be vacated, and to file a report in writing setting forth his recommendation as to the vacation of said road.

W. K. McCormick

County Judge

H. J. Speckhart.

Commissioner

Ray C. Baum
Commissioner

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. 453.

9/23/58

On this 4th. day of September, 1958, it appearing to the court that the Acting County Roadmaster has filed a report recommending that a portion of County Road No. 453 be vacated.

It is CONSIDERED and ORDERED that Thursday, November 6, 1958, at 10:00 A. M., and the Court House in La Grande, Oregon, be fixed as the time and place for the hearing of said report.

It is further ORDERED that the Acting County Roadmaster post notices as required by law notifying all person of the time and place of said hearing.

W. M. McCormick

County Judge

H. J. Speckhart
Commissioner

Ray C. Baum
Commissioner

NOTICE OF ROAD VACATION

NOTICE IS HEREBY GIVEN that the County Court of the County of Union, Oregon, will on the ~~1st~~ ^{6th} day of ~~October~~ ^{November}, 1958, at the County Court Room at LaGrande, Oregon, at the hour of 10 o'clock in the forenoon consider the report of Ray C. Baum as the acting County Road Master of Union County made upon his examination in the matter of the proposed vacation of that portion of County Road #453 described as running through and over certain real properties belonging to Clarence E. Merritt and Olive V. Merritt, husband and wife and Clyde L. Stark, and more particularly described respectively as follows:

ALL persons concerned or having objections to the vacation of said above described portion of said road or to the report of the County Road Master relative thereto may appear and be heard at said time and place.

WITNESS the Honorable C.K. McCormick, County Judge, Ray C. Baum and Herbert Speckhart County Commissioners of Union County, Oregon, with the seal of the County Court fixed this ~~4th~~ ^{5th} day of ~~August~~ ^{September}, 1958.

ATTEST

[Signature]
Ex-officio Clerk of the County Court of Union County, Oregon

C. K. McCormick
H. J. Speckhart
Ray C. Baum

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. 453

I, Ray C. Baum, Acting Roadmaster of Union County, Oregon, do hereby certify that pursuant to an order of the County Court of Union County, dated September, 3, 1958, I did view that portion of County Road No. 453 located within the lands of Clarence E. Merritt and Olive V. Merritt and Clyde L. Stark, and situated in the Southwest quarter of the Northeast quarter of Section 16, Township 1 North, Range 39, E. W. M., Union County, Oregon.

In my opinion, the portion of County Road No. 453, proposed to be vacated is no longer useful as a part of the general road system of Union County, as it has been replaced by the Weston-Elgin State Highway, and is not travelled by the public. I, therefore, recommend that the same be vacated.

Dated this 4th. day of September,
1958

Respectfully submitted,

Ray C. Baum

Acting County Roadmaster.

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

In the matter of the vacation of a
portion of County Road No. 453.

State of Oregon)
) ss
County of Union)

I, Ray C. Baum, acting Roadmaster of Union County, Oregon, being first duly sworn, say that I posted three several notices, of which the notice hereto attached is a true and correct copy, in three public places in Union County, Oregon, in the vicinity of that portion of County Road No. 453 therein described and proposed to be vacated, to-wit: one on a tree at the beginning of the portion of the road proposed to be vacated, one on a tree about midway between the beginning and the terminus of the portion proposed to be vacated, and one on a tree at the terminus of the portion of the road proposed to be vacated, thirty days previous to the date fixed by the County Court for the hearing of the report of the Acting County Roadmaster, on said proposed vacation, to-wit: the 11th. day of September, 1958. I further say that I posted a true and correct copy of said notice at the place of holding County Court for Union County, Oregon, to-wit: on front of the Court House, in the City of La Grande, in said County and State, on September 11, 1958, which date was more than thirty days previous to the time fixed for hearing the report of the ~~County Engineer~~ Acting County Roadmaster, in the matter of said proposed vacation.

✓ Ray C. Baum

Subscribed and sworn to before me this 5th. day of November,
1958.

[Signature]
County Clerk of Union County, Oregon

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

IN THE MATTER OF THE VACATION OF A
PORTION OF COUNTY ROAD # 453.

RESOLUTION OF VACATION

WHEREAS it appears to the County Court of Union County, Oregon, that a portion of County Road #453 which runs through and over certain real properties belonging to Clarence E. Merritt and Olive V. Merritt, husband and wife as tenants by the entirety and Clyde L. Stark, an unmarried divorced man, and more particularly described respectively as follows:

Merritt's property:

All that portion of the northwest quarter of southwest quarter of northeast quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of section 16, township 1 north, range 39 east of the Willamette Meridian, lying south of the Weston-Elgin Highway, more particularly described as follows:

Commencing at a point 40 rods south of the northwest corner of the southwest quarter of northeast quarter of said section 16, and running thence east 685 feet, more or less, to the southerly line of the Weston-Elgin highway; thence northwesterly along the southerly line of said highway to a point on the sectional subdivision line due north of the point of beginning; thence south 160 feet, more or less, to the point of beginning. Subject to roads as same may appear of record or exist thereon.

EXCEPTING that part of said parcel of land conveyed to LeRoy Kelley and wife by deed dated June 24, 1948 (deed book 116, page 470), said exception being a parcel of land 116 feet east and west near the easterly end of said triangular tract.

Stark property:

Beginning 25 feet west of a point which is 49 rods west and 40 rods north of the southeast corner of the southwest quarter of northeast quarter of Section 16, township 1 North, range 39 East of the Willamette Meridian (being 25 feet west of the same point described as being 31 rods east and 40 rods north of the center of said section); running thence south 100 feet; thence east 106 feet; thence northeasterly to a point 116 feet east of the point of beginning; thence continuing north to the southerly line of the highway known as Elgin-Weston Highway; thence Northwesterly along the southerly line of said highway to a point due north of the point of beginning; thence south to the point of beginning.

Commencing at a point 32 rods west and 20 rods north of the southwest corner of the east half of northeast quarter of Section 16, township 1 north, range 39 east of the Willamette Meridian; running thence east 2 rods; thence north 20 rods; thence west 19 rods; thence south 20 rods; thence east 17 rods to the point of beginning.

SAVE and EXCEPTING therefrom the following described tract of land, to-wit: Commencing at a point 49 rods west and 40 rods north of the Southeast corner of the Southwest quarter of the Northeast quarter of Section 16, township 1 north, Range 39 EWM, being the same point described as being 31 rods east and 40 rods north of the center of said section; running thence south 100 feet; thence east 81 feet; thence northeasterly to a point 91 feet east of the point of beginning; thence west 91 feet to the point of beginning.

ALSO EXCEPTING the parcel of land in the Northeast corner of said premises conveyed for the Weston-Elgin State Highway; and subject to easements for irrigation ditches and County Roads as same may now exist.

THAT said portion of County Road #453 which runs through and over the above described premises is useless as a part of the general road system of Union County and has not been used by the public as a part of the general road system of Union County for many years and that the public is adequately served by the Weston-Elgin Highway and that it would, therefore, now be extremely burdensome to the County to maintain said road. That there is no land which is adjacent to that portion of said road above described inasmuch as the said Clarence E. Merritt and Olive V. Merritt and Clyde L. Stark own all property on either side of said road.

AND WHEREAS said portion of County Road #453 is no longer in use by the public and that the public will be benefited by the vacation of said portion of said road;

THEREFORE, BE IT RESOLVED that such proceedings as are required by law generally, and ORS 368.565, et seq, specifically, to vacate said above described portion of County Road #453 will be undertaken.

DATED and SIGNED at LaGrande, Union County, Oregon, this 3rd day of September, 1958.

CK McComick County Judge

H. J. Speckhart Commissioner

Ray C. Baum Commissioner

BE IT REMEMBERED that at a regular term of the County Court of the State of Oregon for the County of Union in probate sitting begun and held at the Court House in the City of La Grande in said County and State on Monday the day of A D 19 the same being the first Monday of said month and the time fixed by law for holding a regular term of said Court when were present

The Honorable C K McCORMICK County Judge
C L GRAHAM Clerk
JESSE BRDSHEARS Sheriff

When on *Thursday* the *6* day of *November* A D 19 *58*
or the 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 #453

ORDER

S/S/L

NOW AT THIS TIME, the above entitled matter comes on for hearing upon the report of the acting County Road Master on the proposed vacation of a portion of County Road #453 described as running through and over certain real properties belonging to Clarence E Merritt and Olive V Merritt, husband and wife and Clyde L Stark, and more particularly described as follows:

Merritt's property

That portion of the southwest quarter of the northeast quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$) of section 16, township 1 north, range 39 east of the Willamette Meridian, lying south of the Weston-Elgin Highway, more particularly described as follows

Commencing at a point 40 rods south of the northwest corner of the southwest quarter of northeast quarter of said section 16, and running thence east 685 feet, more or less, to the southerly line of the Weston-Elgin highway, thence northwesterly along the southerly line of said highway to a point due north of the point of beginning, thence south 150 feet, more or less, to the point of beginning subject to roads as same may appear of record or exist thereon

EXCEPTING that part of said parcel of land conveyed to LeRoy Kelley and wife by deed dated June 24, 1948 (deed book 116, page 470), said exception being a parcel of land 116 feet east and west near the easterly end of said triangular tract.

Stark property

Beginning 25 feet west of a point which is 49 rods west and 40 rods north of the southeast corner of the southwest quarter of northeast quarter of Section 16, township 1 North, range 39 East of the Willamette Meridian (being 25 feet west of the same point described as being 31 rods east and 40 rods north of the center of said section), running thence south 100 feet, thence east 106 feet, thence northeasterly to a point 116 feet east of the point of beginning, thence continuing north to the southerly line of the highway known as Elgin-Weston Highway, thence Northwesterly along the southerly line of said highway to a point due north of the point of beginning, thence south to the point of beginning

Commencing at a point 32 rods west and 20 rods north of the southwest corner of the east half of northeast quarter of Section 16, township 1 north, range 39 east of the Willamette Meridian, running thence east 2 rods, thence north 20 rods, thence west 19 rods, thence south 20 rods, thence east 17 rods to the point of beginning

SAVE and EXCEPTING therefrom the following described tract of land, to-wit Commencing at a point 49 rods west and 40 rods north of the Southeast corner of the Southwest quarter of the Northeast quarter of Section 16, township 1 north, Range 39 EWM, being the same point described as being 31 rods east and 40 rods north of the center of said section; running thence south 100 feet, thence east 81 feet, thence northeasterly to a point 91 feet east of the point of beginning, thence west 91 feet to the point of beginning

ALSO EXCEPTING the parcel of land in the Northeast corner of said premises conveyed for the Weston-Elgin State Highway, and subject to easements for irrigation ditches and County Roads as same may now

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 and is burdensome to maintain;

AND IT FURTHER APPEARING from the Affidavit of posting on file that the acting County Road Master, more than thirty (30) days prior to October 1st, 1958, the date set for hearing the said Report, posted three notices of the hearing in the vicinity of that portion of said road proposed to be vacated, and one notice at the place of holding County Court; that said notices remained posted at least thirty (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 portion of said road above described be, and the same is hereby vacated.

W. M. McCormick COUNTY JUDGE

H. J. Speckhart COMMISSIONER

Ray C. Baum COMMISSIONER