

No. 4573

IN THE
CIRCUIT COURT
UNION COUNTY OREGON

EQUITY

Georgia E. Lile

Plaintiff

vs

Lewis Jackson Lile

Defendant

Docket _____ Page _____

Leslie Crum

Attorney for Plaintiff

Attorney for Defendant

$\frac{10}{25}$ # 718

In re vacation of
portion of road #64

Deeded June 2, 1927

To the Honorable County Court of Union County, Oregon:

We the undersigned, all residents of Union County, Oregon, and owning lands adjoining the North and South lane at Imbler, Oregon, said lane now being dedicated to the public for a roadway, and said lane being described as follows:

The north and south lane lying between the east half and the west half of the southwest quarter of section twenty (20), Township one (1) south, and range thirty-nine (39) east; and extending from the county road on the south side of section twenty (20) said township and range to the Summerville Road lying between the north half and the south half of section twenty (20), Township one (1) south, and Range thirty-nine (39) east.

We desire that this lane be closed, and petition your honorable body to vacate said lane as a public roadway, and have the land now taken up by said lane revert to the adjoining property.

Since the completion of the State Highway System said lane has not been used as a lane of travel and no use whatever is being made of it by the public, so that there no longer remains a reason for keeping said lane open as a public roadway.

Clay Jr. 79 Imbler, Ore.
 Chas E Keenan Imbler Ore
 D. C. Osborn Imbler Ore
 Mrs. D. A. Osborn Imbler Ore.
 J. W. Conklin Imbler
 J. W. Berry Imbler Ore
 Don Baker
~~Spring A. W. Anderson Imbler Ore~~
 R. L. Perry Imbler Ore
 Ray H. Th... Imbler, Oregon
 Mrs. Chas. E. Keenan Imbler Ore.
 R. M. Bick Imbler Ore

To the Honorable Senate of the State of California

That the undersigned, citizens of the State of California, do hereby petition the Senate to take the following action:

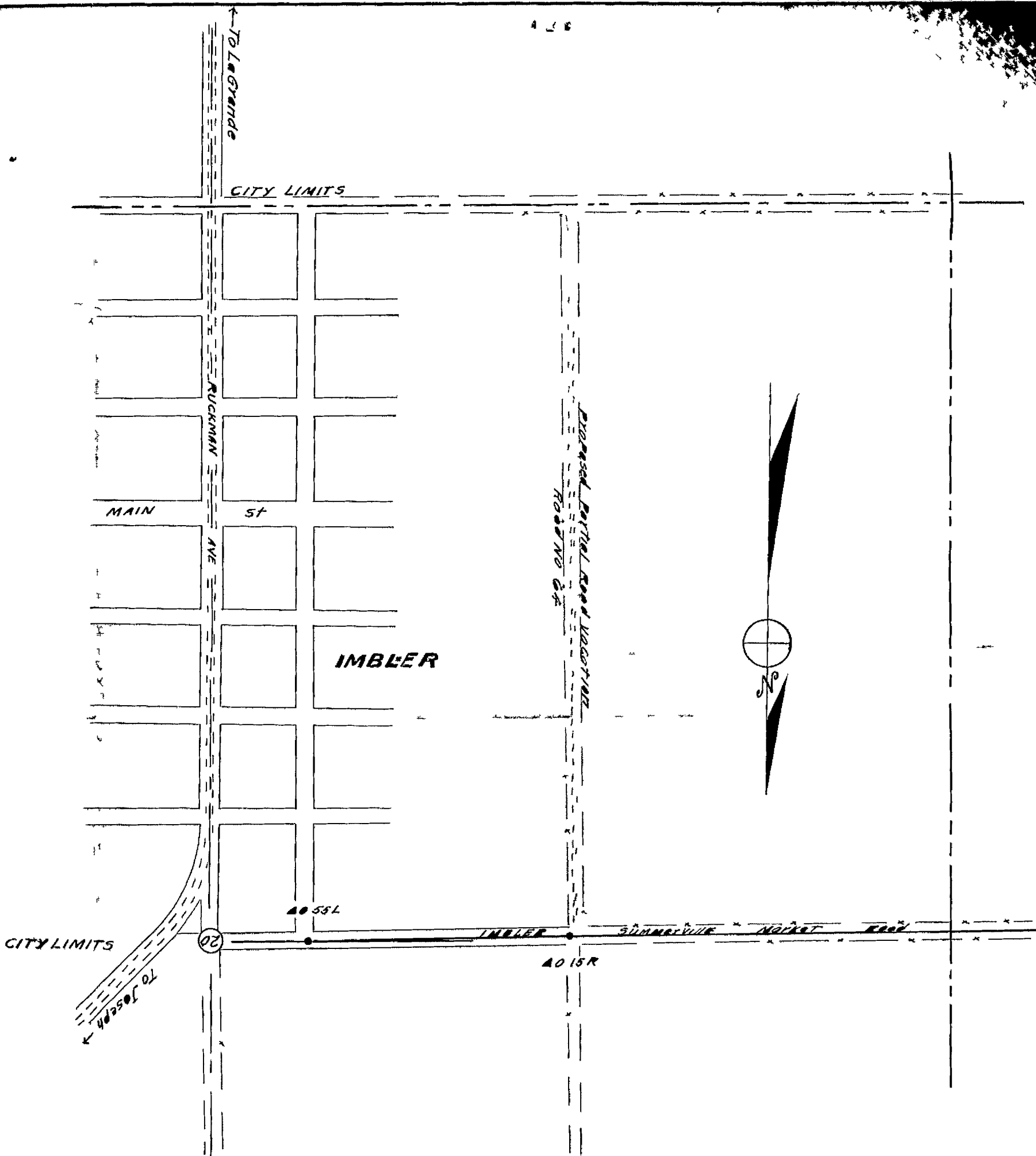
The undersigned do hereby petition the Senate to take the following action: to take the following action:

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Petition for
amendment of Road

St. Mark 3-1924
J. J. [Signature]
Secretary



**MAP SHOWING PROPOSED ROAD VACATION
ROAD NO 64**

All that portion of Road No 64 lying in the SW 1/4 of Sec 20 T15R39EWM, being more particularly described as follows. Beginning at a point approximately 1320ft West of the center of section 20 T15R39EWM said point being the intersection of said road with the Imbler Summerville Market Road thence South a distance of 2640ft

**OFFICE OF
COUNTY ENGINEER
COURT HOUSE
LA GRANDE, OREGON**

TO THE HONORABLE COUNTY COURT FOR UNION COUNTY, OREGON.

I beg leave to report that on the 5th day of March, 1927, in pursuance with said order, I proceeded to view out that portion of Road No. 64 one-quarter mile west of the city of Imbler. 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 expense to the County to maintain. I therefore recommend that said road be closed as a public highway of Union County.

Respectfully submitted,



County Engineer.

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 6th day of April, A. D., 1927, 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,
W. W. Stevens, Commissioner,
W. R. Ledbetter, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 7th day of April, A. D. 1927, 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. 64 petitioned for by Clay Fox, et al.

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

It is therefore CONSIDERED AND ORDERED that June 2nd, 1927, at 10:00 A.M. in the County Court room in the city of La Grande, Oregon, be fixed as the time and place for the hearing of said report 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,
W. W. Stevens Commissioner,
W. R. Ledbetter Commissioner.

NOTICE OF ROAD VACATION

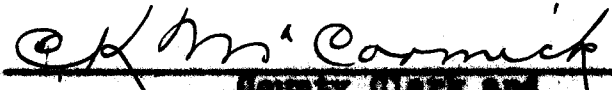
NOTICE IS HEREBY GIVEN, that the County Court of Union County Oregon, will on the 2nd day of June, 1927, at the County Court Room at La Grande, Oregon, at the hour of 10:00 o'clock in the forenoon of said date, hear the report of the County Roadmaster of Union County made upon his survey, pursuant to the petition of Clay Fox, et al., for the vacation of that portion of County Road No. 64 described as follows:

Beginning at a point approximately 1320 feet west of the center of Section 20, Twp 1 South, Range 39, EWM, said point being the intersection of said road No. 64 with the Imbler-Summersville Market Road, thence south a distance of 2640 feet.

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

Witness the Honorable U. G. Couch, County Judge, W. W. Stevens and W. R. Ledbetter, County Commissioners, of Union County, Oregon, with the seal of the County Court affixed this 7th day of April, 1927.

Attest


**County Clerk and
Exofficio Clerk of the County
Court of Union County, Oregon**

STATE OF OREGON, } ss.
County of Union }

I, S. B. Morgan being first duly sworn, say that I posted three several notices, of which the notice hereunto attached is a true and correct copy, in three public places in said county in the vicinity of ~~the place~~ **road proposed to be vacated** therein described, to-wit: One on a fence post at the south end of said road, one on a fence post near the middle of said road and one on a electric light pole at the north end of said road

Thirty days previous to the ~~presentation of the road petition therein mentioned~~ **date set for hearing the Roadmaster's report** to-wit: On the 28th day of April 19027, and that thereafter and thirty days previous to the ~~presentation of said road petition~~ **date set for hearing the report** therein mentioned, to-wit: On the 28th day of April 19027, I posted a true and correct copy of said notice at the place of holding Court for Union County, Oregon, to-wit: On the front of the Court House door, in the City of La Grande in said County and State, and that said notices remained posted thirty days previous **date set for hearing said report** to the ~~presentation of said petition~~ as I verily believe.

Subscribed and sworn to before me this 2nd day of June 19027.

S. B. Morgan
E. M. Carmick
County Clerk.

Feb June 2, 1937
@ R. H. Connors
Sentry Desk

We, the undersigned, residents of School District No. 11, interested in the matter of the proposed closing of the road west of the school property in Imbler, Oregon, hereby remonstrate to the proposed said closing for the following reasons, which we believe to be good and sufficient reasons for the non-closing of the said road.

You will find in place designated below the names of owners of property abutting this road who do not desire the road closed as it is a convenience to them and will depreciate the value of their property if closed. These abutting property owners, together with others who have signed the petition as interested residents, object to the closing of the road for divers reasons as follows:

The road is now in use by pupils attending the school, who find it more convenient to travel this road in preference to going to other roads giving access to the school grounds, and which roads would make them travel a considerable distance roundabout. The road itself provides a back entrance to the school yard for vehicles, which is a better condition than having all vehicles coming in through the front yard of the school grounds, and as a matter of public welfare this road is more convenient for travel for those who pass along the road with derricks or other machinery where it would be inconvenient to pass through the city streets of Imbler with the same, and this road is the only road paralleling the city streets running north and south between the two county roads at the city limits.

As a further reason, it is believed by the signers of this petition that the ones petitioning for the road to be closed have not looked towards the public welfare nor the fact that future developments might show a need of the road, and that the closing would damage other property owners who have the use of the public highway, and that they have looked more to their personal convenience than they have to the welfare of the general public.

Abutting property owners:

Mr. Poccia Imbler
Mrs. J. P. Poccia
L. Leslie Peck
Florence W. Peck

Ray Wilson
L. A. Stringham
J. L. Nestenskow
Mrs. M. H. Prior
M. J. Prior

Residents of School District No. 11:

E. L. Picheson
L. E. Anderson
R. M. McCoy
Mrs. L. K. Perry
L. K. Perry
Mrs. R. M. McCoy
Perry Lammiman
C. H. Tuttle
A. M. Anderson
L. W. Litch

W. H. Freeman
Mrs. L. A. Stringham
C. C. Hahn
Levi Wilson
H. A. Paul
C. E. Vaz
G. M. Ruckman
Albert Keger
Leonard B. Billings
N. C. Greene

Bert Tucker

Mrs W. E. Buchanan

E. M. Hale

J. A. Buchfell
Grant Tucker

W. H. Kirschuff

O. Pearson

J. P. Hudson

R. L. Baum

Ralph Hudson

Harold Goldsch

K. W. Stringham

Letta M. Goldrich

Mrs. R. D. Stringham

~~Raymond~~

W. H. Clear

Mrs. E. B. Blair

Mrs. Lyle Wilson

Mrs. H. A. Watson

Elmer West

J. A. Benjamin

A. Page

Willard Westenslow

R. H. Hudson

H. A. Anderson

H. G. Watson

Daniel Westenslow

R. H. Morgan

L. E. Jensen

Hans Carl Westenslow

Ed. M. Decker

F. M. Martin

J. W. Fehr

~~Oliver Westenslow~~

Chas. McFall

Wm. Westenslow

Samuel Morris

Mrs. Wm. Westenslow

M. J. Hansen

O. C. Buchanan

W. B. Richardson

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 June, A. D., 191²⁷, 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,
W. W. Stevens, Commissioner,
W. R. Ledbetter, Commissioner,
C. K. McCormick, Clerk,
Jesse Breshears, Sheriff.

WHEN, on Thursday, the 2nd day of June, A. D. 191²⁷, or the 2nd Judicial Day of said term, among others the following proceedings were had, to-wit:

In the matter of the petition of C. W. Fox, et al., for the vacation of a portion of County Road No. 64.

Now at this time this matter comes on for the consideration of the report of the county Roadmaster upon the vacation of a portion of County Road Number 64, petitioned for by C. W. Fox, et al., and the Court having considered said report, as well as a remonstrance filed against the vacation of said road, finds that said road is useful as a part of the general road system of Union County,

It is therefore CONSIDERED AND ORDERED that said petition be and the same is hereby denied.

U. G. Couch
W. W. Stevens
W. R. Ledbetter

County Judge,
Commissioner,
Commissioner.

SECOND JUDICIAL DAY

THURSDAY, APRIL 7th, 1927.

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.

H. G. Couch County Judge,
W. W. Stevens Commissioner,
W. R. Ledbetter Commissioner.

Whereupon the following proceedings were had, to-wit:

In the matter of the petition of Emmett E. Walker, et al., for the vacation of certain streets in East Addition to La Grande, Oregon.

Now at this time this matter comes on for hearing on the petition of Emmett E. Walker, et al., for the vacation of certain streets in East Addition to the city of La Grande, Oregon, and it appearing to the Court that due notice of the filing of said petition has not been given as required by law,

It is ORDERED that said petition be and the same is hereby continued for the term.

In the matter of the appropriation to the Juvenile Hospital for Girls at Portland, Oregon.

Now at this time this matter comes on for the consideration of the application of the Secretary of the Juvenile Hospital for Girls at Portland, Oregon, for the appropriation heretofore made to said institution and it appearing to the Court that at the time of the adoption of the budget for Union County for the year 1927 an appropriation of \$1000.00 for said Juvenile Hospital for Girls was included in said budget,

It is therefore ORDERED that the County Clerk draw a warrant on the General Fund of the County in favor of said Juvenile Hospital for Girls at Portland, Oregon, in the sum of \$1000.00.

In the matter of the vacation of a portion of county road No. 64 petitioned for by Clay Fox, et al.

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

It is therefore CONSIDERED AND ORDERED that June 2nd, 1927, at 10:00 A.M. in the County Court room in the city of La Grande, Oregon, be fixed as the time and place for the hearing of said report and the County Clerk is hereby directed to give notice of said hearing for the time and in the manner provided by law.

SECOND JUDICIAL DAY

THURSDAY, JUNE 2nd, 1927.

718
In the matter of the petition
of C. W. Fox, et al., for the
vacation of a portion of County
Road No. 64.

Now at thistime this matter comes on for the consideration of the report of the county Roadmaster upon the vacation of a portion of County Road Number 64 petitioned for by C. W. Fox, et al., and the Court having considered said report, as well as a remonstrance filed against the vacation of said road, finds that said road is useful as a part of the general road system of Union County,

It is therefore CONSIDERED AND ORDERED that said petition be and the same is hereby denied.

In the matter of the application
of the Union Live Stock Show
Association for an appropriation.

Now at this time this matter comes on for hearing upon the application of the Union Live Stock Show Association for an appropriation of \$500.00 and it appearing to the Court that said amount was provided for said Association in the budget of Union County for 1927 and that said budget was duly advertised and adopted as provided by law,

It is CONSIDERED AND ORDERED that the County Clerk be and he is hereby authorized and directed to draw a warrant on the General Fund of the County in favor of said Union Live Stock Show Association in the sum of \$500.00.

In the matter of the cancellation
of bonds authorized by Union County,
at an election held on the 11th day
of October, 1919.

Whereas, heretofore on the 11th day of October, 1919, the voters of Union County, Oregon, authorized the issuance of bonds in the amount of One Million, four hundred ninety-eight thousand dollars (\$1,498,000), which said bonds were authorized for the purpose of the building of permanent roads in said county, which said roads were at that time specified, and

Whereas, the County Court has proceeded since said time to build all of the permanent roads for the construction of which said bonds were authorized, and

Whereas, said permanent roads were constructed at a less sum of money than had been provided in said authorization, and the County issued One Million, one hundred thousand dollars (1,100,000) of said authorized bonds and has never issued three hundred ninety-eight thousand dollars (\$398,000) of said bonds, and

Whereas, said bonds being issued for permanent roads construction and Section 4628 Oregon Laws providing that the County Court shall not use any of the money so raised upon any other road than that for which authorized, nor for any other purpose, and the Court being unable to issue any of said three hundred ninety-eight thousand dollars (\$398,000) bonds, and deeming it for the best interest of the County that said bonds be cancelled,

Now therefore, it is ORDERED that the authorization of the remaining three hundred ninety-eight thousand dollars (\$398,000) bonds authorized at an election held on the 11th day of October, 1919, be, and the same is hereby cancelled and declared to be null and void, and of no effect, and said bonds shall not hereafter be issued for any purpose.