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In re application of CP Hutchens
& Jesse & Vera Hutchens to vacate
a H. or Road between Tracts 10 & 23
of Highway 10000 & Lots 12, 7 & 8
Block 15 of Town and Addition
to Lehighville

March 5, 1953

A

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

In the Matter of the Application of)
C. P. Hutchens and Jessie La Vera ()
Hutchens to Vacate a Street or Road ()
between Tracts 10 and 23 of Highway) PETITION
Acres and Lots 1, 2, 7 and 8 of Block ()
15 of Honan's Addition to La Grande, ()
Oregon ()
- - - - -)

To the Honorable County Court of Union County, Oregon:

Come now C. P. Hutchens and Jessie LaVera Hutchens, his wife, and by this petition respectfully show to the court:

That petitioners are the owners and in possession of Lots 1, 2 and 8 in Block 15, Honan's Addition to the city of La Grande, Union County, Oregon, and of Tract 10 of Highway Acres in Union County, Oregon; that Anna Conradt is the owner of Lot 7, Block 15 of said Honan's Addition, and James R. Gandy is the owner of Tract 23 of said Highway Acres;

That all of said land is located in a platted and subdivided tract or acreage outside the limits of any incorporated city or town and outside and near the city limits of the city of La Grande, Union County, Oregon;

That between Tracts 10 and 23 of said Highway Acres and Lots 1, 2, 7 and 8 of said Block 15 of Honan's Addition to La Grande, Oregon, there is a street or road platted thirty feet wide and extending from the Northwest corner of said Tract 23 in an Easterly direction along and butting the North boundaryline of said Tracts 10 and 23 of Highway Acres, and the South boundaryline of Lots 1, 2, 7 and 8 of said Block 15 of Honan's Addition to La Grande, Oregon;

That said platted street or road has never been opened to public travel and has been enclosed as a part of said lots and said tract. That said road is more particularly described as follows, to-wit:

- 1. Petition

Beginning at the Northwest corner of Tract 23 of Highway Acres and running thence East along the North boundary line of Tracts 23 and 10, Highway Acres, to the Northeast corner of said Tract 10, thence running North to the South boundary line of Lot 1, Block 15, Honan's Addition to the city of La Grande, Oregon, thence running West along the South boundary line of Lots 1, 7 and 8 of said Block 15 to the Southwest corner of said Lot 7 in Block 15, thence South to the place of beginning, said tract having been platted as 30 feet in width and located between said Highway Acres and said Honan's Addition, all in Union County, Oregon

That Highway Acres was platted and the plat filed and recorded in the office of the County Clerk of Union County, Oregon, on the 21st day of May, 1924, and that Honan's Addition to La Grande, Oregon, was platted and the plat filed and recorded on March 28, 1890; that more than twenty years has passed since said platting

and said street or highway has never been opened for use; that the vacation of said street would in no way affect, injure or damage any person, firm, association or corporation, and all persons or parties owning land bordering on said street so proposed to be vacated have access to his, her or their property from other streets and public highways which are open for use. That your petitioners own more than two-thirds of the property abutting upon said street or highway proposed to be vacated.

WHEREFORE, petitioners pray an order of the above entitled Court vacating the street or highway above described.

State of Oregon
ss
County of Union

Jessie La Vera Hutchens
Petitioners

We, the undersigned, being first duly sworn, each for himself and not one for the other, depose and say: That we are the petitioners in the foregoing petition, and that the said petition is true as I verily believe.

Subscribed and sworn to before me this 29 day of Aug. 1952.

Annelle Johnson
Notary Public for Oregon
My commission expires Mar 25, 1955

*Petition for
Receiving a
Check in
Highway Bonds*

FILED

SEP 22 1952

C. L. BRAXHAM
COUNTY CLERK

BY

[Handwritten signature]

CONSENT TO VACATION

We, the undersigned, being the owners of all of the real property immediately adjoining the road or street proposed to be vacated by the within petition, do hereby expressly CONSENT to such vacation, and join in said petition.

Dated this 15th day of Sept 1957

Mr James A Handy
Mrs Bertha Handy

State of Oregon

ss

County of Union

BE IT REMEMBERED, that on this 15th day of September 1957, before me, the undersigned, a Notary Public in and for said county and state, personally appeared the within named James A Handy and Bertha Handy his wife known to me to be the identical individuals named in and who executed the foregoing Consent, and each acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official notarial seal on this the day and year first in this my certificate written.

W. R. [Signature]
Notary Public for Oregon
My commission expires June 28/1957

FILED

MAR 2 - 1953

O. L. GRAHAM
COUNTY CLERK

BY *[Signature]*
DEPUTY

CONSENT TO VACATION

We, the undersigned, being the owners of all of the real property immediately adjoining the road or street proposed to be vacated by the within petition, do hereby expressly CONSENT to such vacation, and join in said petition.

Dated this 15 day of January 1953.

C C Owen

Mrs. C C Owen

State of Oregon

ss

County of Union.

BE IT REMEMBERED, that on this 23rd day of January 1953, before me, the undersigned, a Notary Public in and for said county and state, personally appeared the within named C C Owen and Mrs C C Owen

his wife
known to me to be the identical individuals named in and who executed the foregoing Consent, and each acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein named.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official notarial seal on this the day and year first in this my certificate written.

Geo. T. Chapman
Notary Public for Oregon

My commission expires: June 28/1954.

Handwritten notes:
K... ..
B... ..
... ..
A... ..

FILED

MAR 2 - 1953

C. J. GRAHAM
COUNTY CLERK

BY

Lawrence L. Lam
DEPUTY

FILED

MAR 2 - 1953

C. L. GRAHAM,
COUNTY CLERK

BY W. L. Egan
DEPUTY

NOTICE OF STREET VACATION

NOTICE is hereby given that C. P. Hutchens and Jessie LaVera Hutchens have duly filed with the County Court of the State of Oregon for Union County a petition praying for the vacation of the hereinafter described street or roadway; and all persons having objections to the allowance of said petition are hereby notified to present same in writing to the said Court or the Clerk or Judge thereof within thirty days from the date of the posting of this Notice.

The street or roadway proposed to be vacated is described as follows:

Beginning at the Northwest corner of Tract 23 of Highway Acres and running thence East along the North boundary line of Tracts 23 and 10, Highway Acres, to the Northeast corner of said Tract 10, thence running North to the South boundary line of Lot 1, Block 15, Honan's Addition to the city of La Grande, Oregon, thence running West along the South boundary line of Lots 1, 7 and 8 of said Block 15 to the Southwest corner of said Lot 7 in said Block 15, thence South to the place of beginning, said tract having been platted as 30 feet in width and located between said Highway Acres and said Honan's Addition, all in Union County, Oregon.

Dated and posted this 2 day of Sept 1952

C. L. Graham
County Clerk of Union County,
Oregon

STATE OF OREGON)
) ss.
County of Union)

I, Geo. T. Cochran, being first duly sworn, on oath, depose and say,

That on the second day of September, 1952, I posted three notices signed and sealed by the County Clerk of Union County, Oregon, and exact copies of the within notice and of the whole thereof, in three Public places as follows:

One on the fence at each end of the street or roadway proposed to be vacated, and,

One on a telegraph pole at the point where travel would necessarily have to turn off of the Oregon Trail Highway, to go upon said proposed vacated tract.

Geo. T. Cochran

Subscribed and sworn to this 9th day of February, 1953.

Wesley C. Hearing
Notary Public for Oregon

My commission expires ~~June 22, 1954~~

Mar. 23, 1956

NOTICE OF STREET VACATION

NOTICE is hereby given that T. P. Hutchens and Jessie LaVera Hutchens have duly filed with the County Court of the State of Oregon for Union County a petition praying for the vacation of the hereinafter described street or roadway; and all persons having objections to the allowance of said petition are hereby notified to present same in writing to the said Court or the Clerk or Judge thereof within thirty days from the date of the posting of this Notice.

The street or roadway proposed to be vacated is described as follows:

Beginning at the Northwest corner of Tract 23 of Highway Acres and running thence East along the North boundary line of Tracts 23 and 10, Highway Acres, to the Northeast corner of said Tract 10, thence running North to the South boundary line of lot 1, Block 15, Homan's Addition to the city of La Grande, Oregon, thence running West along the South boundary line of Lots 1, 7 and 8 of said Block 15 to the Southwest corner of said lot 7 in said Block 15, thence South to the place of beginning, said tract having been platted as 30 feet in width and located between said Highway Acres and said Homan's Addition, all in Union County, Oregon.

Dated and posted this _____ day of _____

County Clerk of Union County,
Oregon

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 BRESHEARS, Sheriff.

When, on Thursday, the 5th day of March A. D., 1953 or the _____ judicial day of said term, among others, the following proceedings were had, to-wit:

In the Matter of the Applications of)
C. P. Hutchens and Jessie La Vera)
Hutchens to Vacate a Street or Road)
between Tracts 10 and 23 of Highway)
Acres and Lots 1, 2, 7 and 8 of Block)
15 of Honan's Addition to La Grande,)
Oregon _____)

Now at this time this matter came on for hearing upon the petition of C. P. Hutchens and Jessie La Vera Hutchens, and it appearing that notice of the petition was duly served by posting said notice on the 2nd day of September, 1952, in three public places near the property described in said petition for vacation, to-wit: one on the telephone pole where the point of travel will necessarily turn off of the Oregon Trail Highway to go upon said proposed vacated tract, and one on the fence at each end of the street or roadway proposed to be vacated.

That the Petitioners are the owners and in possession of Lots 1, 2, and 8 in Block 15 of Honan's Addition to the City of La Grande, Union County, Oregon, and of Tract 10 of Highway Acres in Union County, Oregon.

That at the time of filing the petition, Anna Conradt was the owner of Lot 7, Block 15, of said Honan's Addition, and since the filing of said petition, said Anna Conradt has sold and transferred said Lot 7 to C. C. Owen and his wife, Mrs. C. C. Owen.

That James A. Gandy is the owner of said tract 23, said Highway Acres, that all of said land is located in a platted and subdivided tract or acreage outside of the limits of any incorporated city or town and outside and near the City limits of the City of La Grande, Union County, Oregon.

That the plats of Highway Acres and the plat of Honan's Addition show a tract of land 30 feet wide between tracts 10 and 23 of said

Highway Acres and Lots 1, 2, 7, and 8 of said Block 15 of Honan's Addition to La Grande, Oregon, which said tract of land is called a street or road in said petition.

That such street or road has never been opened to public travel and has been enclosed as a part of said lots and said tracts.

That said road or street is more particularly described as follows:

Beginning at the Northwest corner of Tract 23 of Highway Acres and running thence East along the North boundary line of Tracts 23 and 10, Highway Acres, to the Northeast corner of said Tract 10, thence running North to the South boundary line of Lot 1, Block 15, Honan's Addition to the city of La Grande, Oregon, thence running West along the South boundary line of Lots 1, 7, and 8 of said Block 15 to the Southwest corner of said Lot 7 in Block 15, thence South to the place of beginning, said tract having been platted as 30 feet in width and located between said Highway Acres and Honan's Addition, all in Union County, Oregon.

That said Highway Acres was platted and the plat filed and recorded in the office of the County Clerk of Union County, Oregon on the 21st day of May, 1924, and the plat of Honan's Addition to La Grande, was filed and recorded on March 28, 1890.

That more than twenty (20) years have passed since said platting without opening said street or road to public use.

That James A. Gandy and wife, owners of Tract 23 of said Highway Acres, and C. C. Owen and Mrs. C. C. Owen, his wife, owners of Lot 7, Block 15 of said Honan's Addition have each signed, acknowledged, and filed their consent to the vacation of said roadway.

That no other owners of property own any land adjoining said roadway, and all adjoining owners have signed either said petition or their consent to the vacation thereof.

That no person or owner of any land adjoining or near unto said tract have filed any objections to the vacation of said tract, and more than thirty (30) days have expired since the

posting of the notices of the filing of said petition and a hearing thereon, and the Court being fully advised in the premises,

It is hereby CONSIDERED and ORDERED that the tract of land hereinabove described, lying between the platted acreages of Highway Acres and the Platted lots of Honan's Addition to the City of La Grande, Oregon, as hereinabove described, be and the same is hereby vacated and henceforth such tract is not to be subject to any public use for street or road purposes or otherwise.

Dated this 5 day of March, 1953.

W. M. Cronick
County Judge

H. J. Speckhart
Commissioner

Ray C. Baum
Commissioner

(Seal) DOCUMENT # 33794

Recorded May 28, 1953 at 4⁴⁰ PM

C. L. GRAHAM, COUNTY CLERK

Hazel R. Graham

SECOND JUDICIAL DAY

THURSDAY, MARCH 5th, 1953

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 approval of bonds.

Now at this time is presented to the court the bond of Florence Bacon, as Deputy Tax Collector, and it appearing that said bond is written by a surety company in the sum of \$5,000.00, an amount approved by the court, now therefore

It is CONSIDERED AND ORDERED that said bond be and the same is hereby approved and accepted.

In the matter of the applications of C. P. Hutchens and Jessie La Vera Hutchens to vacate a street or road between tracts 10 and 23 of Highway Acres and Lots 1, 2, 7 and 8 of Block 15 of Honan's Addition to La Grande, Oregon.

Now at this time, this matter came on for hearing upon the petition of C. P. Hutchens and Jessie La Vera Hutchens, and it appearing that notice of the petition was duly served by posting said notice on the 2nd day of September, 1952, in three public places near the property described in said petition for vacation, to-wit: one on the telephone pole where the point of travel will necessarily turn off of the Oregon Trail Highway to go upon said proposed vacated tract, and one on the fence at each end of the street or roadway proposed to be vacated.

That the petitioners are the owners and in possession of Lots 1, 2, and 8 in Block 15 of Honan's Addition to the city of La Grande, Union County, Oregon, and of Tract 10 of Highway Acres in Union County, Oregon.

That at the time of filing the petition, Anna Conratt was the owner of Lot 7, Block 15, of said Honan's Addition, and since the filing of said petition, said Anna Conratt has sold and transferred said Lot 7 to C. C. Owen and his wife, Mrs C C Owen.

That James A Gandy is the owner of said tract 23, said Highway Acres, that all of said land is located in a platted and subdivided tract or acreage outside of the limits of any incorporated city or town and outside and near the city limits of the city of La Grande, Union County, Oregon.

That the plats of Highway Acres and the plat of Honan's Addition show a tract of land 30 feet wide between tracts 10 and 23 of said Highway Acres and Lots 1, 2, 7 and 8 of said Block 15 of Honan's Addition to La Grande, Oregon, which said tract of land is called a street or road in said petition.

That such street or road has never been opened to public travel and has been enclosed as a part of said lots and said tracts.

That said road or street is more particularly described as follows:

Beginning at the northwest corner of tract 23 of Highway Acres and running thence East along the North boundary line of Tracts 23 and 10, Highway Acres, to the Northeast corner of said Tract 10, thence running North to the South Boundary line of Lot 1, Block 15, Honan's Addition to the city of La Grande, Oregon, thence

SECOND JUDICIAL DAY

THURSDAY, MARCH 5th 1953

running West along the South boundary line of Lots 1, 7 and 8 of said Block 15 to the Southwest corner of said Lot 7 in Block 15, thence South to the place of beginning, said tract having been platted as 30 feet in width and located between said Highway Acres and Honan's Addition, all in Union County, Oregon.

That said Highway Acres was platted and the plat filed and recorded in the office of the County Clerk of Union County, Oregon, on the 21st day of May, 1924, and the plat of Honan's Addition to La Grande, was filed and recorded on March 28, 1890.

That more than twenty (20) years have passed since said platting without opening said street or road to public use.

That James A Gandy and wife, owners of Tract 23 of said Highway Acres, and C. C. Owen and Mrs. C. C. Owen, his wife, owners of Lot 7, Block 15 of said Honan's Addition have each signed, acknowledged, and filed their consent to the vacation of said roadway.

That no other owners of property own any land adjoining said roadway, and all adjoining owners have signed either said petition or their consent to the vacation thereof.

That no person or owner of any land adjoining or near unto said tract have filed any objections to the vacation of said tract, and more than thirty (30) days have expired since the posting of the notices of the filing of said petition and a hearing thereon, and the court being fully advised in the premises,

It is hereby CONSIDERED AND ORDERED that the tract of land hereinabove described, lying between the platted acreages of Highway Acres and the Platted lots of Honan's Addition to the city of La Grande, Oregon, as hereinabove described, be and the same is hereby vacated and henceforth such tract is not to be subject to any public use for street or road purposes or otherwise.

In the matter of the issuance
of deeds.

Now at this time, it appearing to the court that a certain tract of real property heretofore acquired by Union County thru tax foreclosure proceedings or otherwise, has been sold as by law provided to William E Elam, being Lots 3, 4 and 5 of Block 31, Predmore's Addition to La Grande, Oregon, and it appearing to the court that payments therefor have been completed,

It is CONSIDERED AND ORDERED that a deed be issued to said William E Elam for the property so described.