

575

In County Court,

January 1906

Term, 189

Eleventh

Judicial Day,

Wednesday Jan. 17, 1906

189

In the Matter of County Road Number 563 petitioned for)
 by Howard Evans and others commencing at the turn in the)
 County Road 30 rods Southeasterly of the East end of the)
 bridge across the Tumalum River on the Section line be -)
 tween Sections 24 and 25 in Tp. 6 North range 35 EWM)

Now on this day comes the report of the Board of County Road Viewers, hereto ore instructed at the September 1904 Term, of this Court, to view, lay out, survey and report upon said proposed road No. 563, commencing at the turn in the County Road 30 rods Southeasterly of the east end of the bridge across the Tumalum River on the section line between Sections 24 and 25 Tp. 6 North, range 35 EWM, as a starting point, at which point a large stake is driven in the ground, running thence in a straight line Southwesterly to a point 10 rods due East of the Southwest corner of the Northeast quarter of the Northeast quarter of Section 25 aforesaid; thence running Southwesterly in a straight line 37 rods to intersect the West line of the Southeast quarter of the Northeast quarter of said section 25; thence running due South to the Southwest corner of the Northeast of the Northeast quarter of Section 36 in said Township and Range; thence running West in a straight line 40 rods; thence running South in a straight line 40 rods; thence running West in a straight line 40 rods to the half section on the West center of the Southwest quarter of the Northeast of said section 36, thence running due South on half section line 160 rods to intersect the established County road as a County Road, as a County Road for final hearing the same having been read on two different days of the same term to-wit: of the November 1904 Term, the same having been publicly read the first time on November 2d, 1904, and publicly read the second time on November 3d, 1904, an said matter having been continued from time to time until this day and the said Board of County Road Viewers having reported favorably and recommended the opening of said road as a County Road and E O McCoy, J D McCoy and Mary A McCoy having filed objections to having said Road established over their land and having filed claims for damages for the same and the Court having examined the route over which said road is petitioned to be laid out and having heard the testimony of the petitioners for said road and objections and having duly considered the same, said petitioners appearing by Mr Chas H Carter of their counsel, and the claimants an objectors appearing by Mr James A Fee their counsel, and this matter being now ready for decision, the Court being now fully advised in the premises as to what Order and decree it should render herein and the Court being satisfied that a portion of said road hereinafter ordered opened and the said petitioners and the said claimants by their respective counsel, now consenting to the decree which the Court has decided upon and which is herein given:

IT IS THEREFORE NOW CONSIDERED, ORDERED, ADJUDGED and DECREED by the Court that said report of the Board of County Road Viewers, be approved as to that part of said road hereinafter ordered to be opened as a County Road, to be known as Road No. 563 of Umatilla County, Oregon, shall be and the same is hereby made, laid out and established along the following part of the route described in the petition for road herein filed, to-wit:

Commencing at the Southwest corner of the Northeast quarter of the Southeast Quarter of Section 25 in Tp 6 North, Range 35 EWM, as a starting point, running thence South to the Southwest corner of the Northeast quarter of the Northeast Quarter of Section 36, in said Township and Range; thence running West in a straight line 40 rods; thence running South in a straight line 40 rods; thence running West in a straight line 40 rods to the half section line on the West center of the Southwest quarter of the North East quarter of said Section 36; thence running due South on said half Section line 160 rods, to intersect the established County Road at the point last named; the said road so established to be 40 feet wide. And the Court being satisfied that the remainder of said road would not be of sufficient public utility and that the costs of opening and making the same would be too great, the Court declines and refuses to allow so much of the road asked for in said petition as lies between the initial point thereof and as is particularly described as follows:

Commencing at the turn in the County Road 30 rods Southerly of the east end of the bridge across the Tumalum River, which bridge is on the section line between Sections 24 and 25, in Township 6 North Range 35 East of the Willamette Meridian, as a starting point at which point a large stake is driven into the ground; running thence in a straight line Southwesterly to a point 10 rods due East of the Southwest corner of the Northeast Quarter of the Northeast Quarter of Section 25, thence running Southwesterly in a straight line 37 rods to intersect the West line of the Southeast Quarter of the Northeast Quarter of said section 25; thence running Southerly to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said section 25. It is therefore hereby further ordered by the court that said report of said Board of County Road Viewers be accepted as to that part of said road herein allowed and that the survey profile and plats and field notes thereof be recorded and that said road be opened as a county road in accordance with this order and decree and that the Road Supervisor through whose district said road runs be directed to open said road for public use to the width of forty feet and duly report the same to this court.

In the Matter of the abatement of taxes on Lot)
 5 Block 23, Umatilla owned by H C Means)

Now on this day there is presented to the Court the petition of H C Means showing that the taxes on Lot 5 Block 23 Umatilla for the year 1899 to 1904 inclusive including interest, penalties and costs, amounts to \$32.86 said petition further shows that for the year 1900, 1901 and 1902, there was improvements assessed on said lots to the valuation of \$295.00 while there is no improvements on said Lot and that \$5.00 would be a reasonable amount for taxes for all of said years, the Court having considered the matter, it is hereby ORDERED that said petition be granted and the Clerk of this Court be and he is hereby ORDERED and instructed to issue a Quit Claim Deed to H C Means for Lot 5 Block 23, Umatilla, upon the payment of \$5.00.