

5N R35E

KNOW ALL MEN BY THESE PRESENTS, Whereas, The Oregon Railroad & Navigation Company, owns and is operating a line of railroad extending through Umatilla County, Oregon, the right of way for which railroad passes through certain lands owned by Jennie W. Gillis, about two miles west of Milton, and

WHEREAS, heretofore the said Jennie W. Gillis, conveyed to Umatilla County, Oregon, certain premises described in a deed dated the 2nd of November, 1903, for the purpose of having a public highway opened across the premises so conveyed, which deed was accepted by an order of the County Court of Umatilla County, Oregon, sitting for the transaction of County business on the 6th day of November, 1903, and The Oregon Railroad & Navigation Company desires that the said highway be opened across its right of way and that the same be made a matter of public record,

NOW, THEREFORE, The Oregon Railroad & Navigation Company in consideration of the sum of one (1) dollar to it in hand paid by Umatilla County, State of Oregon, does hereby grant unto said County a right of way for the purpose of opening and maintaining a public highway over and across the following described property to-wit;

A strip of land sixty (60) feet in width, being thirty (30) feet on each side of a line extending entirely across the right of way of The Oregon Railroad & Navigation Company and which line crosses the center line of said railroad as now constructed at right angles at a point twenty two hundred and forty (2240) feet east of mile post P-266 about two (2) miles from Milton Station in Umatilla County, Oregon.

RESERVING, however, to The Oregon Railroad & Navigation Company the right to maintain and operate its railroad along the right of way now owned by it together with a right to at any time in the future construct such additional track or tracks as may be rendered necessary by the business of said Company.

IN WITNESS WHEREOF, The Oregon Railroad & Navigation Company has caused this instrument to be executed by its general manager and its corporate seal to be hereto affixed, attested by its secretary this 15th day of February, 1905.

THE OREGON RAILROAD & NAVIGATION COMPANY,

BY

R. A. Northington
General Manager.

ATTEST:

M. C. Allen
Secretary.

WITNESSES:

H. F. Conner
W. C. Crooks

81

Filed March 29, 1905

FRANK SAILING, CLERK.

By R. M. Brown Deputy

Accepted as a County
road by way 4 1905

H. J. Bean
County Judge

J. P. Mulvihill
Co. Comm.

Harace Walker
Co. Comm.

Recorded in Co. Roads Record
Book B on page 527

would most respectfully recommend the same be declared vacated as prayed for by S E Clark and others; that the lands of S E Clark, to-wit: The SW 1/4 of Sec. 15 and the NW 1/4 of the lands of Henry Mossie to-wit: the SW 1/4 of Sec. 16, will not be rendered less valuable by location of road No. 572, and that uable by location of road No. 572, and that the lands of Adam Schwalm, to-wit: The NE 1/4 of Sec. 21, will not be rendered less valuable by location of Road No. 572, all the above lands and road being situated in T 5 S R 32, E W M.

John W Kimbrell) Board of County road
J M Ferguson) viewers of Umatilla
Frank Rack) County, State of Oregon.

FIELD NOTES OR ROAD No. 572.

Commencing at the 1/4 sec. cor. bet- secs. 15 and 16 T 5 S R 32, E W M, set post 4 ft. long 4 ins. sq. 24 ins. in the ground, 30 feet East of initial point marked R No. 572, raised mound of stone 18 ins. high 4 ft. wide at base around post. thence South bet. secs. 15 and 16, 2700 creek 10 ft. wide ins. West. 4000 the corner to secs. 15, 16, 21 and 22; 5600 creek to right couse N 20° W 6140 foot of hill ascend; 6400 top of hill, thence gradual ascent X35 8000 to 1/4 sec. corner bet. secs 21 and 22, set stone 24x18x10 marked 1/4 R T No. 572, and raised mound of stone 18 ins. high 3 ft. wide at base around stone.

I hereby certify that the foregoing are a true copy of Field Notes of road survey No. 572; as surveyed by me on the 25th day of April, 1905.

Read 1st time May 3, 1905.
" " " 4 "
And all papers and files referred to Dist. Atty.
FILED April 28th, 1905.
Frank Saling, County Clerk.

John W Kimbrell, County Surveyor
For Umatilla County, Oregon.
APPROVED and road ordered opened this 9" day of May, 1905.
T P Gilliland County Com.
H J Bean, County Judge.
Horace Walker County Com.

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IN WITNESS WHEREOF, The Oregon Railroad & Navigation Company has caused this instrument to be executed by its general manager and its corporate seal to be hereto affixed, attested by its secretary, this 15th day of February, 1905.

The Oregon Railroad & Navigation Company,
By B A Worthington, General Manager.
Attest:
W W Cotton, secretary.

WITNESSES:
H F Conner.
Wm. Crooks.

State of Oregon,
County of Multnomah ss.

This certifies, that on this 22" day of March, 1905, before me, the undersigned, a notary public in and for said County and State, personally appeared the within named B A Worthington, and W W Cotton, who are to me personally known and are known to me to be respectively the General manager and Secretary of The Oregon Railroad & Navigation Company, and they thereupon severally acknowledged to me that they executed the foregoing instrument as such General manager and secretary respectively as and for their free and voluntary act and deed and the free and voluntary act and deed of The Oregon Railroad & Navigation Company.

And the said Cotton being by me first duly sworn, did depose and say that he resides in Portland, Oregon, and is the secretary of the said company and that the seal affixed to the foregoing instrument is the corporate seal of the Oregon railroad & Navigation Company and that the same was so affixed by him pursuant to authority of the board of directors of said company and that he signed his name in attestation thereto by like authority.

In witness whereof, I have hereunto set my hand and notarial seal the day and year in this certificate first above written.

(CONTINUED)
H J Conner,
Notary Public for Oregon.

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Rd #572

FILED March 29, 1905.
Frank Saling, Clerk.
By R T Brown, Deputy.

ACCEPTED as a County road May 4, 1905.
H J Bean, County Judge.
T P Gilliland, Co Com
Horace Walker, Co Com.

THIS INDENTURE WITNESSETH: That, WHEREAS, the Common Council of the City of Athena, Umatilla County, State of Oregon, a duly incorporated city under the laws of Oregon, did, by a resolution duly adopted by said Common Council, on the first day of July, 1901, authorize the Mayor and recorder of said city to execute and present to the County Court of Umatilla County, State of Oregon, a good and sufficient deed forever dedicating to the use of the public the strip of land hereinafter described to be used as a public road;

NOW, THEREFORE, for the consideration that said County Court accepts such dedicated road as a county road, the City of Athena, by these presents does hereby forever dedicate and quit claim unto the county of Umatilla, State of Oregon, for the use of the public, the following bounded and described strip of land, situated in Umatilla County, state of Oregon, to-wit:

Beginning at a point on the north boundary of the O R & N Co's right of way and 1345-1/2 feet north of the southwest corner of Section Nineteen (19) in Township Four (4) North of range thirty-five, (35) East of Willamette Meridian, running thence north to the north bank of wild Horse creek; thence east along said north bank of Wild Horse creek sixty (60) feet, thence south to the north boundary of the O R & N Co's right of way; thence west along said north boundary sixty (60) feet to the place of beginning. The same being a strip of land sixty (60) feet wide and extending in length from said north boundary to the north bank of Wild Horse creek.

TO HAVE AND TO HOLD the said strip of land unto said Umatilla County, State of Oregon, to be used as a public road forever.

IN WITNESS WHEREOF, the said City of Athena has caused these presents to be signed by its Mayor and recorded and sealed with its corporate seal this 1st day of July, 1901.

City of Athena,) W J Wilkinson.
Umatilla County) Mayor of the City of Athena.
Oregon. 1889.) J W Smith
-----x Recorder of the City of Athena.

Done in the presence of
Sam P Purdy.
F E Simpson.

State of oregon,
Umatilla County ss.

THIS CERTIFIES: that on this 8th day of July, 1901, personally appeared before me, a Notary Public in and for the County and State aforesaid, the within named W J Wilkinson and J W Smith, known to me to be the officers they represent themselves to be, and acknowledged that they executed the foregoing conveyance for and on behalf of the said City of Athena, and for the uses and purposes in said conveyance expressed

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

Wm. Mosgrove.)
Notary Public,)
State of Oregon.)
-----x
Notary Public for Oregon.

FILED Apr. 21, 1905.

Accepted and ordered filed
and noted on plat, May 8, 1905.

Frank Saling, Clerk. H J Bean, County Judge.
T P Gilliland, Co Com
Horace Walker, Co Com.

Rd # 574

REPORT OF BOARD OF COUNTY ROAD VIEWERS.

In the Matter of viewing, surveying and)
laying out County Road No. 574, public)
esement, petitioned for by John Leedy.)

To the Honorable County Court of the state of Oregon, for Umatilla County;
We, the undersigned, board of County road Viewers, heretofore instructed to view survey and locate road No. 574, submit the following report:

Pursuant to an order of the Honorable County Court, we met at the office of County Surveyor, at Court House, in Pendleton, Or. on the 31st day of May, 1905. We viewed, surveyed, and located said road No. 574 as specified in our order. We find said route to be on sec line between the lands of Julius Gurdarian, and Newquist, where it will do the least damage possible to the property owners, will give the said John Leedy and the public ingress and egress from the residence of John Leedy to the nearest and most practicable route to a public highway. We find that the lands of Julius Gurdarian, to-wit: The SE 1/4 of Sec 17 T 1 N R 32, E W M will be rendered less valuable by the location of said road in the sum of \$26.50, as follows: Land 84/100 acres \$8.45, material and labor \$18.95; that the lands of Newquist, to-wit: The NE 1/4 of Sec. 20 in T 1 N R 32, E W M will be rendered less valuable by the location of said road in the sum of \$26.50 as follows: Land 84/100 acres \$8.45, material and labor \$18.05

John W Kimbrell Board of County road
J M Ferguson Viewers of Umatilla County,
Frank rack State of Oregon.

Rd # 573