

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR UMATILLA COUNTY. :

In the Matter of Locating, Establishing, Altering, Widening, Straightening and Changing a County Road running from a point in the Northwest Quarter of Section 27, Township 5 North, Range 33 East W. M. Northerly down Vansycle Canyon to a point in the Northwest Quarter of Section 5, Township 5 North, Range 33 East, W. M. to be known and designated as County Road No. 879. In Umatilla County, Oregon. Said proposed road is a Section of the Helix-Vansycle Market Road. :

County Road No. 879.

Now on this day this matter coming on for hearing the same having been publicly read the first time on December 8th, 1928, and publicly read the second time on December 10th, 1928, and the said Board of County Road Viewers finds that the owners of the land through which said road is to be laid out and established will be rendered less valuable by reason of the establishing of said road as follows:

- SE $\frac{1}{4}$ Sec. 21 & NW $\frac{1}{4}$ Sec. 27, T. 5 N. R. 33 E. W. M. County to move and set existing fences.
- NE $\frac{1}{4}$ Sec. 21, T. 5 N. R. 33 E.W.M. County to move and set existing fences.
- East $\frac{1}{2}$ Sec. 16, T.5N.R.33 E.W.M. County to move and set existing fences, and build new fence where necessary.
- West $\frac{1}{2}$ Sec. 9, T.5 N.R. 33 E.W.M. County to build new fence and construct stock pass under road.
- SE $\frac{1}{4}$ Sec. 5 & NE $\frac{1}{4}$ Sec. 8, T. 5 N. R. 33 E.W.M. County to build new fence and construct stock pass under road.
- West $\frac{1}{2}$ Sec. 5, T. 5NR. 33 E.W.M. County to build new fence and construct stock pass under road.

All other lands are made less valuable in the sum of nothing.

IT IS HEREBY ORDERED THAT said report of the Board of County Road Viewers be approved; and that said road be established and finally surveyed and opened.

IT FURTHER APPEARING to the Court at this time that that certain claimant Francis M. Stubblefield, Executor of the Last Will and Testament of J. I. Joy, deceased, has filed a petition for damages in the above entitled matter which petition is hereby denied

UMATILLA COUNTY, OREGON
CLERK OF COUNTY

except that said claimant is allowed fencing as indicated above as damages.

IT IS THEREFORE HEREBY ORDERED that the County Court find that the immediate opening of the said road is of great public necessity; and that the Clerk of Umatilla County be, and he is hereby directed upon the final determination to draw a warrant payable to the appellant for the full amount of damages determined, together with costs if the appellant recover a judgment more favorable than the order appealed from, provided that the claimant shall appeal from the order hereinbefore denying the petition for damages, and

IT IS FURTHER ORDERED that the County Treasurer of Umatilla County set aside and hold sufficient moneys on hand and available for such purposes and not otherwise appropriated to pay all damages, claims and costs as aforesaid.

IT IS THEREFORE HEREBY ORDERED that said report of the County Road Viewers be approved, and that said road be established and declared a public highway of Umatilla County; and that the same be finally survey and opened.

Dated this 11th day of December, 1928.

J. M. Schanney
County Judge.

J. O. Hales
County Commissioner.

County Commissioner.