

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

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IN THE MATTER OF THE PETITION :
OF : P E T I T I O N.
FRANK FRAZIER and JAMES McKAY :
for the laying out, locating)
and establishing of a road :
from the residence of the)
petitioner, James McKay on :
the Northwest 1/4 of Section)
14 Township 2 North, Range :
32 East of the Willamette)
Meridian, over and across :
the East 1/2 of the Southwest)
1/4 of Section 11 in said :
township and range, running)
to and intersecting with the :
South end of Thompson Street)
in the City of Pendleton, :
and upon the south line of)
the Reservation Addition to :
the said city of Pendleton.)
:

TO THE HONORABLE COUNTY COURT OF UMATILLA COUNTY, STATE OF OREGON:-

Your petitioners, Frank Frazier and James McKay, respectfully represent and show to this honorable Court, that the said Frank Frazier is now, and has been for a long time last past, the owner of the Northwest quarter of Section 14 Township 2 North, Range 32 East of the Willamette Meridian.

That ever since he became the owner of the said premises, he has had and maintained there a dwelling house, said dwelling house being about 380 feet from the south line of the said Northwest quarter of Section 14 Township 2 North, Range 32 East of the Willamette Meridian, and 450 feet from the east line of the said Northwest quarter of the said section and range, and the said Frank Frazier has improved and cultivated the said land during the said time.

That your petitioner, James McKay, has resided upon said premises for about three months last past, as a tenant in possession, and has a lease upon said premises for the term of two years, one year and nine months of which said term has not yet expired.

That the said last named petitioner now resides in the dwelling

house upon the said real property hereinbefore described.

That the said James McKay has no other dwelling place or residence in said county or state, and the same is the usual place of abode of the said petitioner, James McKay.

That the City of Pendleton, is situated about one mile due north of the house upon said premises. That upon the south are located the private lands of individuals; upon the east are located private lands of individuals, upon the north are located private lands of individuals, and upon the west are located private lands of individuals.

That there is no public or private way leading to or from the residence of said petitioner, nor is there any private or public way across, or upon the lands to the south, east, west or north of said premises, and leading to, or connected with the said premises.

That your petitioners can travel to and from said residence, if a road is laid out from the residence of petitioners in a northerly direction to a point upon the south line of the southwest quarter of Section 11 in Township 2 North, Range 32 East of the Willamette Meridian, 13 chains and 48 links west from the southeast corner of the said southwest quarter of the said Section 11, thence in a northerly direction, and upon the east side of the fence as it now runs north through the said East half of the Southwest quarter of Section 11 Township 2 North, Range 32 East of the Willamette Meridian, to a point upon the said line fence, about 250 feet south of the line of the Reservation Addition to the town (now City) of Pendleton; thence in a northwesterly direction, so that the west line of the said proposed road will connect with the west line of Thompson Street, as the same runs through said Reservation Addition to the South line of the said Reservation Addition to the town (now city) of Pendleton.

That the lands lying east of said fence, as now located through the East half of the said Southwest quarter of Section 11 Township 2 North, Range 32 East of the Willamette Meridian, are now owned by W. J. Furnish; that that part of said road running from a point

gence in said county of state...
that the said James McKay has no other dwelling place or resi-
dence upon the said land hereby heretofore described.

about 250 feet south of the Reservation line of the Reservation Addition to the town (now city) of Pendleton, and connecting with the west line of Thompson Street, is upon the lands now owned by John Armstrong.

That petitioners' residence is not reached by any convenient county road, provided for by law, or otherwise, and it is necessary that the public and this petitioner have ingress to and egress from said residence of said petitioners, James McKay.

That a good public highway and county road is one of the public streets of the city of Pendleton, and the only one that it is possible to reach from said residence without great and unnecessary expense, and is known as Thompson Street, and runs from the said south line of the Reservation Addition to the said town (now city) of Pendleton, past the public school, and into the city of Pendleton.

That a good road, without doing unnecessary damage to the lands of the parties hereinbefore mentioned, can be constructed, laid out and located upon the line of the old road, as it now exists, over and across the lands of the petitioners, and over and across the lands of the said W. J. Furnish, and upon the east side of the fence running north and south through the East half of the Southwest quarter of Section 11 Township 2 North, Range 32 East of the Willamette Meridian, and from a point 250 feet south of the Reservation line of the City of Pendleton, and upon the line of the said fence, ~~from thence running~~ so that the west line of the said proposed road shall connect with the west line of said Thompson Street.

And your petitioners pray that commencing at the ^{door} ~~door~~ yard gate upon the north side of the ^{road} ~~door~~ yard just east of the house upon the lands of the petitioners, to-wit: the Northwest quarter of Section 14 Township 2 North, Range 32 East of the Willamette Meridian, and running thence upon the road as it now exists, across the said premises in a northerly direction, to a point upon the south line of the southwest quarter of Section 11 Township 2 North, Range 32

ADDITION TO THE TOWN (NOW CITY) OF PENDLETON AND CONNECTING WITH
ABOUT 320 FEET SOUTH OF THE RESERVATION LINE OF THE RESERVATION

East of the Willamette Meridian, 13 chains and 42 links west of the southeast corner of the said Southwest quarter of said Section 11 Township 2 North, Range 32 East of the Willamette Meridian, thence running in a northerly direction to the east of the line fence, as it now runs in a northerly direction over and across the East half of the Southwest quarter of said Section 11, Township 2 North, Range 32 East of the Willamette Meridian, to a point about 250 feet south of the line of the Reservation Addition to the City of Pendleton, and south of the end of Thompson Street, as the same runs over and across the said Reservation Addition to the said town (now city) of Pendleton, thence in a northwesterly direction, so that the west line of said proposed road shall connect with the west line of the said Thompson Street.

That the lands east of the said fence belong to W. J. Furnish, and those west of the said fence belong to John Armstrong.

And your petitioners pray that your honorable body cause to be laid out, located and established, a county road and public highway thirty (30) feet in width, from the point of commencement, as hereinbefore set forth, over and across the lands hereinbefore mentioned and described, and upon the lines hereinbefore indicated, as nearly as practicable, and in the directions hereinbefore stated, to the point hereinbefore set out, and that viewers be appointed to lay out, locate and establish the said road, and to appraise and assess the damages to the said W. J. Furnish, and to the said John Armstrong, and to their said lands, by reason of the laying out, locating and establishing of said road.

And your petitioners will ever pray.

Frank Frazier
James McKay
Petitioners.

STATE OF OREGON,)
 : SS.
COUNTY OF UMATILLA.)

I, Frank Frazier, and I, James McKay, being each, separately, duly sworn, depose and say that I am one of the petitioners named