

BEFORE THE COUNTY COURT OF UMATILLA COUNTY, OREGON

In the Matter of the vacation of part of )  
County Road No. 438 in the NW $\frac{1}{4}$  of Section )  
12, Township 1 South, Range 32, EWM, and )  
the NE $\frac{1}{4}$  of Section 11, Township 1 South, ) ORDER OF VACATION  
Range 32, EWM, running north and south )  
along the West Section line of Section )  
12, Township 1 South, Range 32, EWM. )

BE IT REMEMBERED that at a regular session of the County Court of Umatilla County, Oregon, held in the court room of said Court in the Umatilla County Court House at Pendleton, Oregon, on the 24th day of November, 1954, at 10:00 o'clock A.M., present: James H. Sturgis, County Judge, and J. E. Olinger and Claude Meyers, County Commissioners, the following proceedings were had:

On motion of J. E. Olinger, seconded by Claude Meyers, the following preambles and orders were unanimously adopted:

WHEREAS, by resolution and order unanimously adopted on the 7th day of September, 1954, duly entered in the journal of this court, it was declared that proceedings to vacate those parts of County Road No. 438 hereinafter described, would be undertaken, and said proceedings were instituted, and the County Roadmaster was notified of said proceedings and was ordered and directed to examine said parts of County Road No. 438 and to make a report in writing on the same as provided by law; and

WHEREAS, said County Roadmaster did examine said parts of County Road No. 438, and on the 10th day of September, 1954, made his report in writing thereon as required by law, and filed said report with the County Clerk of Umatilla County, Oregon; and

WHEREAS, on the 15<sup>th</sup> day of October, 1954, this court made and entered its order for hearing on said report of said County Roadmaster and on the resolution and any objections to the vacation of said parts of County Road No. 438, to be held in the court room of this court in the Umatilla County Court House in Pendleton, Oregon, on the 24th day of November, 1954, at 10:00 o'clock A.M.; and ordered and directed that notice of

said hearing be given as provided by law, and that said notice be posted by the County Roadmaster; and

WHEREAS, notice of said hearing was duly given as provided by law, by posting said notice at the place of holding County Court in Umatilla County, Oregon, and also at three public places in the vicinity of said road, on the 21st day of October, 1954, which was more than thirty days before the day set for said hearing; and proof that such notice has been given was made by affidavit of the County Roadmaster, now on file herein; and

WHEREAS, pursuant to said order and notice this matter came on duly to be heard by the County Court of Umatilla County, Oregon, in the court room of said Court in the Umatilla County Court House at Pendleton, Oregon, on the 24th day of November, 1954, at the hour of 10:00 o'clock A.M., at which time and place the said report of the County Roadmaster was duly heard and considered, and the said resolution instituting this proceeding was duly considered and no objection was made by any person to the vacation of said parts of County Road No. 438; and

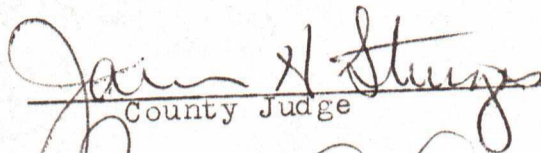
WHEREAS, it appears to this Court that said parts of County Road No. 438 are not now in use by the public, and that they will not be useful as parts of the general road system of Umatilla County, Oregon; and it further appears that the public will be benefited by the vacation thereof; and the Court being fully advised in the premises;

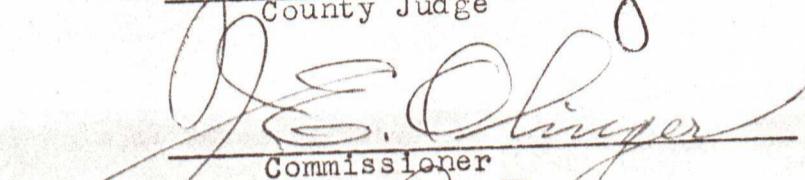
IT IS HEREBY ORDERED that the following described parts of County Road No. 438 of Umatilla County, Oregon, described as follows, to-wit:

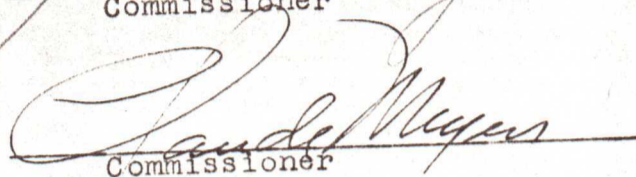
All that part of County Road No. 438 of Umatilla County, Oregon, located in the NW $\frac{1}{4}$  of Section 12, Township 1 South, Range 32, EWM and the NE $\frac{1}{4}$  of Section 11, Township 1 South, Range 32, EWM, described as that part of County Road No. 438 of Umatilla County, Oregon, commencing at a point common to Sections 1, 2, 11, and 12, Township 1 South, Range 32, EWM, running thence South along the East section line of Section 11, Township 1 South, Range 32, EWM, to the quarter corner common to Sections 11 and 12, Township 1 South, Range 32, EWM.

be and the same are hereby vacated.

IT IS FURTHER ORDERED that this Order be entered  
in the Journal of this Court.

  
\_\_\_\_\_  
County Judge

  
\_\_\_\_\_  
Commissioner

  
\_\_\_\_\_  
Commissioner

Being and constituting the County  
Court of Umatilla County, Oregon

Attest:

  
\_\_\_\_\_  
County Clerk