

Apr. 28, 1899

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

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IN THE MATTER OF THE PETITION OF )  
 F. B. CLOPTON AND J. M. GILLILAND :  
 FOR THE LAYING OUT, LOCATING AND ES- )  
 TABLISHING OF A ROAD FROM THE RESI- :  
 DENCE OF PETITIONER, J.M. GILLILAND )  
 on the Southwest  $\frac{1}{4}$  of the Northeast :  
 $\frac{1}{4}$  of Section 8 in Township 2 North, )  
 of Range 32 East of the Willamette :  
 Meridian, Over and across what is )  
 known as the W. C. MCKAY DONATION :  
 LAND CLAIM in ~~XXXXXX~~ the East )  
 $\frac{1}{2}$  of the East  $\frac{1}{2}$  of said Section 8 :  
 and the West  $\frac{1}{2}$  of the West  $\frac{1}{2}$  of )  
 Section 9 in said Township and Range, :  
 and over and across Lots 3, 11, 10 )  
 and 7 to the Southeast corner of :  
 said Lot 7 in said Section 9, Township )  
 and Range aforesaid, thence East, :  
 along the Section line between Lot 8 in )  
 Section 9 and Section 16 in said Town- :  
 ship and Range, to a point upon the )  
 said line where the same intersects the :  
 public road leading from the City of )  
 Pendleton to Pilot Rock in said County )  
 and State, said point being 445 $\frac{1}{2}$  feet )  
 West of the Southeast corner of said :  
 Section 9, and also the point at )  
 which commences County Road No. 430 :

REPORT OF VIEWERS.

STATE OF OREGON, )  
 :SS  
 COUNTY OF UMATILLA)

# We, the undersigned, having been duly appointed by the County Court of Umatilla County, State of Oregon, at the regular March term of said court for the year 1899, to view, locate, and lay out and establish a county road, and to view and assess the damages to the lands of Mary Kine, C. O. Fanning, E. Welch, S. E. Walker and J. H. Raley, by reason of the laying out, locating and establishing of a county road from the residence of J. M. Gilliland on the Southwest quarter ( $\frac{1}{4}$ ) of the Northeast quarter ( $\frac{1}{4}$ ) of Section Eight (8) in Township Two (2) North, Range Thirty-two (32) East of the Willamette Meridian; said dwellinghouse being about 900 feet East and 800 feet North of the center ~~line~~ of said section, and said road commencing at the gate in the door-yard of said petitioners, F B. Clopton and

J. M. Gilliland about 400 feet North and 50 feet West from a point on the East line of Lot No. Two (2) of Section Eight (8) in Township Two (2) North of Range Thirty-two (32) East of the Willamette Meridian, which said point is a distance of 380 links North and 1550 links East of the center ~~line~~ of said Section Eight (8); said point being on the West boundary line of the W.C. McKay Donation Claim No. 38, now claimed and occupied by C. O. Fanning, and running from said place of beginning, in a southerly direction to the said point on the West boundary line of the said W.C. McKay Donation Claim, and from thence in a Southeasterly direction over the said W. C. McKay Donation Claim No. 38 to the point at which commences County Road No. 430, would respectfully report, represent and show that we met at the time and place named in the order of said court, and having been each duly and regularly sworn as required by law, we did proceed to view, locate, lay out and establish a county road thirty (30) feet wide, commencing at the point heretofore set forth and along the line and across the lands in the said petition and order stated, to the point at which commences the said county road No. 430, and we find that the lands of C.O. Fanning, across which we laid out said road, would be rendered less valuable in the sum of \$166.00 and no more, by reason of the laying out, locating and establishing of the county road as above described, and that the sum of \$166.00 is all the damage that will be sustained by the said C.O. Fanning by reason of the locating, laying out and establishing of said road across said premises now occupied by him; and we find that the lands of Mary Kine would be rendered less valuable in the sum of \$122.00 and no more, by reason of the locating, laying out and establishing of said county road as above described, and that the said sum of \$122.00 is the only damage that she will sustain by reason of the locating, laying out and establishing of said county road, and we find that the lands of J. H. Raley, across which we have laid out said road, would be rendered less valuable in the sum of \$88.00 and no more, by reason of the locating, laying out and establishing of said above described county road, and that the said sum of \$88.00 is all the damage that will be sustained by said J.H. Raley, by reason

of the locating, laying out and establishing of said road, as hereinbefore described; and we find that the lands of E. Welch and S.E. Walker, across which we have laid out said road would each be rendered less valuable in the sum of \$ 2.50, and no more, by reason of the locating, laying out and establishing of the above described County Road, and that \$ 2.50 is the only damage that will be sustained by each of either of the said parties, by reason of the locating, laying out and establishing of the road hereinbefore described.

That in accordance with the prayer of the petition, and the directions and orders of the County Court, we proceeded on the 22 day of March, 1899 <sup>to and did</sup> lay out, locate and establish a road 30 feet in width, commencing at the gate in the door-yard of said petitioners about 400 feet North and 50 feet west from a point on the East line of Lot No. 2 of Section Eight (8), in Township Two (2) North of Range Thirty-two (32) East of the Willamette Meridian, which said point is at a distance of 380 links North, and 1550 links East of the center of said Section Eight (8), said point also being on the West boundary line of the W. C. McKay Donation Claim No. 38, now claimed and occupied by C. O. Fanning, and running from said place of beginning in a southerly direction to the said point on the west boundary line of the W. C. McKay Donation Claim, thence running in a southeasterly direction, following the course of the old road, as it now runs through the W.C. McKay Donation Claim, thence following said traveled road in a southeasterly direction, through Lots 3, 11, and 10 in Section Nine (9) and Township Two (2) North of Range Thirty-two (32) East of the Willamette Meridian, now owned by Mary Kine, thence following said traveled road in a southeasterly direction through Lot Seven (7) in said Section Nine (9) in Township Two (2) North, of Range Thirty-two (32) East of the Willamette Meridian, now owned by J. H. Raley, to the Southeast corner of said Lot Seven (7) in said section Nine (9) Township Two (2) North, of Range Thirty-two (32) East of the Willamette Meridian, thence in an Easterly direction on the Section line between Lot 8 in said Section Nine (9) (

(which is now owned by E. Welch) and section Sixteen (16) (Said part of Section 16 being now owned by Stephen E. Walker), in said Township and Range, to a point where said section line intersects the county road leading from the City of Pendleton to Pilot Rock in said County and State, which said road crosses the Southeast corner of said Lot Eight (8) in Section Nine (9) in Township and Range aforesaid, said point being 445½ feet from the Southeast corner of said Section Nine (9), and also the point at which commences county road No. 430, in accordance with the plat and map hereto attached; that said road was laid out upon the most practical route from the point of commencement to the termination, and upon the route designated in said order appointing us as viewers, and in accordance with the prayer of the petition, and <sup>we</sup> so laid out said road as to do the least possible damage to the lands over which it passes; that J. W. Kimbrell, the County Surveyor of Umatilla County, State of Oregon, who was appointed to assist us upon said survey, met with us at the time and place mentioned in said order, and assisted us in making the survey of the said County Road, and the same was done under our directions, and he made the plat hereto attached, which is hereby made a part of this report; that we took into consideration, in assessing damages, the value of the land taken by said road, the cost of fencing the same/ the inconvenience resulting from said road over and across the lands of each of the parties hereinbefore named, and how much less valuable each of said places would be rendered by reason of said road.

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J. M. Ferguson  
Thomas Thompson  
Chas. A. Frazier  
 Viewers.

State of Oregon,  
 County of Umatilla--SS.

I, Thomas Thompson, J. M. Ferguson and Charles A. Frazier, each being severally duly sworn, depose and say that the foregoing report is true, as I verily believe.

J. M. Ferguson  
Thomas Thompson  
Chas. A. Frazier

Subscribed and sworn to before me this 28<sup>th</sup> day of April, 1899.

B. S. Burroughs  
County Clerk.

J. M. Ferguson, 1 day's services, 5 miles travel-----	\$2.50
Charles A. Frazier, 1 day's service, 5 miles travel-----	2.50
Thomas Thompson, 1 day's service, 5 miles travel-----	2.50
John W. Kimbrell, Surveyor-----	14 <sup>00</sup>