

A+R #81

OFFICE COPY

APPROVED BY HIGHWAY COMMISSION  
DATE November 13, 1940  
W. McKeany  
Secretary

Note  
X  
map -

ABANDONMENT and  
RETENTION No. 21

RESOLUTION

WHEREAS, in order to afford a better alignment and a more satisfactory, safe and convenient highway for the traveling public, the Commission found it necessary to relocate the Pendleton-Adams Section of the Oregon-Washington Highway in Umatilla County; and

WHEREAS, by reason of said relocation and reconstruction of the said section of said highway there was eliminated and made unnecessary as a part of the permanent highway a certain section or part thereof, which section is more specifically defined and designated hereinafter in this resolution; and

WHEREAS, it is the judgment and opinion of the Commission that there should be recorded in the minutes and records of the Commission its purpose and plan to abandon as a part of the said state highway the fragment or portion of right of way hereinafter designated and heretofore included within the area of the right of way of the said highway as formerly located, improved and used;

NOW, THEREFORE, the premises being in general as above stated, it hereby is resolved by this Commission, all members being present and affirmatively participating, as follows:

1. That the fragment of land confined within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right of way of the Pendleton-Adams Section of the Oregon-Washington Highway in Umatilla County, but is now without the limits of the right of way of said highway as said highway has been relocated and constructed, be and said fragment or parcel of land or portion of the old right

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of way is abandoned as a part of the right of way of said highway. The portion of the right of way of said highway within the corporate limits of the City of Adams and which by this resolution is abandoned is left to revert to the abutting owners or to the City of Adams for such public use as the City may elect to make of the same, and the portion of the right of way which by this resolution is abandoned and which is not within the city limits of the City of Adams is left to revert to the abutting property owners or to the control and supervision of the County Court of Umatilla County for highway or other public purposes, as the Court may determine. The fragment or parcel of land affected by this resolution is defined and described as follows, to wit:

All that certain section of the old right of way of the Pendleton-Adams Section of the Oregon-Washington Highway lying on the northerly side of the right of way required for the reconstructed Oregon-Washington Highway; the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 37+00 on the westerly end and Station 640+00 on the easterly end.

The location of said abandoned right of way may be more definitely and particularly ascertained and determined by reference to a map or blueprint, marked "Exhibit A", attached hereto and by this reference made a part hereof, which said exhibit for identification purposes bears the signatures of W. C. Williams, Division Engineer, H. G. Smith, Construction Engineer, and C. B. McCullough, Assistant State Highway Engineer, and is dated October 15, 1940, upon which map or exhibit there is reflected the above described parcel of land by showing the same shaded in red.

2. Since the highway as now located does not traverse any of the existing streets of said City and especially does not traverse any portion of

Preston Street, Main Street or Commercial Street, which heretofore were designated by the Highway Commission as streets of the City of Adams over which there was routed traffic using the Oregon Washington Highway. Said original designation hereby is vacated and annulled and state traffic will no longer by order of the Highway Commission be directed or routed over any of said streets.

3. In the event there remains any physical connection between any portion of said abandoned right of way or highway and the present highway, and by reason of such physical connection traffic from the existing highway may enter or use the said abandoned portion of the said highway to the possible damage or injury of such traffic by reason of any unsafe condition existing with respect to said old or abandoned highway, then the State Highway Engineer is hereby authorized and directed to erect such barricade or other safeguards as may be necessary to protect and safeguard traffic using and employing said newly located, constructed and dedicated section of said highway.

4. That this resolution be entered in the minutes and records of the Commission and a certified copy thereof promptly delivered to the County Court of Umatilla County, together with a copy of said map or exhibit, for such action as said County Court may desire to take with respect to said fragment of land which lies outside the city limits of the City of Adams, and a certified copy thereof promptly delivered to the Mayor of the City of Adams, together with a copy of said map or exhibit, for such action as the City authorities may desire to take with respect to said abandoned section of highway within said City of Adams; and should said abandoned portion of the right of way of said highway be further employed for public or private highway purposes such use shall be entirely under the control and supervision of the County Court of

Umatilla County or the municipal authorities of the City of Adams, as the case may be, and beyond any responsibility or supervision by the State Highway Commission.

OREGON STATE HIGHWAY COMMISSION

SALEM, ORE.

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REPORT ON PROPOSED ABANDONMENT OF HIGHWAY RIGHT OF WAY

Highway Oregon-Washington Number 8 Date October 8, 1940

County Umatilla

Section Pendleton-Adams M.P. 0.76 to M.P. 12.99  
(Describe approximate beginning and ending point with reference to towns and mile points.)

Length of Section to be abandoned          Sta. 37+00 to Sta. 640+00  
Miles 12.23 Acres 88.9

Width of Right of Way 60', except Sta. 37+00 to 40+81.4 (old line) which is 40'

Type of Existing Improvement Bituminous pavement

Property originally acquired by court resolution - Deeds to County - Deeds to State. (If by deed, were there any restrictions?) Court Resolution

Description and map covering section to be abandoned must be attached hereto.

Property will revert to County  
(County or abutting property owners.)

Reason for abandonment The new highway between Pendleton and Adams completed in 1940 eliminates the necessity of maintaining the section being abandoned as a state highway

Would this property be of any further value to the State of Oregon for highway purposes? No

Abandoned highway will          be maintained by County - Giddeman

Abandonment of this section will not involve purchase of new right of way for connecting roads or private outlets.

(If so, give details of length, costs, etc.         )

Approved: [Signature]  
Division Engineer.

Approved: [Signature]  
Construction Engineer.  
[Signature]  
State Highway Engineer.

RESOLUTION

WHEREAS, the Oregon State Highway Commission did by resolution duly and regularly adopted on November 13, 1940, abandon the fragment of land contained within the area of land hereinafter designated, which fragment or parcel of land was formerly within the limits of the right-of-way of the Pendleton-Adams section of the Oregon-Washington Highway in Umatilla County, but which is now without the limits of the right-of-way of said highway as said highway has been relocated and constructed, and which abandoned fragment of land is described as follows:

All that certain section of the old right of way of the Pendleton-Adams Section of the Oregon-Washington Highway lying on the Northerly side of the right of way required for the reconstructed Oregon-Washington Highway; the beginning and ending points with reference to the engineer's stations of the said reconstructed highway being Station 37+00 on the westerly end and Station 640+00 on the easterly end.

Excepting therefrom the portion of the right of way of said highway within the corporate limits of the City of Adams, Umatilla County, Oregon; and

WHEREAS, the said abandoned parcel or fragment of land has been left to revert to the abutting property owners, or to the control and supervision of the County Court of Umatilla County for highway or other purposes; and

WHEREAS, the said described parcel or fragment of land would be of material benefit to the Road Highway System of Umatilla County.

NOW THEREFORE, be it resolved that Umatilla County does hereby designate the aforesaid parcel or fragment of land for public use as and for a portion of the Umatilla County Road System, the same to be entirely under the control and supervision of the County Court of said Umatilla County, and said Umatilla County does hereby relieve the Oregon State Highway Commission from any responsibility or supervision of said described vacated and abandoned area.

UMATILLA COUNTY, STATE OF OREGON

By Gene W. Chambers  
County Judge

Wm. R. Meiners  
County Commissioner

It appearing that through inadvertence the above proceedings have not been entered heretofore in the records of this Court and Cause, now at this time it is ORDERED that the foregoing order and the whole thereof be entered upon the records of this Court and Cause "nunc pro tunc" as of and for the 30th. day of November, 1940.

UMATILLA COUNTY, STATE OF OREGON

By Carl W. Chambers  
County Judge

Wm. R. Meiners  
County Commissioner

STATE OF OREGON }  
County of Umatilla } "

I, Mrs. E. B. Casteel, County Clerk in and for the said County and State, and ex-officio Clerk of the County Court of the State of Oregon for Umatilla County, do hereby certify that the foregoing copy of instrument has been by me compared with the original, and that it is a correct transcript therefrom, and of the whole of such original as the same appears of record and on file at my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the said

Court this 28 day of Aug 1942

Mrs E B Casteel  
Clerk

By \_\_\_\_\_  
Deputy