

983

IN COUNTY COURT,

November

TERM, 1899

Sixth

JUDICIAL DAY, Saturday, November 11th 1899

Printers and Lithographers, Portland, Oregon.

Court met pursuant to adjournment and there were present;

Hon. J. E. Bean, County Judge

" H. F. Frazier " " Court

" J. P. Gilliland " " "

B. S. Burroughs " " Clerk

W. M. Blackley, Sheriff

and after due proclamation of the opening of Court by the opening of Court by the proper officer the following business was transacted together with claims allowed as shown by Abstract of Claims Book No. 3.

In the matter of the Petition
of John Bahr and others for
laying out, locating and
opening of a County Road
in Umatilla County, Oregon.

Road No. 509,

Docket #63.

Now on this day this matter coming on to be heard, the petitioners appearing in person as well as by John J. Balleray and T. G. Bailey, their attorneys, and it appearing to the court that heretofore by an order of the Court duly made on the 6th day of July, 1899, that J. M. Ferguson, John F. Temple and J. S. Gurdane, three disinterested householders within Umatilla County, State of Oregon, were duly appointed viewers of said road, and that they, together with the County Surveyor of Umatilla County, State of Oregon, J. W. Kimbrell, met on the 26th day of August 1899, pursuant to the order of this Court, and surveyed and located said County road No. 509, and having duly made their report to this Court from which it appears that said road as petitioned for and upon exactly the same lines as petitioned for in the petition filed herein, is practicable and of great utility to the public, and recommended that the same be established and opened as a public highway of Umatilla County, and having together with their report returned and reported a plat and map of said road, which report was duly filed on the 28th day of August, 1899, and it appearing that said road passes through the lands of J. D. Oliver and R. S. Oliver, and that the said J. D. Oliver and R. S. Oliver filed a petition in this Court claiming

damages for the opening of said road and setting forth the value of the lands taken by the said road and the damage to the other portion of the land remaining to the said J. D. Oliver and R. J. Oliver through which said road runs, and claiming that said damages amount to the sum of \$250, and praying that they be allowed said sum of \$250 damages upon the opening of said road, which petition was duly filed on the 7th day of September, 1899, and it further appearing that this Court on the 8th day of September, 1899, duly appointed B. F. Reun, Frank Frazer and Jacob Rieth to assess the damages petitioned for by the said J. D. Oliver and R. J. Oliver, and said viewers having been duly sworn according to law on the 19th day of September, 1899, and having viewed said premises where said road petitioned for in the petition was located and laid out, and having filed their report on the 20th day of September, 1899, by which report it appears that the said J. D. Oliver and R. J. Oliver will be damaged by reason of the location, laying out and opening of said road through which said road is located would be rendered less valuable by reason of the location and opening of the same in the sum of \$125, and it appearing to this Court by satisfactory proof that said road is and would be of great public utility to the people residing in the vicinity of the same, and to the public of Umatilla County,

It is now, therefore, considered, ordered, adjudged and decreed that said road petitioned for be opened to the public as a public highway of Umatilla County, to be known as County Road No. 509, as follows:

Beginning at a point on the County Road leading from Cold Spring to Pendleton, Umatilla County, State of Oregon, namely at the northeast corner of the Southeast quarter of Section 26, in Township 3 North Range 32 East of the Willamette Meridian, and running thence South between sections 25 and 26 and 35 and 36, Township 3 North of Range 32 East of the Willamette Meridian, one mile to the northeast corner of the Southeast quarter of Section 25 of said Township 3 North of Range 32 East of the Willamette Meridian; thence West 39.65 chains; thence South 11 chains and 75 links, thence West 14 chains and 75 links, thence South 50 degrees, West 3 chains and 15

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links, thence South 50 degrees, west 5 chains and 80 links, to a stake firmly set in the ground marked "R" on the road leading to Lee Street Bridge across the Umatilla River in Umatilla County, State of Oregon.

and it is further ordered and adjudged that the said T. D. Oliver and R. S. Oliver be and they are hereby allowed the said sum of \$125, and that said sum be first paid by Umatilla County and that thereupon the said road be and the same is hereby opened and declared to be a public road of Umatilla County hereafter to be known as County Road No. 509.

In the matter of the } Docket No. 151.
claim of Isaac Duncan.

Now on this day it is ordered by the Court that the claim of Isaac Duncan be and the same is hereby disallowed

In the matter of the } Docket No. 124.
Sheriff's List of Abatements }
for years 1896, 1897, & 1898

Now on this day comes the Sheriff of Umatilla County, with a list of abatements for years 1896, 1897 & 1898. It is therefore ordered by the Court that the said Sheriff be credited with the sums abated as shown by the list now on file in the office of the county clerk.

In the matter of the Petition } Docket #67.
of Anti Hannula for a Road }
of public easement.

Now on this day this cause coming on to be heard upon the petition of Anti Hannula for the laying out, locating and establishing of a county road and highway thirty (30) feet wide, commencing at the Northeast corner of the Southwest quarter of Section 15, in Township 4 North of Range 31 East of the Willamette Meridian, in Umatilla County, State of Oregon, running thence in a northerly on