

A G R E E M E N T

THIS AGREEMENT, made and entered into this 2nd day of November, 1956, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State," and UMATILLA COUNTY, a political subdivision of the State of Oregon, by and through its County Court, hereinafter called "County."

W I T N E S S E T H :

RECITALS:

1. Under the provisions of ORS 366.300(1), whenever the State Highway Commission relocates or realigns a state highway or a section thereof and by reason of such relocation or realignment there is eliminated from the original route of the highway a section thereof, if the eliminated section is needed for the service of persons living thereon or for a community served thereby, State and County may enter into an agreement under the terms and conditions of which the said eliminated section shall be maintained for the service of persons living thereon or a community served thereby.

2. State proposes to relocate and realign a portion of the Pendleton-John Day Primary Highway No. 28 known as the North Unit, Pendleton-Pilot Rock Section in Umatilla County, the northerly terminus of which is at Highway Engineer's Survey Station 200+00 and the southerly terminus of which is at Highway Engineer's Survey Station 242+00 of the said relocated highway.

3. The construction of the proposed relocated section of the said highway shall make possible the elimination of certain portions of the old route of the said highway from the state highway system. The said portions to be eliminated are herein designated Units "A" and "B" and described as follows:

Unit "A"

All the land situated within the right of way boundaries of the Pendleton-John Day Highway as formerly routed, beginning at the westerly right of way line opposite Highway Engineer's Survey Station 234+15 of the said highway as relocated in the southeast quarter of the northwest quarter ($SE\frac{1}{4}NW\frac{1}{4}$), Section 3, Township 1 North, Range 32 East, W.M.; thence northerly via said highway as formerly routed to the westerly right of way line opposite Highway Engineer's Survey Station 130+55 of said highway as relocated in the southwest quarter of the northwest quarter ($SW\frac{1}{4}NW\frac{1}{4}$), Section 27, Township 2 North, Range 32 East, W.M.

Unit "B"

All the land situated within the right of way boundaries of the Pendleton-John Day Highway as formerly routed beginning at the westerly right of way line opposite Highway Engineer's Survey Station 47+50 of said relocated highway in the northeast quarter of the northwest quarter ($NE\frac{1}{4} NW\frac{1}{4}$), Section 21, Township 2 North, Range 32 East, W.M.; thence northerly via said highway as formerly routed to the westerly right of way line opposite Highway Engineer's Survey Station 15+00 of said relocated highway in the northwest quarter of the southeast quarter ($NW\frac{1}{4} SE\frac{1}{4}$), Section 16, Township 2 North, Range 32 East, W.M.

The said Units "A" and "B" are shown in red on the map attached hereto marked Exhibit "A" and by this reference made a part hereof.

4. In the judgment of State and County it is necessary that the said Units "A" and "B" hereinabove described, when eliminated from the state highway system, be maintained by the County for the service of persons living thereon or communities served thereby.

NOW, THEREFORE, the premises being in general as stated in the foregoing recitals, it is agreed by and between the parties hereto as follows:

THINGS TO BE DONE BY STATE:

1. After the proposed North Unit, Pendleton-Pilot Rock Section of the Pendleton-John Day Primary State Highway No. 28 has been completed and open to travel, the State shall by appropriate resolution formally eliminate Units "A" and "B" as hereinabove described from the route of the Pendleton-John Day Highway and the state highway system; and shall transfer all rights, title and interest therein to the County to be maintained by the said County as a part of the county road system, so long as said units are required for the service of persons living thereon or a community served thereby.

2. State shall place Units "A" and "B" in a serviceable condition before they are transferred to the County.

3. State shall retain that portion of the right of way of the former North Unit, Pendleton-Pilot Rock Section of the Pendleton-John Day Highway and that real property acquired by the State for highway right of way and other public purposes which is shown colored in green on Exhibit "A" attached hereto.

THINGS TO BE DONE BY COUNTY:

1. The County shall, by appropriate resolution or otherwise, accept the transfer of all rights, title and interest of the State in the said Units "A" and "B" and shall maintain the said Units "A" and "B" as county

roads so long as needed for the service of persons living thereon or a community served thereby.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals as of the day and year first above written.

ATTEST:

W. B. Seary
Secretary

APPROVED:

[Signature]
Assistant State Highway Engineer

APPROVED AS TO FORM:

[Signature]
Asst. Chief Counsel

STATE OF OREGON, by and through its State Highway Commission

By [Signature]
Chairman

By [Signature]
Commissioner

By [Signature]
Commissioner

STATE

ATTEST:

Jessie M Bell
County Clerk

By [Signature], Deputy

UMATILLA COUNTY, by and through its County Court

By [Signature]
County Judge

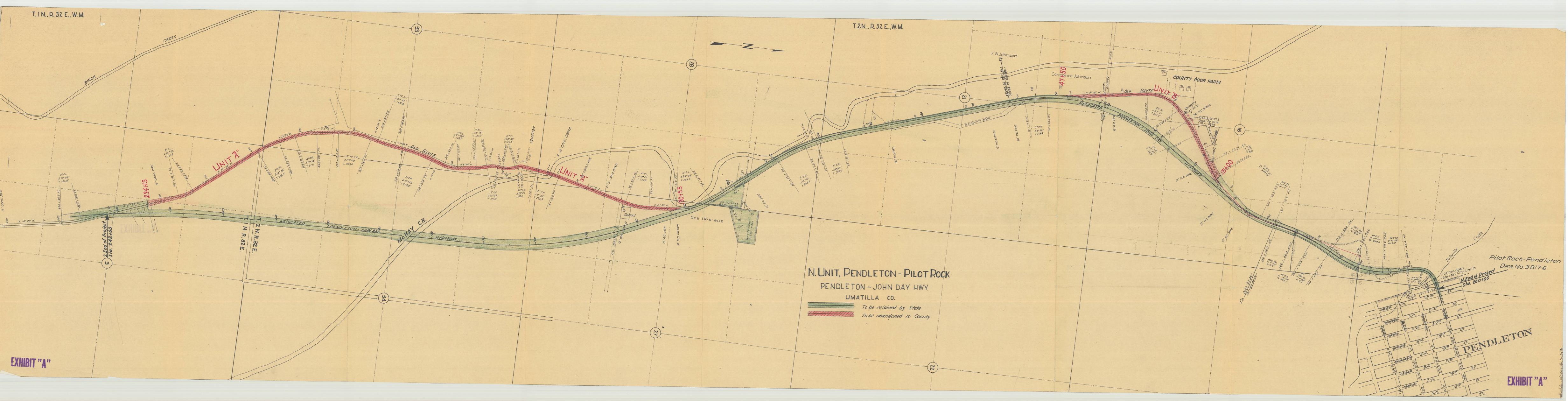
By [Signature]
County Commissioner

By [Signature]
County Commissioner

COUNTY

T.1N., R.32 E., W.M.

T.2N., R.32 E., W.M.



N. UNIT, PENDLETON - PILOT ROCK
 PENDLETON - JOHN DAY HWY.
 UMATILLA CO.

To be retained by State
 To be abandoned to County

Pilot Rock - Pendleton
 Drg. No. 3B17-6

N. End of Project
 Sta. 200+00

PENDLETON

EXHIBIT "A"

EXHIBIT "A"