

AGREEMENT

THIS AGREEMENT, made and entered into this 25<sup>th</sup> day of August, 19 66, 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. For the purpose of furthering the development of a highway system adapted in all particulars to the needs of the people of the State of Oregon, State has found it necessary and desirable to relocate and construct the Ordnance Interchange of the Morrow County Line-Umatilla River Section of the Columbia River Highway, State Primary Highway No. 2, in Umatilla County, Oregon.
2. Pursuant to ORS 366.300, State and County may enter into agreements for the disposition of sections of any state highway that may be eliminated from the original route by reason of relocation or realignment of the highway where the sections to be eliminated are needed for the service of persons living thereon or for a community served thereby.
3. Pursuant to ORS 366.290(3), State may with the consent of the County Court of the County in which a particular highway or part thereof is located, and the Commission may, when in its opinion the interests of the state may be best served, eliminate from the system of secondary highways any road or highway or part thereof. Thereafter the road or highway or part thereof eliminated shall become a County road or highway and the construction, repair, maintenance, or improvement and jurisdiction over said highway shall be exclusively under the County Court of the County in which such highway or road is located.
4. Pursuant to a throughway agreement entered into between Umatilla County and the State Highway Commission on November 19, 1965, State shall construct the Ordnance Interchange and upon completion certain county road connections and frontage roads shall revert to county for jurisdiction, control, and maintenance.
5. The completion of construction of the Ordnance Interchange of the relocated section of the Columbia River Highway will make possible the elimination by State that portion of said Ordnance Highway easterly and southerly of the Ordnance Depot access road, a county road to be constructed. Said portion to be eliminated is not a part of the aforementioned throughway agreement and is hereinafter designated as unit A, and shown colored in red on the map attached hereto, marked "Exhibit A" and by this reference made a part hereof. Unit A, as hereinafter described, is needed for the service of persons living thereon or for a community served thereby. It is the purpose and plans of the parties hereto that Unit A be eliminated as a portion of the Ordnance Depot Highway and the State Highway System; that the unit pass to and vest in County; and that County maintain the unit as a portion of its county road system as long as needed for the service of persons living thereon or a community 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. State approves the RECITALS herein, Exhibit A, THINGS TO BE DONE BY COUNTY, and all other provisions of this agreement.
2. State shall, by resolution, upon completion of construction of the Morrow County Line-Umatilla River Section of the Columbia River Highway, formally eliminate Unit A as a portion of the Columbia River Highway and the State Highway System, and all right, title and interest of State in the Unit shall thereupon pass to and vest in County. Unit A is described as follows:

All the land within the right of way boundaries of the Ordnance Depot Highway as presently located from the northerly access control line of the Old Oregon Trail Highway opposite relocated highway Engineer's Station 803+60 of said Old Oregon Trail Highway; thence northerly to the easterly right of way boundary line of the Ordnance Depot access road opposite relocated highway Engineer's Station "E" 89+00 in Section 27, T 4 N, Range 27 E, WM in Umatilla County, Oregon.

3. State shall place Unit A in serviceable condition either before or within a reasonable time after the unit is eliminated and title thereto vested in County.

4. State shall, under ORS 366.290(3), eliminate the Ordnance Depot Highway, State Secondary Highway No. 338 from the State Secondary Highway System in its entirety.

5. State shall retain that portion of the right of way of the former Ordnance Depot Highway, and that real property acquired by State for highway right of way and other public purposes, shown colored in green on Exhibit A.

THINGS TO BE DONE BY COUNTY:

1. County approves the RECITALS herein, Exhibit A, THINGS TO BE DONE BY STATE, and all other provisions of this agreement.

2. County agrees to accept all of State's right, title and interest in Unit A; to accept jurisdiction and control over the unit; and to maintain the unit as a portion of its county road system as long as needed for the service of persons living thereon or a community served thereby.

3. County approves the elimination of the Ordnance Depot Highway, State Secondary Highway No. 338 from the State Secondary Highway System.

4. County shall execute this agreement during a duly authorized session of its County Court.

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

This agreement was approved by the Oregon State Highway Commission on Aug 25, 1966, at which time the Secretary for the Commission was authorized and directed to sign said agreement for and on behalf of the Commission. Said authority is set forth in Volume 51, Page \_\_\_\_\_, Minute Book of the Oregon State Highway Commission.

APPROVED:

Floyd Query  
Floyd Query, Secretary

J. Klaboe  
Assistant State Highway Engineer

UMATILLA COUNTY, by and through its  
County Court

ATTEST:

By W. R. Cook  
County Judge

Jessie M Bell  
County Clerk  
By Term Masters, Deputy

By Carl B. Stanton  
Commissioner

By Water A. Hise  
Commissioner



T. 4N..R., 27E., W.M.

MORROW COUNTY-STANFIELD DISTRICT		SHEET No.	
OLD OREGON TRAIL HIGHWAY		5	
UMATILLA COUNTY		TOTAL SHEETS	
FED. ROAD Div. No.	STATE	PROJECT NUMBER	FISCAL YEAR
3	OREGON	ESON-2(2)175	
			See Index

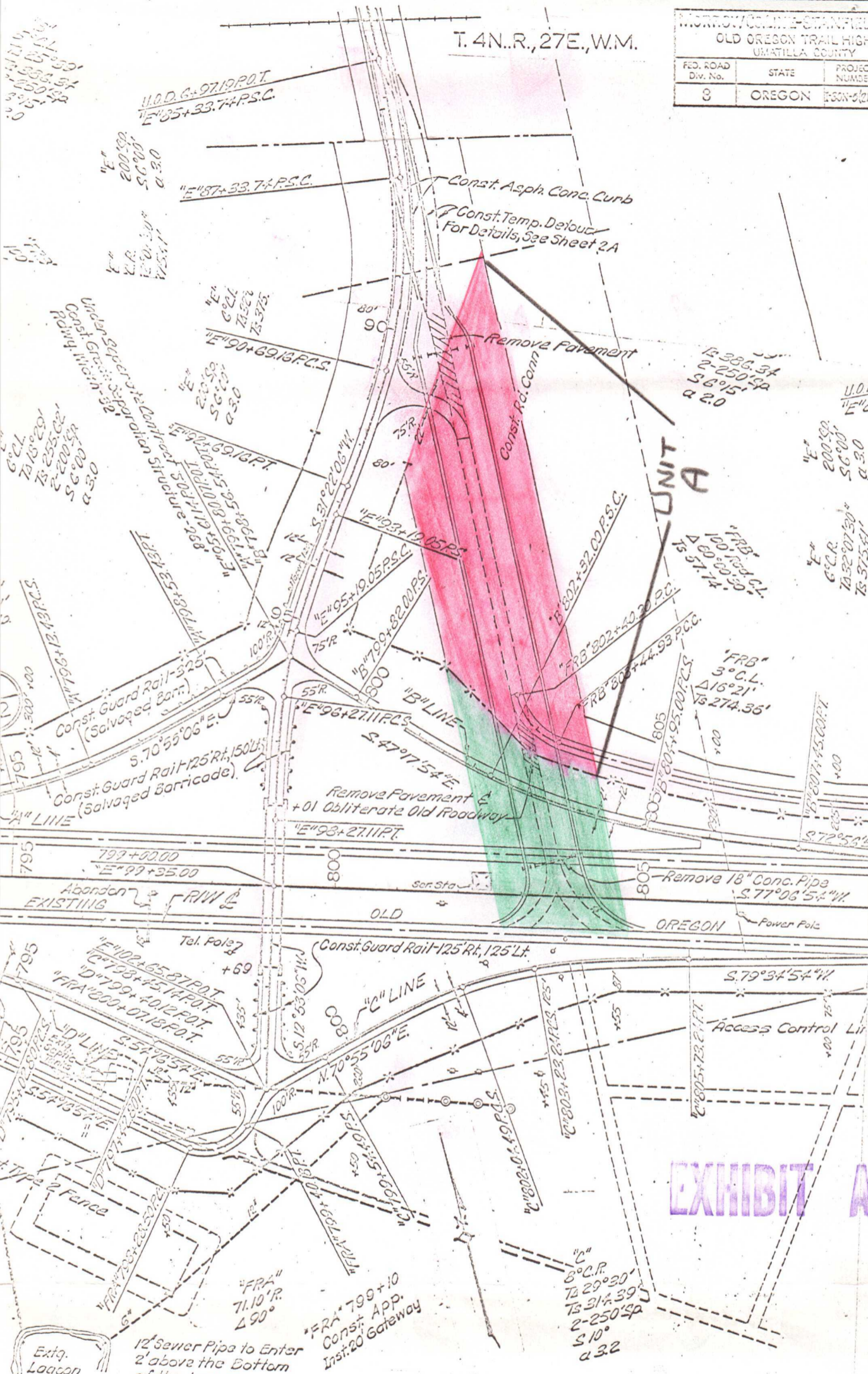


EXHIBIT A

### ORDNANCE INTERCHANGE

Const. 6'x10' Conc. Sewage Sump Chamber with Timber Walk  
 Cl. 1/4" Conc. 8.9 C.Y.  
 Metal Paint 1830 lb.  
 Structural Steel 286 lb.  
 Treated Timber 920 Board Feet  
 Tr. Exc. 10 C.Y.  
 Dig. No. 21465

Inst. 12" Sewer Pipe-460'  
 Inst. 6" Steel Pressure Pipe-144'  
 Inst. Anti-seep-ring, Discharge End 6" Pipe  
 Tr. Exc. 390 C.Y.  
 For Detail, See Sheet 2 E