

A G R E E M E N T

THIS AGREEMENT, made and entered into this 23 rd day of May 1955, by and between the STATE OF OREGON, by and through its State Highway Commission, hereinafter called "State", UMATILLA COUNTY, a political subdivision of the State of Oregon, by and through its County Court, hereinafter called "County" and the city of WESTON, a municipal corporation acting by and through its City Officials, hereinafter called "City";

W I T N E S S E T HRECITALS:

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, the State has relocated the West Unit of the Weston-Weston Mountain Section of the Weston-Elgin Secondary Highway No. 330 in Umatilla County, the westerly terminus of which is at Highway Engineer's Survey Station 11100, and the easterly terminus of which is at Highway Engineer's Survey Station 150160 of the relocated highway. The relocated section of the Weston-Elgin Secondary Highway has not as yet been constructed, but it is the purpose and plan of the State to place said unit under construction during the year of 1955.
2. By the authority granted in ORS 366.300 the State is empowered to enter into an agreement with the County for the maintenance of a portion or unit of highway that may be eliminated from the original route by the relocation and realignment of said highway.
3. The construction of the relocated highway shall make possible the abandonment by the State of portions of the old route hereinafter described as Units "A" and "B". It is the purpose and plan of the parties hereto that Units "A" and "B" shall be abandoned to the County and that Unit "A" shall be maintained under the jurisdiction and control of the County as part of the County road system; that Unit "B", being within the city limits of Weston, is best suited to be a city street and shall be relinquished by the County to the City in accordance with ORS 373.270, and thereafter shall be maintained under the jurisdiction and control of the said City as part of the City street system.
4. Unit "A" of the former Weston-Elgin Secondary Highway which is to be abandoned is shown colored in red on the map attached hereto, marked Exhibit "A", and by this reference made a part hereof; Unit "B" of the former Weston-Elgin Secondary Highway which is to be abandoned is shown colored in blue on the said Exhibit "A" attached hereto. The descriptions of the aforementioned Units "A" and "B" are as follows:

Unit "A"

All the land situated within the right of way boundaries of the Weston-Elgin Secondary Highway as formerly routed, beginning on said highway as formerly routed at the easterly city boundary of the city of Weston; thence easterly via said highway as formerly routed to the southerly right of way line opposite Highway Engineer's Survey Station 135250 of said highway as relocated in the northeast quarter of the southwest quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 24, Township 4 North, Range 36 East, W.M.

Unit "B"

All the land situated within the right of way boundaries of the Weston-Elgin Secondary Highway as formerly routed, beginning at the intersection of said highway as formerly routed and the Oregon-Washington State Primary Highway No. 8 in the city of Weston; thence easterly via said Weston-Elgin Secondary Highway as formerly routed to the easterly city boundary of the city of Weston.

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 relocated West Unit of the Weston-Weston Mountain Section of the Weston-Elgin Secondary Highway has been opened to public travel the State shall formally abandon Units "A" and "B" as part of the Weston-Elgin Secondary Highway and the State highway system by resolution; and all right, title and interest which the State may have in the right of way of Units "A" and "B" shall thereupon pass to and vest in the County.

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

3. State shall retain that portion of the right of way of the former West Unit of the Weston-Weston Mountain Section of the Weston-Elgin Secondary 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 accept, when the State has formally abandoned Units "A" and "B" by resolution, all the right, title and interest of the State in the said Units "A" and "B", and will assume the jurisdiction and control of the said Unit "A" for the purpose of maintaining it as a part of the County road system.

2. The County will relinquish all jurisdiction and control of the said Unit "B" to the city of Weston, in accordance with ORS 373.270.

THINGS TO BE DONE BY CITY:

1. The City shall accept the jurisdiction and control of Unit "B" from the County, in accordance with ORS 373.270, and said Unit "B" shall be maintained thereafter by the City as a city street under the jurisdiction and control of said City.

IN WITNESS WHEREOF, the parties hereto have subscribed their names and affixed their seals as of the day and year first above written, the City Council acting in accordance with and pursuant to Ordinance, No. 373, adopted by the City Council on the 6th day of May, 1955.

Attest:

/s/ H.B. Glaisyer  
Secretary

APPROVED:

/s/ W.C. Williams (?)  
State Highway Engineer

APPROVED AS TO FORM:

/s/ Robert L. May, Jr. (?)  
(Ass L) Chief Counsel

STATE OF OREGON, by and through  
its State Highway Commission

By /s/ Ben R. Chandler  
Chairman

By /s/ M. K. McIver

UMATILLA COUNTY, by and through  
its County Court

by /s/ D. R. Cook  
COUNTY JUDGE

BY /s/ J.E. Olinger  
COUNTY COMMISSIONER

BY /s/ Roscoe Kelley  
COUNTY COMMISSIONER

CITY OF WESTON, by and through its  
City Officials

by /s/ Walter L. Rayborn  
Mayor

by /s/  
Recorder

ATTEST:

/s/ Jessie M. Bell  
County Clerk

Attest:

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