

AGREEMENT

THIS AGREEMENT, made and entered into this 28<sup>th</sup> day of January, 1960, 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, the State proposes to relocate and construct the Oregon-Washington Highway - Old Oregon Trail Section of the Umatilla Mission Highway, State Secondary Highway No. 331, in Umatilla County.
2. By the authority granted in ORS 366.300, State is empowered to enter into an agreement with County for the disposition of portions or units of any state highway that may be eliminated from the original route by the relocation and realignment of said highway.
3. The construction of the said relocated section of the Umatilla Mission Highway, State Secondary Highway No. 331, shall make possible the elimination by State of a portion of the former route hereinafter described as Unit "A." It is the purpose and plan of the parties hereto that Unit "A" shall pass to County as part of the county road system as long as needed for the service of persons living thereon or communities served thereby.
4. Unit "A" of the former Umatilla Mission Highway which is to be eliminated is shown colored in red on the map attached hereto marked Exhibit "A" and by this reference made a part thereof. The description of Unit "A" is as follows:

Unit "A"

All the land situated within the right of way boundaries of the Umatilla Mission Highway as formerly routed beginning at the mean high water line on the southerly bank of the Umatilla River in the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ -NW $\frac{1}{4}$ ), Section 10, Township 2 North, Range 33 East, W.M.; thence southwesterly along said highway as formerly routed to the easterly right of way boundary line opposite relocated Highway Engineer's Centerline Station 128+40 of said relocated highway in the northwest quarter of the northwest quarter (NW $\frac{1}{4}$ -NW $\frac{1}{4}$ ), Section 10, Township 2 North, Range 33 East, W.M.

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 Oregon-Washington Highway - Old Oregon Trail Section of the relocated Umatilla Mission Highway has been completed and opened to public travel,

State, by resolution, shall formally eliminate said Unit "A" as part of the Umatilla Mission Highway and the state highway system; and all right, title, and interest which State has in the right of way of Unit "A" shall thereupon pass to and vest in County.

2. State shall place Unit "A" in serviceable condition before it is eliminated and turned over to County.

3. State shall retain that portion of the right of way of the former Oregon-Washington Highway - Old Oregon Trail Section of the Umatilla Mission Highway and that real property acquired by 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. County, by execution of this agreement, does hereby consent to and approve the provisions of paragraphs 1 through 3 under THINGS TO BE DONE BY STATE.

2. County agrees to accept all right, title, and interest of State in Unit "A" and shall accept jurisdiction and control over said Unit "A" and shall maintain it as part of the county road system as long as needed for the service of persons living thereon or communities served thereby.

3. County shall execute this agreement during a duly authorized session of its County Court and a certified copy of the entry in the County Court journal evidencing the said execution shall be attached hereto and made a part hereof.

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

ATTEST:

Hoyd Query  
Secretary

[Signature]  
APPROVED:  
Assistant State Highway Engineer

[Signature]  
APPROVED AS TO FORM:  
Chief Counsel

STATE OF OREGON, by and through its  
State Highway Commission

By [Signature]  
Chairman

By [Signature]  
Commissioner

By [Signature]  
Commissioner

UMATILLA COUNTY, by and through its  
County Court

By [Signature]  
County Judge

By [Signature]  
County Commissioner

By [Signature]  
County Commissioner

ATTEST:

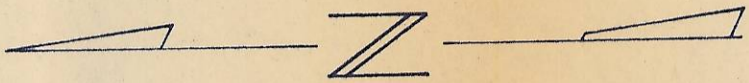
Jessie M. Bell  
County Clerk  
By Margaret McPhail, Dep

T.2N., R.33E., W.M.

George G. Moore  
216 - 142

NW<sup>4</sup> NW<sup>4</sup> - Sec. 10

Existing Bridge  
to be removed



UNIT "A"

UMATILLA RIVER

East 434

Raymond Anderson  
206 - 41

Constr. Appr. & Conn.  
to Exist. Hwy.

C. Ludeman  
245 - 420

120

29435  
(0.30 Ac.)

50 + 00

50 + 00

125

7 + 30

128 + 40

130

N 715' to P.O.B.

(1.65 Ac.)

29436

+ 00 50

+ 00 40

43  
9/10

End of new Bridge 121+52

Dominie Showaway  
Probate 10772-55  
Allotment C-40


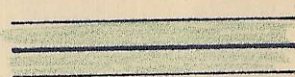
See Filing Map 10C-34-13

N 737,000  
E 2,464,000

UMATILLA

OREGON-WASH. HWY. - OLD OREGON TRAIL HWY. SEC.  
UMATILLA MISSION HWY. NO. 331 UMATILLA COUNTY

EXHIBIT "A"

 To be relinquished to County.  
 To be retained by State.

Oct. '59