

A G R E E M E N T

THIS AGREEMENT, made and entered into this 14th day of December, 1955, 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 had adopted a survey relocating a section of the Hermiston Secondary Highway No. 333 known as the Hinkle Underpass-Umatilla River Section in Umatilla County. The relocated section of the Hermiston Highway has not yet been constructed but it is the plan and purpose of the State to place a portion of said relocation under construction during 1956, herein referred to as the Hinkle-Bucks Corner Section, the northerly terminus of which is at Highway Engineer's Survey Station 4+00 and the southerly terminus of which is at Highway Engineer's Survey Station 68+00.

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 portions or units of highway needed by persons living thereon; or for a community served thereby 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", "B", and "C". It is the purpose and plan of the parties hereto that Unit "C" shall be abandoned to the County; that said Unit "C" shall be maintained under jurisdiction and control of the County as part of the county road system; and that Units "A" and "B" shall revert to the owners of the abutting property.

4. Unit "C" of the former Hermiston Highway which is to be abandoned is shown colored in red on the map attached hereto and marked Exhibit "A", and by this reference made a part hereof; Units "A" and "B" of the former Hermiston Highway are shown colored in brown on said Exhibit "A" attached hereto. The descriptions of the aforementioned Units "A", "B", and "C" are as follows:

Unit "A"

All the land situated within the right-of-way

boundaries of the Hermiston Highway as formerly routed beginning at the center of the Umatilla River in the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 28, Township 4 North, Range 28 East, W. M.; thence southwesterly via said highway as formerly routed to the easterly line opposite Highway Engineer's Survey Station 29+50 of a parcel of State-owned right of way in the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 28, Township 4 North, Range 28 East, W. M.

Unit "B"

All the land situated within the right of way boundaries of the Hermiston Highway as formerly routed beginning at a place on said former highway opposite and easterly of Highway Engineer's Survey Station 29+50 of a parcel of State-owned right of way in the southeast quarter of the southwest quarter, (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 28, Township 4 North, Range 28 East, W. M.; thence southwesterly via said former highway to the easterly line opposite Highway Engineer's Survey Station 31+90 of said parcel of State-owned right of way in the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 28, Township 4 North, Range 28 East, W. M.

Unit "C"

All the land situated within the right of way boundaries of the Hermiston Highway as formerly routed beginning at Highway Engineer's Survey Station 7+14.5 of said former highway in the southeast quarter of the southwest quarter (SE $\frac{1}{4}$ - SW $\frac{1}{4}$), Section 28, Township 4 North, Range 28 East, W. M.; thence southerly via said former highway to the northerly right of way line opposite Highway Engineer's Survey Station Y71+10 of said highway as relocated on the east-west center line of Section 33, Township 4 North, Range 28 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 relocated Hinkle-Bucks Corner Section of the Hermiston Highway has been opened to public travel, the State shall formally abandon

Units "A", "B", and "C" as part of the Hermiston Highway and the state highway system by resolution; all right, title, and interest which the State may have in the right-of-way of Unit "C" shall thereupon pass to and vest in the County; 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 abutting property owners.

2. The State shall place Unit "C" in a serviceable condition before it is abandoned and turned over to the County.

3. State shall retain that portion of the right-of-way of the former Hinkle-Bucks Corner Section of the Hermiston 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 Unit "C" by resolution, all the right, title, and interest of the State in the said Unit "C" for the purpose of maintaining it as a county road.

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. Searcy
Secretary

APPROVED:
[Signature]
State Highway Engineer

APPROVED AS TO FORM:
[Signature]
Ass't. Chief Counsel

STATE OF OREGON, by and through its State Highway Commission

By *[Signature]*
Chairman

By *[Signature]*
Commissioner

By _____
Commissioner

ATTEST:

Jessie M Bell
County Clerk

Rosemary Belts
Deputy

JBD:BR
12/5/55

UMATILLA COUNTY, by and through its County Court

By *[Signature]*
County Judge

By *[Signature]*
County Commissioner

By *[Signature]*
County Commissioner



