MILTON-FREEWATER AREA ROAD LEGALIZATION

COUNTY ROAD NO. 564 – MILTON CEMETERY ROAD COUNTY ROAD NO. 567 & NO. 564 – SPOFFORD ROAD COUNTY ROAD NO. 562 – WHITEMAN ROAD

ROAD REPORT

UMATILLA COUNTY DEPARTMENT OF PUBLIC WORKS

MAY, 2005

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MILTON CEMETARY ROAD SPOFFORD ROAD WHITEMAN ROAD LEGALIZATION REPORT

HISTORY

Spofford Road was originally established in 1878 as part of County Road No. 59. It ran from the Oregon-Washington State line in the Spofford area east of Milton-Freewater southeasterly to what is now State Highway No. 204 and was referred to as the road from the State Line to the Weston and Summerville Road. County Road No. 59 included what are now parts of Elliot Road, Birch Creek Road, Walla Walla River Road, and Lincton Mountain Road, as well as Spofford Road.

Milton Cemetery Road and Whiteman Road were originally established as County Road No. 299 in 1887. The road began at the southwest corner of Section 6 near the present-day intersection of Grant Road and Milton Cemetery Road, ran east for a mile to the southeast corner of Section 6, then north ¼ mile, then east ¾ mile to the center of an existing lane (Road No. 59), then north ¾ mile along the existing lane to the township line, then east 2 ¼ miles to the northeast corner of Section 3.

A market road map dated 1931 of Milton Cemetery Road and the portion of Spofford Road overlapped by it shows the alignment and location of the road to be very close to the present-day road. The road was probably originally asphalted in the 1940's.

GENERAL

The roads lie in an agricultural area. The width of the asphalt surface at the time the roads were surveyed (February) was only 16-18 feet. Trucks and equipment have increased in size over the years necessitating one-way traffic in several places. Area property owners have requested that Umatilla County widen the road, meaning that the right-of-way location needs to be established.

IMPACTS TO UTILITIES AND PROPERTY OWNERS

Every effort was made to keep the City of Milton-Freewater electric poles within the right-of-way. Most are inside the right-of-way or on the line. A few could not be kept inside the right-of-way without sacrificing room for the road. Little or no negative impact to abutting property owners is anticipated.

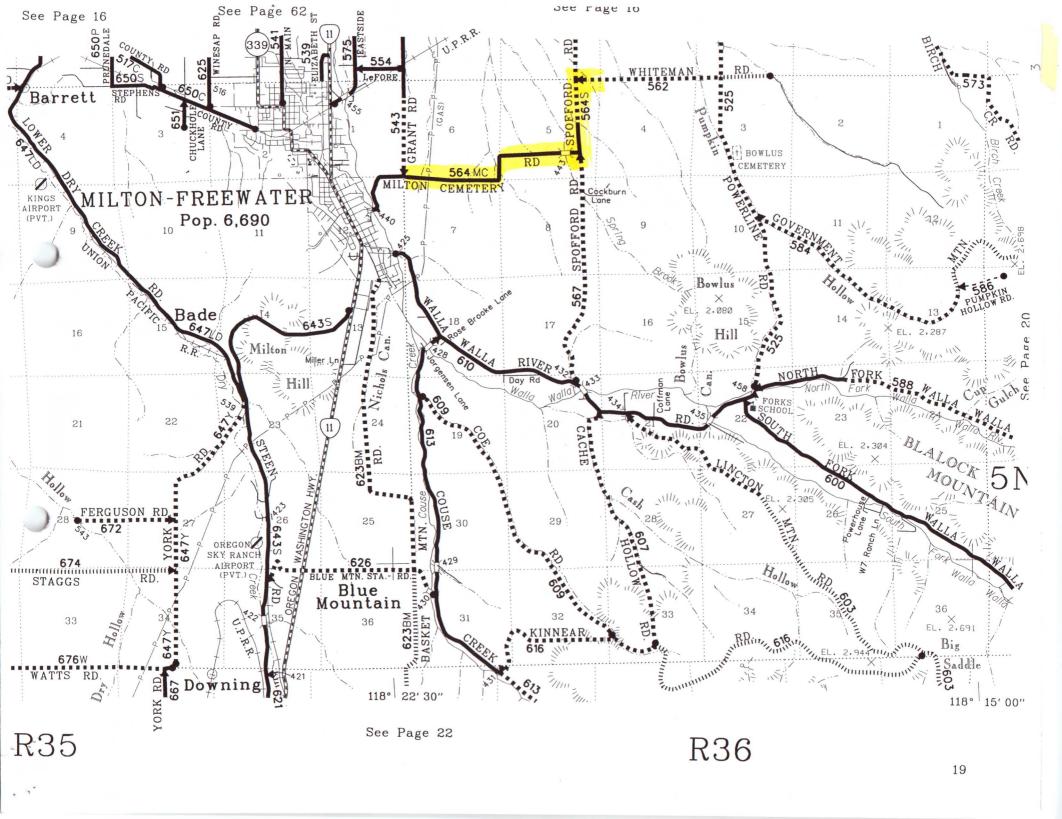
STATUTES

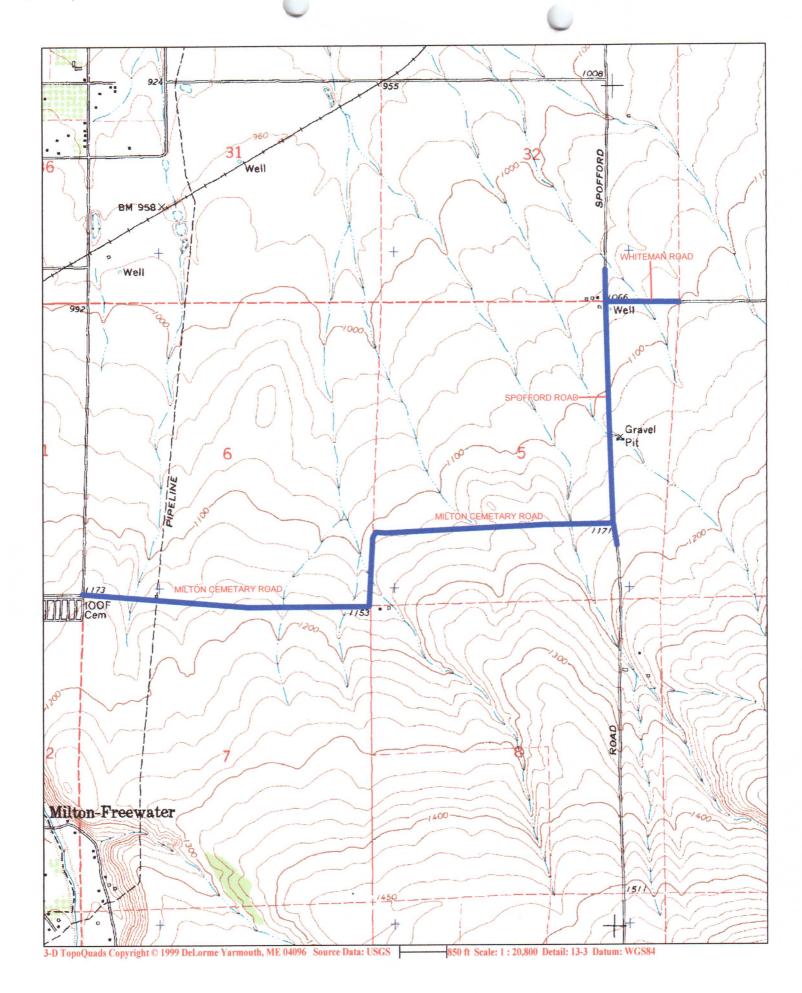
ORS 368.201(3) provides a basis for the county governing body to initiate legalization proceedings if a road as traveled and used for 10 years or more does not conform to the location of a road described in county road records. Due to maintenance of the roads over the years some of the angle points have become curves and slight shifts one way or another have taken place.

Some discrepancy exists as to the width of Spofford Road. Tax Map 5N 36 shows the width to be 60 feet; Tax Map 6N 36 shows the width as 40 feet. Attached in this report is a copy of a chart showing statutory road widths by date of establishment. No width for Spofford Road is stated in any of the records, making its width 60 feet. Road records specifically stated that Milton Cemetery Road and Whiteman Road (Old Road No. 299) were to be 40 feet in width.

RECOMMENDATION

The Public Works Department recommends that the roads be legalized as shown on the attached survey map and as described in the final order at a width of 40 feet for Milton Cemetery Road and Whiteman Road and a width of 60 feet for Spofford Road.





Referre, Survey and real of Road from State Sins Thestour Summerville Road To the storiorable leavily bourt of minatilla County State of Oregon The the appointed viewers Joseph Hovd Cewis Brivers and St. B. Stubbell apprinted to view a learning Road commencing at a point on the oregon State Sine 18 was 6. of 80 mile post and terminaling at a certain point on the summer ville & Theston Road being disinterested persons in the excation of said road, met according to appointment at the house of Sought on the 20 day of march 201878 and after having first been duly qualifieds, have carefully examined and reviewed said line as called for in said petition and order of review and find said road to be of public utility and one agood prace ticable route and much needed as a public thoroughfare and we recommend the excation of said road, and that we have each served the term of three days in said employment for · Joseph Wood which we claim the lawful fee · Cewis Bowlus Done this 22 and day of march 201878 N. B. Stubbell Umalilla les Oreg. The viewers wet according to appointment having procured a marker and two chaincarriers and a man and team to hand stakes proceeded to locate a road as follows Juitial point sel frost 18 road East of 30 a mile port on State Cine run South 200 rods, angle East 80 rods, angle South 2 East 40 Sel first mile post same course 280 roas, angle East rowds, Set ce could mile post same course 40 roas, angle South 3 East 280 roas set third mile foot sauce course in rods, angle South 2 West 200 roas, Set-fourth mile post same course 42 roas angle South 3 East 46 rods, angle South 3 thest 160 rods angle South 72 roas Set five mile port same course 320 roas Set sixth mile post same in roas angle South 10 West 58 roas, angle South 35 West 62 roas augre South 49 West ronous, angle south 14 thest 44 rods, angle Eveth 31 East 16 roas Sel seventh mile - sauce course 34 rods, angle South 5 Thest 52 roas, angle with 24 East 25 roas augle South 64 East 20 roas here cross

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R-ad Nº 299

Report of Viewers. Field roles wo Plat of burvey of a Good , Road beg, at the 8.W. cor. of See. 6. Sp 5 N. R 3 6 E. W. m. and ending at the N. E. cor, of See 3 in Sp 5 N. R 3 6 E.

Report of Viewers.

To the Hon. County Court for Umatilla County. Oregon.

We the undersigned viewers on roas Nº 299, for the County of Umatilla and State of Oregon, would respectfully report that we met with the County Surveyor on the day and the place execipied in our notices of appointment as viewers above described, and proceeded to view out and curvey said road as described in said notices; we find the road located on good ground, excepting about the last one thousand Jeet which crosses a gulch as ascende hill; the road is located on Section as subdivision lines and is very much needed, as it ties two roads as furnishes opportunity to reach prominent points by a route at least five miles shorter than the one now necessarily traveled. Therefore we would recommend that the Brayer of the petitioners for roas to 299 be granted us that said road be declared a public highway.

Witness our signatures this 27" day of August 1887.

W.S. Frazier

A.m. Elam & Viewers No 299

P. m. Gerking

Field Notes of Road Survey N-299, for Umatilla Co. Or.
I met A. M. Elam. Peter Gerking U.S. Frazier, viewerson
County roas No 299, at Milton, Or, Freday August 26"/887, Harvest
ing rendering a scareity of laborers, A. M. Elam Us Peter Gerking
chose to ach as chainmen USW. S. Frazier as marker, Iqualified
each for his particular calling, as directed by law, and set
initial post in mound 28 feet S. W. of corner for Sec. 1. 6. 7412 on
Ip line bet. Rgs, 354 36 E. S S. V.

Jrun thènee (Var. by sun N. 20°E. Jr. on brue line bet. Sees. 647 J. 5 Jr. R 36 E.

East It, On true

850 Ravine NYS-10'

2510 1/4 S. Cor. bet. Sees 647

5202 Int. 195 line at Cor. for Sec. 5. 6.748 betangle stake 20' south of point. Thence North on true line bet. Secs 546

5280 Set 1 m. post 20'East gline, vocontinue course,

North

299.

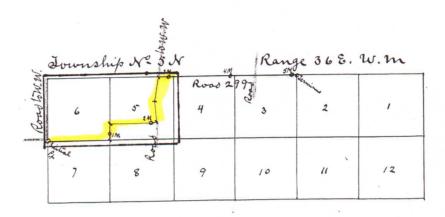
150 Descend

300 Ravine N.W.-6; ascend

500 Summit.

1250 1/4 of 1/4 on 81/2 of line bet. Sees. 5.46. Surn thence east on gur section line. 3050 Descend 3100 Ravine N.W. -8; ascend 3350 Summit 4600 Descend 4750 Ravine S. W.-10' 5280 Set 2 m. post 20' south of line in N. Pierces field 320 Intersect Road intane about the center of SE/4 Sec. 5. Thenel, in lane, along W. W. road angle date against fence 20'E) N 3:30 W 1850 Descend 2000 Ravine N. W. - 6' 2150 Setangle stake 15 E. of Prat Jence on E. side of lane. Turnalong W. W. wagon road X1°.45 W 4307 Line bet Jps. 546 N Set angle stake against Jence on W side of lane Theree East on Jp. line, bet. Jps. 576 A. R 36 E. 5280 Set 3 mile fost 20 south of line. ft. Continue Course on Ip.line 1650 mrs. milkie Gates barn S. of line about 35' East 5280 Set 4 mile post about 30 Route fline. Continue course on Sp. line 930 Gulch Jr. W. - 5' 1330 Draw do Roadinlane N. 4 S. Descend 4890 Gulch Jr. W.; ascend abruptly + 20' 5280 Set 5 m. post 20 south of line, ascend 696 Stone Cor. in mouth of lane N. 710 Fence on E. side of lane; Set terminus 20'E of stone cor. I hereby certify that the Foregoing are the correct Field Notes of the survey of Road No 299. For unatilla County. Oregon.

Jno. C. Arnold. Surveyor. Plat of Road Nº 299 for Umatilla Co. Or.



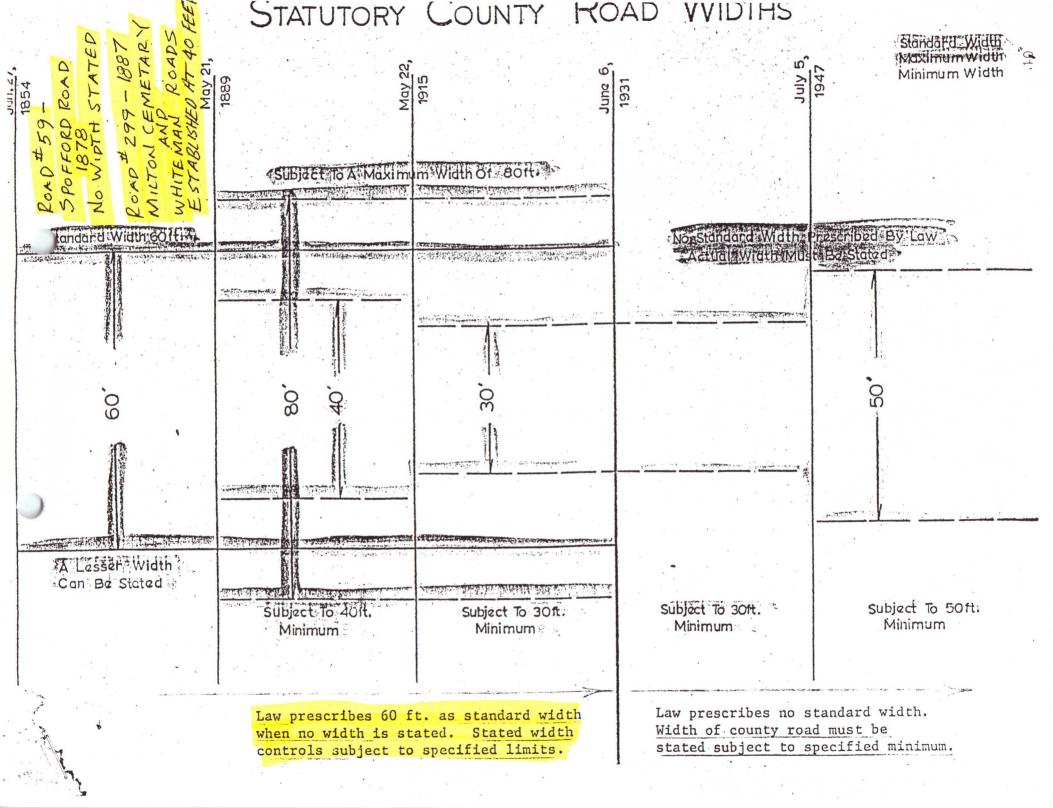
I hereby certify the foregoing to be a correct plat of County roas Nº 299.

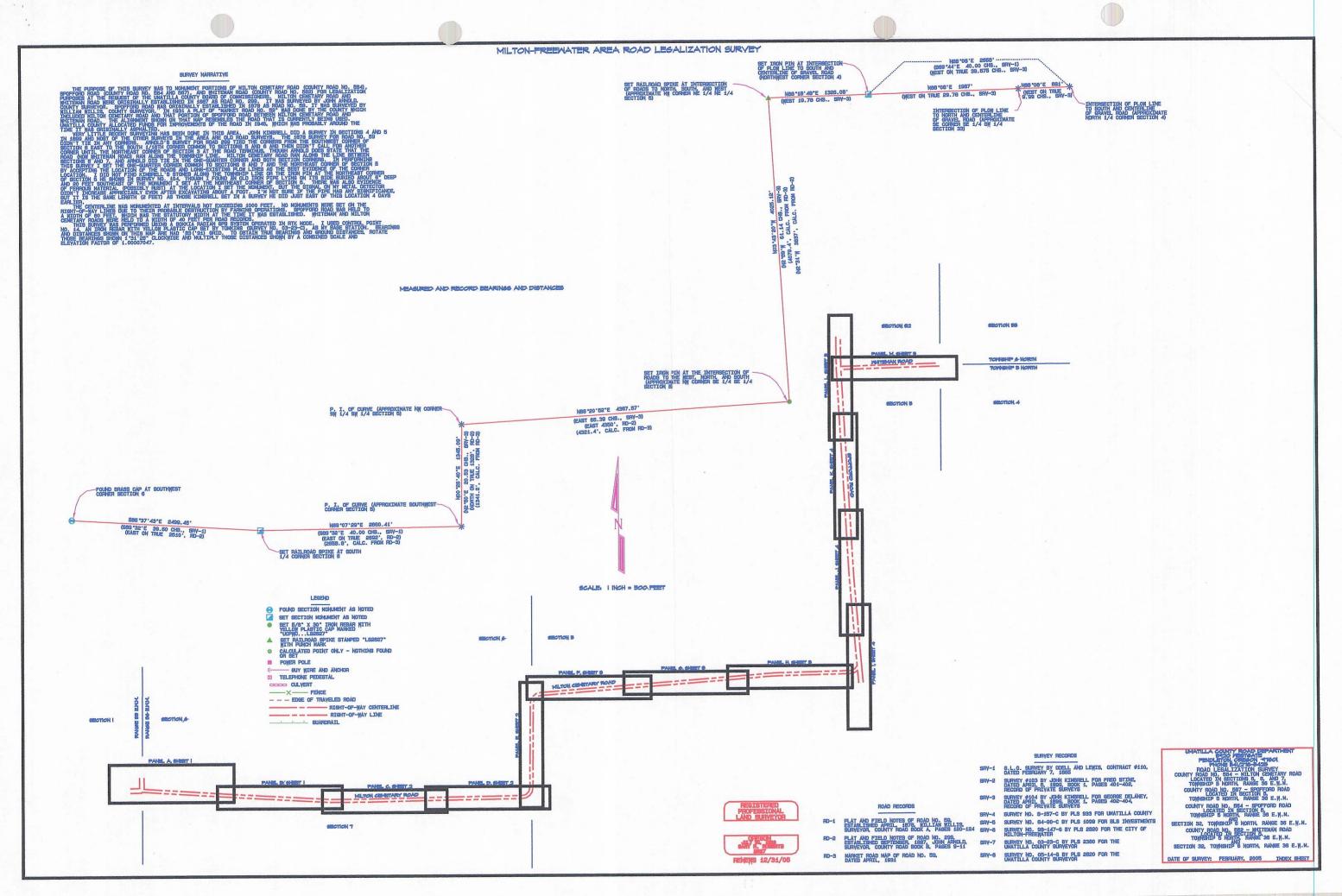
Jus. C. Arnold,

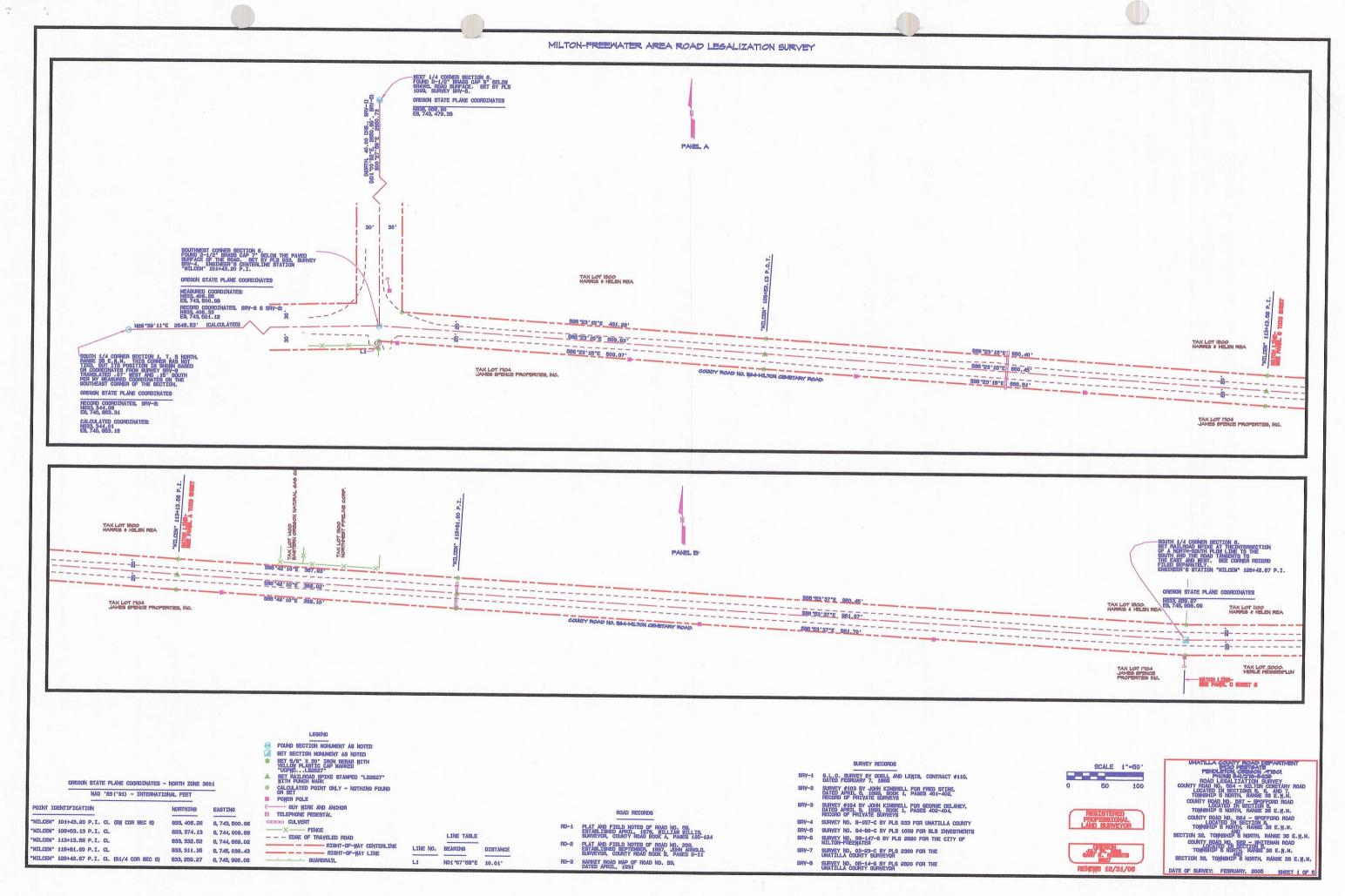
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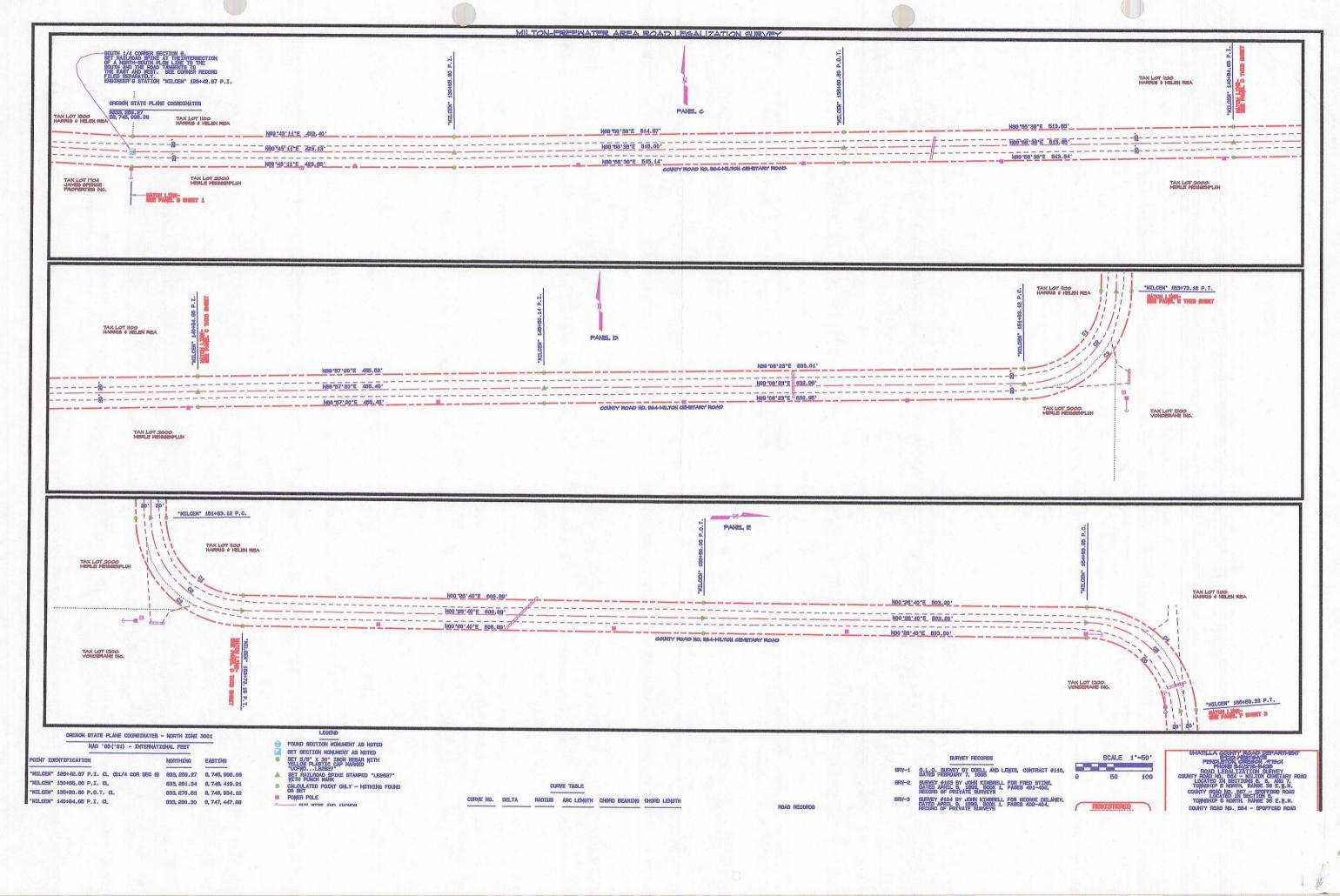
Journal G. page 582
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Road Granted Sept 26"1887
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GA Hartman
Colerk
By J.N.Parkel
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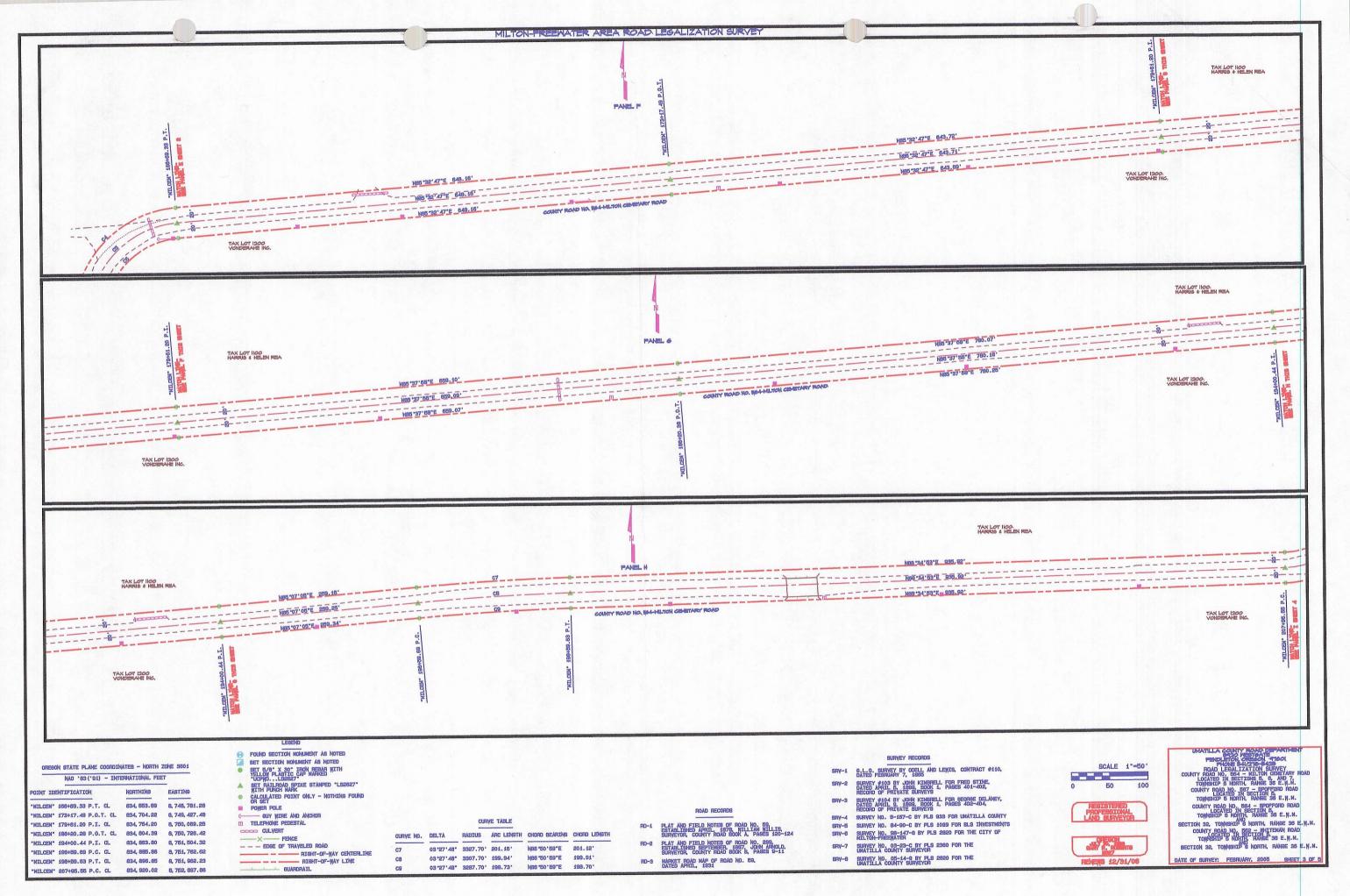
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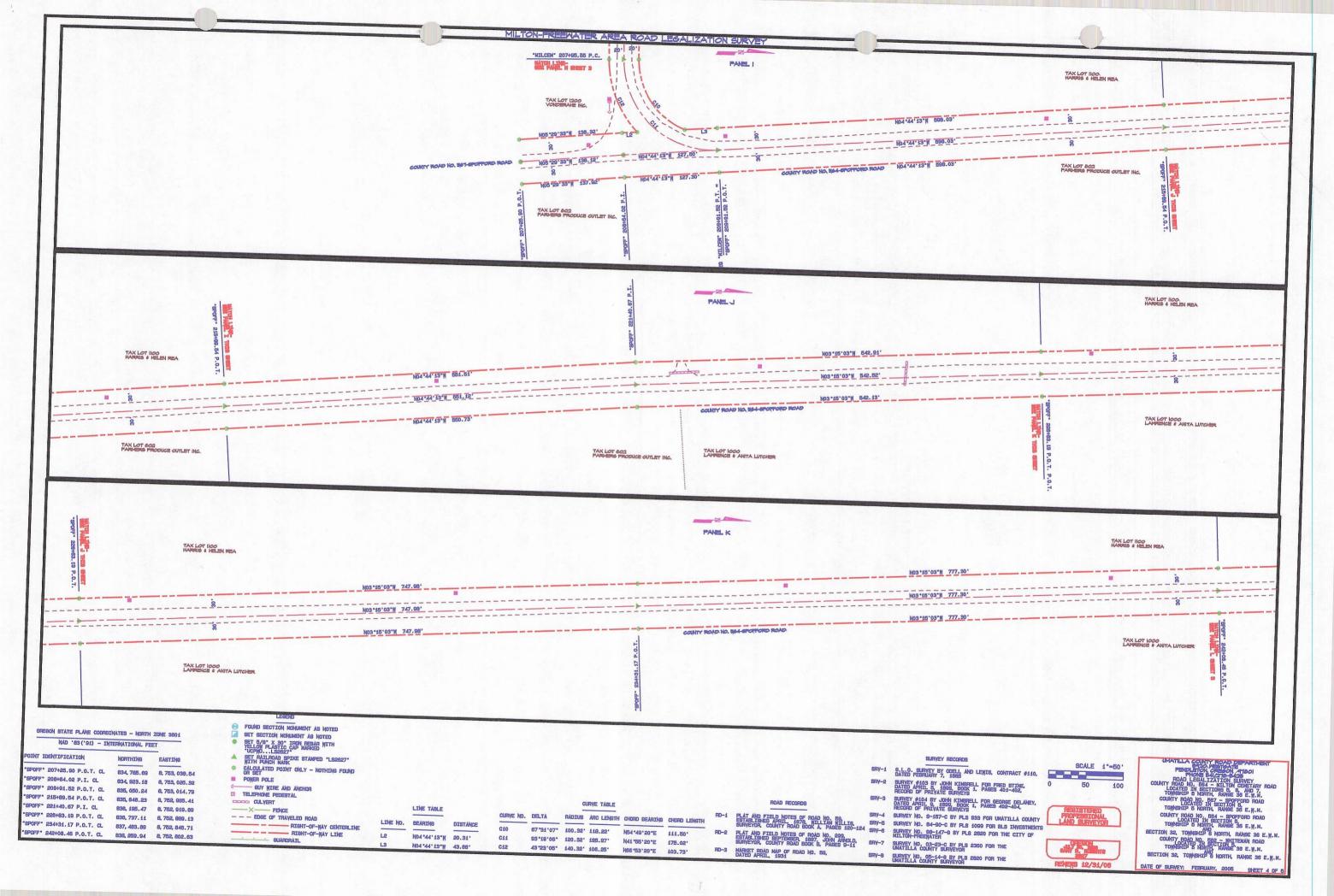


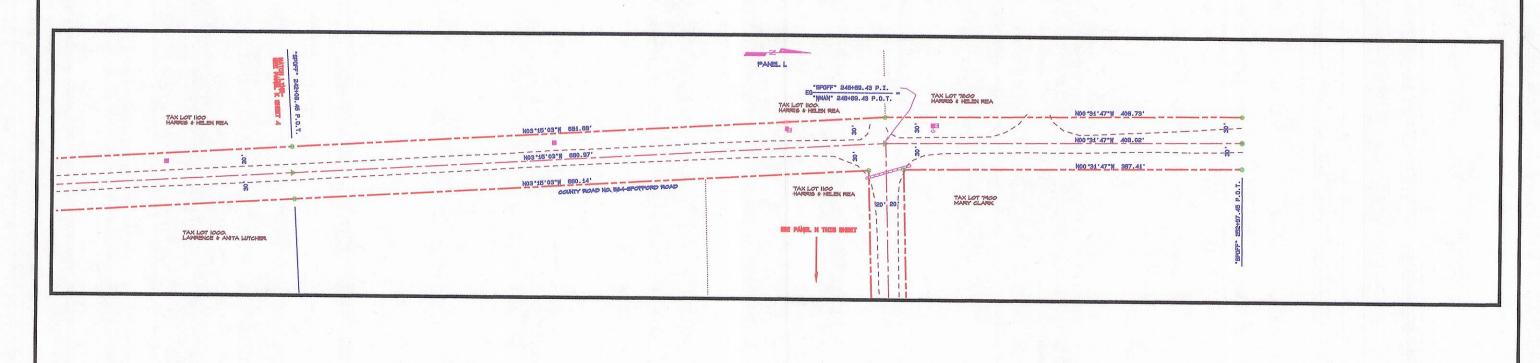


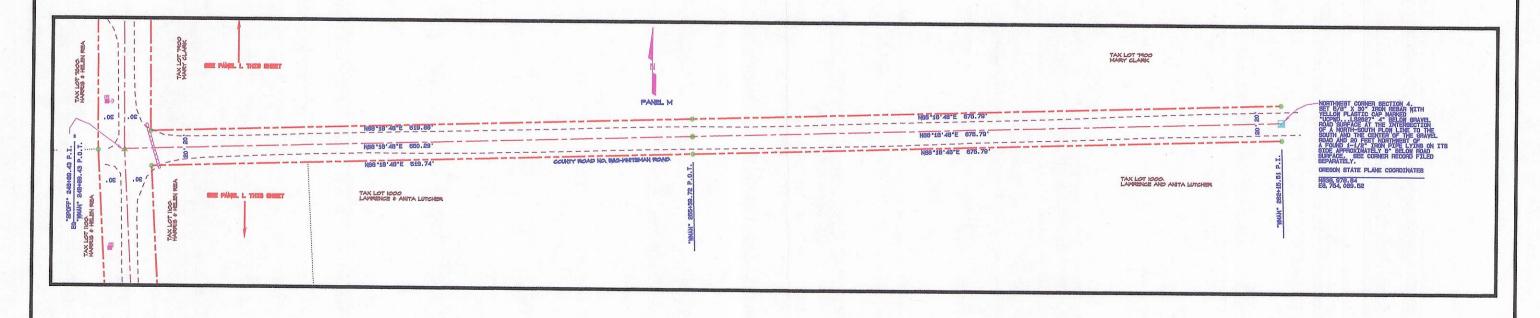


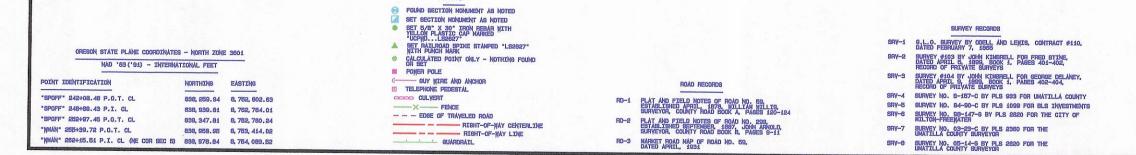












LEGEND

SCALE 1"-50'
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REGISTERED
PROFESSIONAL
LAND SERVEYOR

COUNTY FRAD NO. 564 - BROTTON BORNEY FRANCE OF STATE OF S

