

Swampy

Co Rd # 402

ROADWAY DEED

KNOW ALL MEN BY THESE PRESENTS, that Delores Ingels, Personal Representative for the Estate of Lester J. Mahurin, Deceased ~~do~~ does hereby dedicate, grant and convey unto Yamhill County, a political subdivision of the State of Oregon, for the public roadway and utility purposes, the following described real premises in Yamhill County, Oregon, to-wit:

The legal description attached hereto as Exhibit "A" and by this reference made a part hereof.

TO HAVE AND TO HOLD the above-described, dedicated and granted premises, unto Yamhill County forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is: NONE

WITNESS my hand and seal this 9 day of August, 1984.

Accepted by Yamhill County
Board of Commissioners on
9-12-84 by Board Order
84-535

Delores Ingels
Delores Ingels

STATE OF OREGON)
County of Clatsop) ss.

On this 9th day of August, 1984, personally appeared the above-named Delores Ingels, Personal Representative for the Estate of Lester J. Mahurin, and acknowledged the foregoing instrument to be voluntary act and deed.



Before me: Frances Stevens
Notary Public for Oregon
My Commission expires: 6-8-85

A parcel of land lying in the Southwest 1/4 of Section 1, Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon, being more particularly described as follows:

A strip of land 30 feet in width, being more particularly described as follows:

Beginning at the Center 1/4 corner of Section 1 of said Township and Range; thence South 00° 28' 21" East 1328.93 feet; thence South 89° 55' 49" West 30.00 feet; thence North 00° 28' 21" West 1329.01 feet; thence South 89° 55' 20" East 30.00 feet to the point of beginning.

Subject to the rights of the public in and to public roads.

STATE OF OREGON)
County of Yamhill) ss, *FILED* *W/C*
YAMHILL COUNTY, OREGON

I hereby certify that the 1904 SEP 17 PM 2:37
within was received and duly
recorded by me in Yamhill
County records: CHARLES STERN
COUNTY CLERK

VOL. 189 Page 405 *Wm. Stern* COUNTY CLERK



IN THE BOARD OF COUNTY COMMISSIONERS OF THE STATE OF OREGON

FOR THE COUNTY OF YAMHILL

SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Approving an Agreement)
to Dedicate Additional Right-of-way along)
County Road #402 from Herbert and Katherine)
Justen.)

ORDER NO. 79-263

Received 9-20 1979
County Surveyor

THE BOARD OF COMMISSIONERS of Yamhill County, Oregon, on the 22nd day of

August, 1979, sat for the transaction of County business, Commissioners
Colin Armstrong, Ted Lopuszynski and John P. Macaulay being present.

IT APPEARING TO THE BOARD that Herbert Justen and Katherine Justen have presented
an agreement to dedicate additional right-of-way along County Road #402, and

IT FURTHER APPEARING TO THE BOARD that this matter has been submitted to an
approved by the Yamhill County Legal Counsel and Engineer, and

IT FURTHER APPEARING TO THE BOARD AND THE BOARD SO FINDS that it would be in
the best interest of the people of Yamhill County to approve the said agreement.

IT IS HEREBY ORDERED BY THE BOARD that the said agreement from Herbert Justen
and Katherin Justen to dedicate additional right-of-way recorded in Volume 144, Page 223,
Deed and Mortgage records of Yamhill County, Oregon, be and hereby is approved by
Yamhill County and the Board of Commissioners is authorized to execute the same.

DONE this 22nd day of August, 1979, at McMinnville, Oregon.

ATTEST:

WANDA CATT
County Clerk

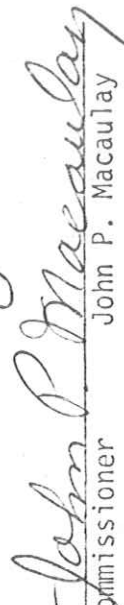
Patricia A. Mullen
Patricia A. Mullen
Deputy
APPROVED AS TO FORM:

By: 
Daryl S. Garrettsen, County Counsel

YAMHILL COUNTY BOARD OF COMMISSIONERS


Chairman Colin Armstrong


Commissioner Ted Lopuszynski


Commissioner John P. Macaulay

Co. Rd # 402 -

Sec 36 T5S R8W & Sec. 1- T6S R8W.

AGREEMENT

Agreement, made and entered this 22nd day of August, 1979 by and between Yamhill County, a political subdivision of the State of Oregon and Herbert J. Justen and Katherine F. Justen (herein after called applicant), owner of that certain tract of land located in Yamhill County to wit:

PARCEL 1. The west half of the Southeast quarter of the Southeast quarter; that Southwest quarter of the Southeast quarter and the East half of the Southeast quarter of the Southwest quarter, all in Section 36 in Township 5 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon.

PARCEL 2. Tracts 2 and 8, of Section 1, in Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon, except therefrom the following portions thereof:

- A. Land conveyed to School District #9 by deed recorded July 2, 1913, in Book 66, Page 56, Deed Records.
- B. Land conveyed to the Archdioese of Oregon City, by deed recorded January 5, 1927, in Book 96, Page 27, Deed Records.
- C. Land conveyed to George Bohn, by deed recorded December 5, 1940, in Book 117, Page 280, Deed Records.
- D. Land conveyed to Ernest Gaston, by deed recorded November 9, 1944, in Book 125, Page 628, Deed Records.

WHEREAS, the Yamhill County Department of Planning and Development received applications for partitioning (Docket No. P-988-79 and P-1045-79) on 8 March 1979 and 11 July 1979, submitted by applicant, and whereas, the herein above described property is designated "Agriculture/Forestry Small Holding", "Agriculture/Forestry Large Holding" on the Yamhill County Comprehensive Plan map and zoned "AF-10" and "AF-20" in the Yamhill County Zoning Ordinance, No. 83, 1976; and

WHEREAS, applicant has agreed to grant, dedicate and convey additional right-of-way unto Yamhill County for public roadway and utility purposes; and

WHEREAS, the County Road Department has requested an additional 10 feet of right-of-way on the West side of centerline where applicants property adjoins County Road No. 402 for future improvement of said road in order to create a safe and more convenient roadway;

NOW, THEREFORE, IT IS MUTUALLY AGREED AS FOLLOWS:

1. Upon request by the Yamhill County Road Department applicant hereby agrees to dedicate a ten (10) foot strip of land being parallel to centerline and adjoining the West right-of-way of County Road No. 402 where it abuts their property.
2. That this Agreement shall be binding upon the parties, their respective heirs and assigns.

3. That in consideration of the execution of this agreement the Department of Planning & Development shall issue approval of Dockets numbered P-988-79 and P-1045-79 upon completion of all other requirements normally included in the processing of such an application.

John R. Hallett
Notary Public
My Commission Expires
11/29/82

Herbert J. Justen
Herbert J. Justen

Katherine F. Justen
Katherine F. Justen

Colin Armstrong
Colin Armstrong, Chairman
Board of Commissioners

Ted Lopuszynski
Ted Lopuszynski
Board of Commissioners

John P. Macaulay
John Macaulay
Board of Commissioners

Accepted and Approved for
Execution by the Yamhill
County Board of Commissioners
on August 22, 1979

NOTICE OF ROAD PETITION.

Notice is hereby given that the undersigned persons, being freeholders of the County of Yamhill, State of Oregon, residing in Road District No. 1 in said Yamhill County, Oregon, and being the Road District in which the proposed County Road, as hereinafter described, is to be laid out, located, opened and established, will, on Wednesday, the 5th day of December 1934, at the hour of Ten o'clock in the forenoon of said day apply to the County Court of Yamhill County, State of Oregon, by petition for establishment, opening, locating and laying out of a County Road Forty (40) feet in width, in said Yamhill County, Oregon and upon the following described location, to-wit:-

Beginning at the intersection of the present County Road and the old Government Road in Section 36 Tp. 5. S. R. 8. W. Willamette Meridan, Oregon, and being One fourth (1/4) mile East of the center of said Section 36 and at the S.W. corner of the Minard tract. Thence 20 feet on either side of the following line, Easterly one fourth 1/4 mile to the East line of said Section 36 on Range line. Thence North along Range line one half (1/2) mile to the South line of the Susie Simmons 60 acre tract. Total length three quarters (3/4) of a mile, and to be 40 feet in width.

Posted this 1st day of November A.D. 1934
 Posted Nov 1st by Melvin Wilson

Melvin Wilson.....

Chrysmouth Larnwell.....

J. D. Welch.....

John B. Whalen.....

Gasper Boydston.....

Ray Conrad.....

G. E. Fairbrother.....

Wm Simmons.....

Marcus Petersen.....

Julius Maceris.....

Thomas Bean.....

Paul A. Majors.....