

SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 320 acres, more or less, situate and being in the County of Umatilla, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:..

Parcel No. 1

W 1/2 of Section 1, in Township 4N, R27E, Willamette meridian, consisting of 320 acres, more or less -
Purported owner, County of Umatilla - Estimated value,
\$400.00.

323.55 acres

The total area involved in this taking aggregates 320 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Umatilla. The total estimated value of the entire area is \$400.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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HARTMAN ABSTRACT COMPANY

PENDLETON, OREGON

OWNER United States of America

File No. Civil 570

Section 8 & 13 Township 4 N., Range 27, E.W.M.

Umatilla County, Oregon

FINAL CERTIFICATE OF TITLE

Premium \$ 23.00

Order No.

Certificate No. 27798

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 25th day of November, 1941, at 5:00 o'clock P.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of EIGHT HUNDRED & 00/100 (\$800.00) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of _____
_____ County of Umatilla, _____ immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

HARTMAN ABSTRACT COMPANY

By [Signature]
Vice-President.

Attest: [Signature]
Assistant Secretary.

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Order No.

Certificate No. -22798-

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

NOTE: Immediately prior to the filing of the judgment of the United States District Court for the District of Oregon on the declaration of taking, covering the real estate described herein, certified copy of which was recorded on June 25, 1941, in Book 160 at Page 205 of the Deed Records of Umatilla County, Oregon, the record title to said real estate was indefeasibly vested in fee simple in Umatilla County, subject to the following exceptions:

1. Taxes for the year 1941 in the sum of \$90.00, assessed to Umatilla County. Plus interest. (Includes other land). (Affects Tract II).

2. Taxes and assessments of the Westland Irrigation District and of the John Day Irrigation District, within the boundaries of which Districts said land is situated, and other obligations of said Districts and matters pertaining thereto. (Affects Tract II).

3. Reservations in Deed executed by Northern Pacific Railway Company, a corporation, to J. Frank Watson, dated June 12, 1905, filed July 17, 1905, and recorded in Book 48 at Page 115 of the Deed Records of Umatilla County, Oregon, which reservations are as follows:

"Reserving and excepting from said lands such as are now known or shall hereafter be ascertained to contain coal or iron, and also the use of such surface ground as may be necessary for mining operations and the right of access to such reserved and excepted coal and iron lands for the purpose of exploring, developing and working the same; the use of such surface ground and the right of access herein reserved to be for the use and benefit of said first party, its successors and its assigns of the lands hereby excepted; the lands hereby granted being subject, however, to an easement in the public for any public road or roads heretofore laid out, established and now existing over and across any part of said described lands." (Affects Tracts I and II).

4. County Court Order made and dated March 9, 1940, entered in County Court Journal "Q" at Page 592, regarding an Agreement dated March 9, 1940, between Umatilla County, Oregon, a municipal corporation, and Tom Boylen, Jr., for the sale of the above land, and other land immaterial, for the sum of \$3,146.00. (Affects Tracts I and II).

5. Assignment of Interests from Tom Boylen, Jr. to R. E. McGreer, dated September 22, 1940, filed November 20, 1940, and recorded in Book 159 at Page 184 of the said Deed Records, wherein Tom Boylen, Jr. sells and transfers to R. E. McGreer all real property owned by him, as well as personal property. (Affects Tracts I and II).

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of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry I. Allison, Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in said Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said Henry I. Allison, Secretary of War, this 31st day of March, A. D. 1917, in the City of Washington, District of Columbia.

Henry I. Allison
Secretary of War of the
United States.

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Tracts 1 & 2

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Petitioner,

CIVIL NO. 570

v.

FINAL JUDGMENT IN CONDEMNATION
AND ORDER DISBURSING FUNDS

UMATILLA COUNTY, an Oregon municipal corporation; WESTLAND IRRIGATION DISTRICT, a public corporation; JOHN BAY IRRIGATION DISTRICT, a public corporation; NORTHERN PACIFIC RAILWAY COMPANY, a corporation; TOM BOYLE, JR.; R. E. McCREER; COMMERCE MORTGAGE COMPANY, a corporation, and TRAVELERS INSURANCE COMPANY, a corporation,

Defendants.

This matter coming on upon application of the petitioner United States of America for final judgment herein and the defendants Umatilla County, an Oregon municipal corporation, Westland Irrigation District, a public corporation, John Bay Irrigation District, a public corporation, Northern Pacific Railway Company, a corporation, Tom Boyle, Jr., Commerce Mortgage Company, a corporation, and Travelers Insurance Company, a corporation, appearing not and the default of said defendants and each of them having been heretofore entered herein; and the defendant R. E. McCreer having heretofore appeared herein by and through George H. Brewster of Redmond, Oregon, his attorney in fact, and filed his consent to entry of judgment and waiver of appearance; AND IT APPEARING TO THE COURT that heretofore and on the 10th day of January, 1911, the petitioner filed herein its declaration of taking and its petition for condemnation, and that simultaneously therewith the petitioner deposited in the registry of this Court the sum of \$200.00 as estimated just compensation for the taking of the hereinafter described real property, and that prior to the filing of the declaration of taking herein, and pursuant to the provisions of the Act of Congress approved February 26, 1911, and the further Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 3,

U.S. v. Umatilla County, et al., - Civil 570 - Final Judgment, etc. - 1.

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CONSIDERED, ORDERED, ADJUDGED and DECREED that the full fee title to the following-described lands, to-wit:

Parcel No. 1: $\frac{1}{4}$ of Section 1, Township 4 North, Range 27
E.M.M., consisting of 320 acres, more or less, in Wasilla
County, Oregon; 323.55 acres

Parcel No. 2: $\frac{1}{4}$ of Section 13, Township 4 North, Range 27
E.M.M., consisting of 320 acres, more or less, in Wasilla
County, Oregon;

is vested in the petitioner United States of America, free and clear of all liens and encumbrances whatsoever; that the reasonable and just compensation to be paid by the United States of America for the taking of the above-described property is the sum of \$800.00; that the defendant Wasilla County, an Oregon municipal corporation, is entitled to receive the whole of said sum of \$800.00 as just compensation for the taking of said lands; AND IT IS FURTHER ORDERED that the Clerk of this Court be and he is hereby authorized and directed to forthwith pay over to the defendant Wasilla County, Oregon, o/c the County Clerk, Pendleton, Oregon, the sum of \$800.00 now on deposit in the Registry of this Court, without charging commission or poundage fee, and that he take the receipt of said defendant therefor.

Dated at Pendleton, Oregon, this 1st day of April, 1921.

/s/ James Alger Fee
District Judge.

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petition filed in this proceeding, and also shown on that certain plan of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, FRANKLIN D. ROBERTSON,
Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said FRANKLIN D. ROBERTSON,
Secretary of War, this 21st day of February,
A. D. 1941, in the City of Washington, District of Columbia.

FRANKLIN D. ROBERTSON
Secretary of War of the
United States.

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Tract #3

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Petitioner,

v.

WESTERN IRRIGATION COMPANY, a corpora-
tion; UMATILLA COUNTY, an Oregon
municipal corporation; WESTLAND IRRI-
GATION DISTRICT, a public corporation;
JOHN DAY IRRIGATION DISTRICT, a public
corporation; H. T. SCHROEDER; also all
other persons and parties unknown
claiming any right, title, estate or
interest in the real property described in
the petition for condemnation herewith and
160 acres, more or less, of land in
Umatilla County, Oregon,

Defendants.

CIVIL NO. 569

FINAL JUDGMENT IN
CONDEMNATION AND
ORDER DISBURSING
FUNDS ON DEPOSIT

This matter coming on upon the application of the petitioner
United States of America for final judgment and order of distribution
herein, and the defendant Western Irrigation Company, a corporation,
having appeared herein by and through its petition for withdrawal of
funds on deposit, and having by and through said petition submitted it-
self to the jurisdiction of this Court, and the defendants Umatilla
County, an Oregon municipal corporation, Westland Irrigation District,
a public corporation, and John Day Irrigation District, a public cor-
poration, appearing not and the default of said defendants and each of
them having heretofore been entered herein, and the above-entitled pro-
ceeding having been dismissed as to the defendant H. T. Schroeder; AND
IT APPEARING TO THE COURT that heretofore and on the 19th day of December,
1941, this Court did make and enter herein its order fixing value, which
said order did determine and fix the sum of \$800.00 to be the reasonable
and just compensation to be paid by the petitioner United States of Am-
erica for the taking of the hereinafter described real property; AND IF
FURTHER APPEARING TO THE COURT that prior to the filing of the declara-
tion of taking herein and pursuant to the provisions of 40 U.S.C. 257
and 50 U.S.C. 171, the Secretary of War selected the lands hereinafter
U.S. v. Western Irrigation Company - Final Judgment, etc. - 1.

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Parcel No. 3: NW $\frac{1}{4}$ of Section 25, in Township 4 North,
Range 27 E.W.M., lying north of the Oregon-Washington
Railroad and Navigation Company's Coyote Cut-off, con-
sisting of 135.06 acres more or less;

is vested in the petitioner United States of America, and that the sum
of \$800.00 is the reasonable and just compensation to be paid by peti-
tioner for the taking of the full fee simple title thereto; AND IT IS
FURTHER ORDERED, ADJUDGED and DECREED that the defendant Western Irriga-
tion Company, a corporation, is entitled to receive the whole of said
sum of \$800.00; AND IT IS FURTHER ORDERED that the Clerk of this Court
forthwith pay over to the defendant Western Irrigation Company, a cor-
poration, c/o F. B. Swayne, Harmlston, Oregon, the sum of \$800.00 now
on deposit in the Registry of the Court in this proceeding, without
charging commission or postage fee thereon, and that he take the re-
ceipt of said defendant therefor.

Dated at Portland, Oregon, this 27th day of April, 1912.

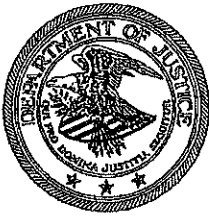
/s/ Jeanne Alger Poe
District Judge.

U.S. v. Western Irrigation Company, et al - Final Judgment, etc. - J.

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Office of the Attorney General
Washington, D.C.

OFFICE CHIEF OF ENGINEERS
MAY 28 1942
Civil Division

May 27, 1942

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificates of title and transcript of record in the condemnation proceeding entitled United States v. Western Irrigation Company, et al., Civil No. 569, in the District Court of the United States for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Umatilla Ordnance Depot.

Subsequent to the filing of the declaration of taking, an order fixing value was entered by the court on December 17, 1941, in which it was determined that the just compensation for the taking of the land was the amount on deposit, \$800.00.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion. A valid title to the land, more particularly described in the final judgment entered in this proceeding on April 27, 1942, is now vested in the United States of America in fee simple.

Respectfully,

Francis Biddle
Attorney General

Order of taking - Umatilla Ordnance Depot - District of Oregon - Civil No. 569 - (Biddle)

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~~*[Signature]*~~

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Order No.

Certificate No. 22799

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

That portion of the Northwest Quarter of Section Twenty-five (25), in Township Four (4) North, Range Twenty-seven (27), lying Northerly of the Oregon-Washington Railroad and Navigation Company's Coyote Cut-Off right of way;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

UNITED STATES OF AMERICA,
Petitioner,

Vs.

640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW
ET AL.,
Defendants.

Civil 568
DECLARATION

OF
TAKING

Frank H. H.
Filed 10 Jan 41

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry S. Stinson,
Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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SCHEMATIC "A"

The land which is the subject matter of this declaration of taking and if this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 4

All Section 5, Township 4N, R27E, Willamette meridian, consisting of 640 acres, more or less - Purported Owner, County of Morrow. Estimated Value, \$800.00.

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The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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RSE

33-38-222-3

June 19, 1942

BY MESSENGER

Def. Off.

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of record in the condemnation proceeding entitled United States v. County of Morrow, Civil No. 368, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the United States Reclamation

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$5,076.00 was entered in this proceeding. The original sum on deposit was \$4,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$376.00 with interest at six per cent from January 10, 1942.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. It is your pleasure to forward to this Department a check in the sum of \$376.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General



E. E. OF E
CONSTR. DIV.
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OFFICE

JUN 20 2 31 PM '42

Enclosure
No. 567548

6011 Mr. Tolson U.S. Dept. of Justice

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Now, at this time, this matter coming on to be heard upon
the application of the petitioner, United States of America, by and through
its attorneys of record, for a Final Judgment in Condemnation and an Order
Restoring Funds hereto, and IT APPEARING TO THE COURT from the records
and files herein, First that pursuant to the provisions of the Act of
Congress approved August 1, 1868 (15 Stat. 357; 40 USC 357), any officer
of the United States authorized to procure real estate for public use
and is duly authorized to acquire the same by condemnation under
judicial process; and that pursuant to the Act of Congress approved July
2, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the
Secretary of War was and is authorized to acquire in the name of the
United States lands for military purposes; and that pursuant to said
statutes, the Secretary of War has determined and is of the opinion that
it is useful, proper, necessary, advantageous and in the interest of the
United States to acquire the full fee title to the lands hereinafter
described which have been selected by the said Secretary of War for ac-
quisition by the United States of America by condemnation under judicial
process; and that this condemnation proceeding was instituted pursuant to
the aforementioned statutes by direction of the Attorney General of the
United States, pursuant to the request of the Secretary of War, Second
that on January 10, 1911 petitions filed seven Declarations of Taking
in the above entitled cause and simultaneously therewith deposited in the
Registry of the Court the sum of \$4,700.00, and on March 31, 1911 this
Court made and entered a judgment on the Declarations of Taking ordering
and adjudging that the United States of America acquired title in fee
simple to the hereinafter described lands on the date of the filing of
said Declarations of Taking; Third That at the time of the filing of
said Declarations of Taking herein, the defendant Morrow County, Oregon
was the record owner of the lands hereinafter referred to, and that said
defendant Morrow County, Oregon is entitled to receive the full amount of
compensation to be paid for the hereinafter described lands; and that
there are no liens, encumbrances, assessments, taxes or charges of any

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Parcel No. 114 The 1/2 of Section 1, Township 1 North, Range
25 E.W.M., consisting of 120 acres, more or less,
Parcel No. 114 The 1/2 of Section 11, Township 1 North, Range
25 E.W.M., consisting of 120 acres, more or less,
All in Harney County, Oregon;

vested in the petitioner, United States of America, on January 10, 1911,
free and discharged of all claims and liens of every kind whatsoever,
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.54 remaining on deposit in the Registry of this Court in this
cause to the defendant Harney County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

~~/s/ JAMES ALGER FEE~~
~~Marshall Judge~~

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF. FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 3rd DAY OF August, 1942

G. H. MARSH, CLERK

[Signature] Chief Deputy

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Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 3
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,
Vs.
640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW
ET AL.,
Defendants.

Civil 568

DECLARATION

OF

TAKING

Tract 5

D T FILED
JUDGMENT FILED
FINAL OPINION FILED

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry S. Johnson, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 5

All Section 9, Township 4N, R27E, Willamette meridian, consisting of 640 acres, more or less - Purported Owner, County of Morrow - Estimated Value, \$800.00.

The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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CLERK

of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry A. Shreve,
Secretary of War, acting in the capacity aforesaid, hereby state, that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War therunto authorized, has caused this declaration to be signed in its name by said Henry A. Shreve,
Secretary of War, this 21st day of March,
A. D. 1902, in the City of Washington, District of Columbia.

Henry A. Shreve
Secretary of War of the
United States.

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Office of the Attorney General
Washington, D.C.

OFFICE CHIEF OF ENGINEERS
SEP 12 1942
6011 Umatilla

Final Papers
September 9, 1942
To J. A. G. D.

Honorable Henry L. Stimson
Secretary of War
Washington, D.C.

Distribution [Handwritten signature]

My dear Mr. Secretary:

I have examined the enclosed final certificate of title and partial transcript of record which includes a final judgment entered on June 30, 1942, in the condemnation proceeding entitled United States v. County of Morrow, Oregon, et al., Civil No. 568, in the District Court of the United States for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Umatilla Ordnance Plant.

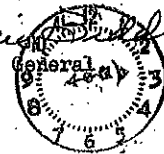
I advised in my opinion of June 19, 1942, that upon the deposit of \$376.00 with interest in satisfaction of the deficiency judgment, the condemnation proceeding with respect to this property would be brought to a satisfactory conclusion. There is enclosed a receipt of the clerk of the court for the sum of \$409.84. The total compensation for this property was \$5,109.84.

From my examination of the enclosed papers and those previously forwarded to your Department, I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion, and that a valid title to the land more particularly described in the final judgment is now vested in the United States of America in fee simple.

Respectfully,

SEP 12 42 PM

Francis Biddle
Attorney General



U. S. DEPARTMENT OF JUSTICE
GENERAL INVESTIGATIVE DIVISION

SEP 12 10 39 AM '42

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OWEN

1 IN THE DISTRICT COURT OF THE UNITED STATES

2 FOR THE DISTRICT OF OREGON

3 UNITED STATES OF AMERICA,

4 Petitioner,

5 v.

6 No. 122 CIVIL

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999 FINAL JUDGMENT IN
1000 CONDEMNATION AND
1001 ORDER DISBURSING
1002 FUNDS

1003 Defendants,

1004 RECEIVED

1005 10-20-23

1006 CWRD

1 kind or character on or against said lands; Fourth That heretofore a
2 jury duly impaneled to try this case in this Court by their verdict
3 found that the sum of \$5,076.00, with interest at the rate of 6% per
4 annum on the excess of said sum over the amount on deposit herein, to-wit:
5 as \$376.00, from January 10, 1911, is the amount of just compensation to
6 be paid by the United States of America for the taking of the full fee
7 single title to the lands hereinafter described, and this Court on the
8 first day of April, 1912, entered a judgment as verdict finding that the
9 sum of \$5,076.00, with interest on the excess of said sum over the amount
10 of deposit at the rate of 6% per annum from January 10, 1911, is the fair
11 and reasonable value of the said property; Fifth That at the time of the
12 filing of the Declaration of Taking herein, the petitioner deposited the
13 sum of \$4,700.00 in the Registry of this Court, which said sum was there-
14 after and on June 11, 1912 by order of this Court distributed to the per-
15 sons entitled thereto, and that the petitioner subsequently deposited in
16 the Registry of this Court the additional sum of \$107.54 and that said sum
17 is now on deposit in the Registry of this Court for the persons entitled
18 thereto; NOT, THEREFORE, it is hereby ORDERED, ADJUDGED and DECREED that
19 the full fee single title to the following described lands in Morrow
20 County, Oregon, to-wit:

21 Parcel No. 1: All of Section 5, Township 1 North, Range
22 27 E.W.M., consisting of 640 acres, more or less;

23 Parcel No. 2: All of Section 7, Township 1 North, Range
24 27 E.W.M., consisting of 640 acres, more or less;

25 Parcel No. 3: The $\frac{1}{2}$ and the $\frac{1}{4}$, and $\frac{1}{4}$ of the $\frac{1}{2}$ of
26 Section 16, Township 1 North, Range 27 E.W.M., consisting
27 of 560 acres, more or less;

28 Parcel No. 4: All of Section 27, Township 1 North, Range
29 27 E.W.M., consisting of 640 acres, more or less;

30 Parcel No. 5: All of Section 31, Township 1 North, Range 27 E.W.M.,
31 lying north of the Oregon-Washington Railroad and Navigation Com-
32 pany's Coyote Cut-off, consisting of 640 acres, more or less;

7-1404

U. S. v. MORROW COUNTY, et al., - FINAL JUDGMENT IN COMPENSATION AND
ORDER DISBURSING FUNDS - 2.

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MAR 23 2023

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HARTMAN ABSTRACT COMPANY
PENDLETON, OREGON

OWNER
THE UNITED STATES OF AMERICA
Section Township Range
Tr. Secs 1, 4 N 26
Secs 5, 9, 17, 21, 16 4 NR. 2

File No. 568
Morrow County, Oregon

Premium \$88.50

CERTIFICATE OF TITLE
FINAL

Order No. 2542
Certificate No. 25913
Morrow No. 2542

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 25th day of AUGUST, 1942, at 5:00 o'clock P. M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

THE UNITED STATES OF AMERICA

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of FORTY-SEVEN HUNDRED AND NO/100 (\$4,700.00) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

THE UNITED STATES OF AMERICA immediate vendor

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws. Not valid unless countersigned by Morrow County Abstract & Title Co., Inc., by F. B. Nickerson, President.

HARTMAN ABSTRACT COMPANY

By *[Signature]* Vice President
Attest: *[Signature]* Assistant Secretary

Page 1 of Certificate No. 25913

Countersigned:
MORROW COUNTY ABSTRACT & TITLE CO., INC.
By *[Signature]* President.

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MAR 20 1943
OWRD

Order No. 2542

Certificate No. 25913

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

NOTE: Immediately prior to the filing of the judgment of the United States District Court for the District of Oregon on the declaration of taking, covering the real estate described herein; in the Morrow County, Oregon, deed records on June 25, 1941, the title to said real estate was indefeasibly vested in fee simple of record in Morrow County by reason of tax foreclosures.

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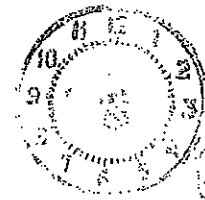
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Office of the Attorney General
Washington, D.C.

April 7, 1941

APR 7 - 1941



WAR DEPARTMENT
SECRETARY'S OFFICE

Honorable Henry L. Stimson,
Secretary of War,
Washington, D. C.

My dear Mr. Secretary:

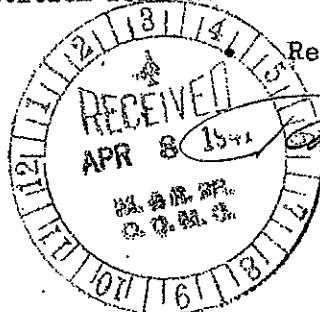
I have examined the petition for condemnation, declaration of taking, and judgment on the declaration of taking in the proceeding entitled United States of America v. Marie Alice Hanson, et al., Civil Action No. 567, in the United States District Court for the District of Oregon, concerning the acquisition of 80 acres of land, designated as Parcel No. 6 of the Umatilla Ordnance Depot.

The land acquired is more particularly described in the judgment on the declaration of taking.

From my examination of the above mentioned documents I find that the condemnation proceeding has been regularly conducted to date and that on January 10, 1941, a valid title to the above parcel of land vested in the United States of America upon the deposit into the registry of the court of the sum of \$320.00 as estimated compensation pursuant to the provisions of the Act of February 26, 1931, (46 Stat. 1421) with right of possession on March 14, 1941.

A copy of the clerk's receipt and a certified copy of the judgment on the declaration of taking are enclosed. You have previously been furnished with a copy of the petition for condemnation.

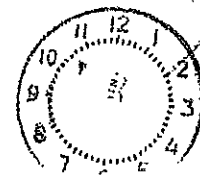
Respectfully,



Robert H. Jackson

Attorney General.

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6011 Umatilla Ord. (Hanson, Marie, et al.)

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HARTMAN ABSTRACT COMPANY

PENDLETON, OREGON

Hartman Abstract Co.

OWNER UNITED STATES OF AMERICA

File No. Civil - #567

Section 16 Township 4 North Range 29 E.T.M.

MORROW County, Oregon

CERTIFICATE OF TITLE

Premium \$ 20.00

Order No. 2545

Certificate No. 25791

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 28th day of OCTOBER, 1941, at 5:00 o'clock P. M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

THE UNITED STATES OF AMERICA

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of THREE HUNDRED AND TWENTY AND 10/100 (\$320.00) - - - - - DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

THE UNITED STATES OF AMERICA

immediate vendor .

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Not valid unless countersigned by Morrow County Abstract & Title Co., Inc., by F. B. Nickerson, President.

HARTMAN ABSTRACT COMPANY

Countersigned:
MORROW COUNTY ABSTRACT &
TITLE CO., INC.

F. B. Nickerson
President.

By

Alma Rohman

Vice-President.

Attest:

Alma Rohman

Assistant Secretary.

Order No. 2545

Certificate No. 25791

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

NOTE: Immediately prior to the filing of the judgment of the United States District Court for the District of Oregon on the declaration of taking, covering the real estate described herein, in the Morrow County, Oregon, deed records on June 25, 1941, the title to said real estate was indefeasibly vested in fee simple of record in Marie Alice Hanson.

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MAR 10 1953

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Marie Alice Hanson, c/o Huntington, Wilson & Davis, Attys.; Porter Bldg.,
Voucher No.----- Portland, Or.

Check No.-----

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

Portland, Oregon,----- November 27, ----, 1941

Received from G. H. MARSH, clerk of the District Court of the United States for the District of
Oregon, the sum of Three Hundred Twenty and no/100--- Dollars,
on account of full compensation in cause Civ. 567, United States vs
Marie Alice Hanson etal

Filed December 5, 1941
G. H. Marsh, Clerk

-----/s/ Marie Alice Hanson-----

FPI Ino-LK-12240-2 M-2818-1

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1 this court simultaneously with the filing of the petition in condemnation
2 herein, and that simultaneously therewith the sum of \$320.00, estimated by
3 the Secretary of War to be just compensation for the taking of the full
4 fee title to the lands hereinafter described, was deposited in the regis-
5 try of this court for the use and benefit of the persons entitled there-
6 to; AND IT FURTHER APPEARING TO THE COURT that at the time of the filing
7 of the declaration of taking herein the defendant, Marie Alice Hanson, a
8 single woman, was the owner of the full fee simple title to the lands
9 hereinafter described, and that said lands were free and clear of all
10 liens and charges of any kind and character whatsoever; AND IT FURTHER
11 APPEARING TO THE COURT that the said Marie Alice Hanson, a single woman,
12 is entitled to receive the full amount of the compensation to be paid
13 for the taking of the full fee simple title to the lands hereinafter de-
14 scribed; AND IT FURTHER APPEARING TO THE COURT from the evidence intro-
15 duced herein that the reasonable and just compensation to be paid by the
16 United States of America for the taking of the full fee simple title to
17 the lands herein-after described is the sum of \$320.00, and that said sum
18 is now on deposit in the registry of this court as the estimated just
19 compensation for the taking of the full fee simple title to said lands;
20 NOW, THEREFORE, IT IS BY THE COURT AT THIS TIME ORDERED, ADJUDGED AND
21 DECREED that the full fee simple title to the following described land
22 situated in the county of Morrow, State of Oregon:

23 North One-half of Southeast Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$) of
24 Section 16, Township 4 North, Range 27 East,
25 Willamette Meridian, consisting of 80 acres,
more or less

26 is vested in the petitioner, United States of America, and that the sum
27 of \$320.00 is the reasonable and just compensation to be paid by the
28 United States of America for the taking of the full fee simple title
29 thereto; and IT IS FURTHER CONSIDERED, ORDERED AND ADJUDGED that the de-
30 fendant Marie Alice Hanson, a single woman, is entitled to receive the
31 whole of said sum of \$320.00; and IT IS FURTHER ORDERED that the clerk
32 of this court pay over to the defendant Marie Alice Hansen, a single

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MAR 20 1923

OWRD

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract #7
Filed 15 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

560 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

Civil 568
DECLARATION
OF
TAKING

Tract 7

D/T FILED *2-7-41*
JUDGMENT FILED *2-11-41*
FINAL OPINION FILED *2-11-41*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

RECEIVED
MAR 6 1941
OWRD

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry D. Stinson
Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes; Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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MAR 1978

OWRD

SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 560 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 7

N 1/2 and SW 1/4 and S 1/2 of SE 1/4 of Section 16, Township 4N, R27E, Willamette meridian, consisting of 560 acres, more or less - Purported Owner, County of Morrow - Estimated Value, \$700.00.

The total area involved in this taking aggregates 560 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$700.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

REF-313

REF

33-38-422-4

June 19, 1942

BY MESSENGER

Def. Off.

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of record in the condemnation proceeding entitled United States vs County of Morrow, Civil No. 566, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Uaitilla drainage Dept.

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$5,076.00 was entered in this proceeding. The original sum on deposit was \$1,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$376.00 with interest at six per cent from January 10, 1941.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. When it is your pleasure to forward to this Department a check in the sum of \$376.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General

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CHIEF OF ENGINEERS
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Enclosure
No. 567348

JUN 22 1942



U. S. DEPT. OF THE INTERIOR
CONSTR. DIV.
REAL ESTATE BRANCH

601-1 Mr. Tolson... Report...

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1 Now, at this time, this matter coming on to be heard upon
2 the application of the petitioner, United States of America, by and through
3 its attorneys of record, for a Final Judgment in Condemnation and an Order
4 Disbursing Funds herein, and IT APPEARING TO THE COURT from the records
5 and files herein, First That pursuant to the provisions of the Act of
6 Congress approved August 2, 1858 (25 Stat. 357; 40 USC 237), any officer
7 of the United States authorized to procure real estate for public use
8 was and is duly authorized to acquire the same by condemnation under
9 judicial process; and that pursuant to the Act of Congress approved July
10 2, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the
11 Secretary of War was and is authorized to acquire in the name of the
12 United States lands for military purposes; and that pursuant to said
13 statute, the Secretary of War has determined and is of the opinion that
14 it is useful, proper, necessary, advantageous and in the interest of the
15 United States to acquire the full fee title to the lands hereinafter
16 described which have been selected by the said Secretary of War for ac-
17 quisition by the United States of America by condemnation under judicial
18 process; and that this condemnation proceeding was instituted pursuant to
19 the aforementioned statute by direction of the Attorney General of the
20 United States, pursuant to the request of the Secretary of War; Second
21 That on January 10, 1911 petitioner filed seven Declarations of Taking
22 in the above entitled cause and simultaneously therewith deposited in the
23 Registry of the Court the sum of \$4,750.00, and on March 11, 1911 this
24 Court made and entered a judgment on the Declarations of Taking ordering
25 and adjudging that the United States of America acquired title in fee
26 simple to the hereinafter described lands on the date of the filing of
27 said Declarations of Taking; Third That at the time of the filing of
28 said Declarations of Taking herein, the defendant Morrow County, Oregon
29 was the record owner of the lands hereinafter referred to, and that said
30 defendant Morrow County, Oregon is entitled to receive the full amount of
31 compensation to be paid for the hereinafter described lands; and that
32 there are no liens, encumbrances, assessments, taxes or charges of any

7-1404

U. S. ATTORNEY, PORTLAND, OREGON

U. S. v. MORROW COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
DISBURSING FUNDS - 2.

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Parcel No. 11: The E¹/₂ of Section 1, Township 4 North, Range
25 E.W.M., consisting of 120 acres, more or less;
Parcel No. 12: The E¹/₂ of Section 17, Township 4 North, Range
25 E.W.M., consisting of 120 acres, more or less;
All in Harney County, Oregon;

vested in the petitioner, United States of America, on January 10, 1931,
free and discharged of all claims and liens of every kind whatsoever,
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.04 remaining on deposit in the Registry of this Court in this
cause to the defendant Harney County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

W. JAMES SINKS, JR.
Clerk

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 30 DAY OF August, 1942

G. H. MARSH, CLERK

R. DeMott Chief Deputy

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U.S. v. HARNEY COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER DISBURSING FUNDS - 1.

Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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OWRD

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 8
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Ve.

640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW
ET AL.,
Defendants.

Civil 568
DECLARATION

OF
TAKING

Tract 8
D. T. 11111
JUDGMENT FILED. *2-11-41*
FINAL OPINION FILED *2-11-41*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

Whereas, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I *Henry S. Stimson*,
Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 8

All Section 17, Township 4N, R27E, Willamette meridian, consisting of 640 acres, more or less -
Purported Owner, County of Morrow, Estimated Value,
\$800.00.

The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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33-38-322-3

June 19, 1942

BY MESSENGER

Def. Off.

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of record in the condemnation proceeding entitled United States v. County of Morrow, Civil No. 169, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Uaitilla drainage project.

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$5,075.00 was entered in this proceeding. The original sum on deposit was \$1,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$3,375.00 with interest at six per cent from January 10, 1942.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. When it is your pleasure to forward to this Department a check in the sum of \$3,375.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General

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U. S. DEPT. OF JUSTICE
REAL ESTATE BRANCH

Enclosure
No. 567348

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1 Now, at this time, this matter coming on to be heard upon
2 the application of the petitioner, United States of America, by and through
3 its attorneys of record, for a Final Judgment in Condemnation and an Order
4 Returning Funds herein, and IT APPEARING TO THE COURT from the records
5 and files herein, First That pursuant to the provisions of the Act of
6 Congress approved August 1, 1868 (25 Stat. 357; 49 USC 557), any officer
7 of the United States authorized to procure real estate for public use
8 was and is duly authorized to acquire the same by condemnation under
9 judicial process; and that pursuant to the Act of Congress approved July
10 2, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the
11 Secretary of War was and is authorized to acquire in the name of the
12 United States lands for military purposes; and that pursuant to said
13 statutes, the Secretary of War has determined and is of the opinion that
14 it is useful, proper, necessary, advantageous and in the interest of the
15 United States to acquire the full fee title to the lands hereinafter
16 described which have been selected by the said Secretary of War for ac-
17 quisition by the United States of America by condemnation under judicial
18 process; and that this condemnation proceeding was instituted pursuant to
19 the aforementioned statutes by direction of the Attorney General of the
20 United States, pursuant to the request of the Secretary of War; Second
21 That on January 10, 1911 petitioner filed verba Declarations of Taking
22 in the above entitled cause and simultaneously therewith deposited in the
23 Registry of the Court the sum of \$4,700.00, and on March 14, 1911 this
24 Court made and entered a judgment on the Declarations of Taking ordering
25 and adjudging that the United States of America acquired title in fee
26 simple to the hereinafter described lands on the date of the filing of
27 said Declarations of Taking; Third That at the time of the filing of
28 said Declarations of Taking herein, the defendant Morrow County, Oregon
29 was the record owner of the lands hereinafter referred to, and that said
30 defendant Morrow County, Oregon is entitled to receive the full amount of
31 compensation to be paid for the hereinafter described lands; and that
32 there are no liens, encumbrances, assessments, taxes or charges of any

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U.S. v. MORROW COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER RETURNING FUNDS - 2.

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Parcel No. 11; The E¹/₂ of Section 1, Township 1 North, Range
25 E.W.M., consisting of 120 acres, more or less;
Parcel No. 12; The E¹/₂ of Section 13, Township 1 North, Range
25 E.W.M., consisting of 120 acres, more or less;
All in Harney County, Oregon;

vested in the petitioner, United States of America, on January 10, 1942,
free and discharged of all claims and liens of every kind whatsoever
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.01 remaining on deposit in the Registry of this Court in this
cause to the defendant Harney County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

J. JAMES ALLEN, JR.
District Judge

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 30 DAY OF August, 1942

G. H. MARSH, CLERK

R. DeMott Chief Deputy

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U.S. v. HARBOR COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER DISBURSING FUNDS - 2.

Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Track # 9
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

DECLARATION

OF
TAKING

Track 9
NOT FILED
SUPPLEMENT FILED. *22 # 41*
FINAL OPINION FILED. *22 # 41*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry D. Stevenson, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the

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... and also show on that certain plan

SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 9

All Section 21, Township 4N, R27E, Willamette meridian, lying North of the Oregon-Washington Railroad and Navigation Company's Coyote Cut-off, consisting of 640 acres, more or less -
Purported owner, County of Morrow - Estimated value, \$800.00.

594.77 acres
598.52

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The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

EJL-210

RFE

33-38-222-2

June 19, 1942

BY MESSENGER

Def. Off.

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of records in the condemnation proceeding captioned United States v. County of Morrow, Civil No. 368, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Hattala Ordnance Depot.

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$2,776.00 was entered in this proceeding. The original sum on deposit was \$4,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$2,776.00 with interest at six per cent from January 10, 1942.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. When it is your pleasure to forward to this Department a check in the sum of \$2,776.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General

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OFFICE

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Enclosure
No. 257348

JUN 22 1942



U. S. DEPT. OF THE INTERIOR
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REAL ESTATE BRANCH

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6011 Mr. Stimson will report (10/10/42) to the President

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Now, at this time, this matter coming on to be heard upon the application of the petitioner, United States of America, by and through its attorneys of record, for a Final Judgment in Condemnation and an Order Returning Funds herein, and IT APPEARING TO THE COURT from the records and files herein, First That pursuant to the provisions of the Act of Congress approved August 3, 1888 (25 Stat. 357; 40 USC 557), any officer of the United States authorized to procure and assist for public uses and is duly authorized to acquire the same by condemnation under judicial process; and that pursuant to the Act of Congress approved July 3, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the Secretary of War was and is authorized to acquire in the name of the United States lands for military purposes; and that pursuant to said statutes, the Secretary of War has determined and is of the opinion that it is useful, proper, necessary, advantageous and in the interest of the United States to acquire the full fee title to the lands hereinafter described which have been selected by the said Secretary of War for acquisition by the United States of America by condemnation under judicial process; and that this condemnation proceeding was instituted pursuant to the aforementioned statutes by direction of the Attorney General of the United States, pursuant to the request of the Secretary of War; Second That on January 10, 1911 petitioner filed seven Declarations of Taking in the above entitled cause and simultaneously therewith deposited in the Registry of the Court the sum of \$4,769.20, and on March 14, 1911 this Court said and entered a judgment on the Declarations of Taking ordering and adjudging that the United States of America acquired title in fee simple to the hereinafter described lands on the date of the filing of said Declarations of Taking; Third That at the time of the filing of said Declarations of Taking herein, the defendant Morrow County, Oregon was the record owner of the lands hereinafter referred to, and that said defendant Morrow County, Oregon is entitled to receive the full amount of compensation to be paid for the hereinafter described lands; and that there are no liens, encumbrances, assessments, taxes or charges of any

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Parcel No. 11; The 1/2 of Section 1, Township 1 North, Range
26 E.W.M., consisting of 120 acres, more or less;
Parcel No. 12; The 1/2 of Section 13, Township 1 North, Range
26 E.W.M., consisting of 120 acres, more or less;
All in Harney County, Oregon;

vested in the petitioner, United States of America, on January 19, 1931,
free and discharged of all claims and liens of every kind whatsoever,
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.04 remaining on deposit in the Registry of this Court in this
cause to the defendant Harney County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

~~J. J. VAUGHN ALLEN, JR.
District Judge~~

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 30 DAY OF August, 1942

G. H. MARSH, CLERK

R. DeMott Chief Deputy

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U.S. v. HARNEY COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER DISBURSING FUNDS - 1.

Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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MORROW

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Track #10
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

320 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

Civil 568

DECLARATION

OF

TAKING

[Signature]

JUDGMENT FILED
FINAL DECISION FILED

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I *Derry S. Stevenson*, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 320 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 10

E 1/2 of Section 1, Township 4N, R26E, Willamette meridian, consisting of 320 acres, more or less -
Purported Owner, County of Morrow - Estimated Value, \$400.00.

319.95 acre

The total area involved in this taking aggregates 320 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$400.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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WJL:JEC

RFE

33-38-222-2

June 19, 1942

BY MISSCHNER

Def. Off.

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of record in the condemnation proceeding entitled *United States v. County of Morrow*, Civil No. 169, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the *Waltala Ordnance Depot*.

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$5,076.00 was entered in this proceeding. The original sum on deposit was \$4,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$376.00 with interest at six per cent from January 10, 1942.

From an examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. When it is your pleasure to forward to this Department a check in the sum of \$376.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General

Enclosure
No. 267548

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CHIEF OF ENGINEERS
OFFICE

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U. S. DEPT. OF THE INTERIOR
CONSTR. DIV.
REAL ESTATE BRANCH

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1 Now, at this time, this matter coming on to be heard upon
2 the application of the petitioner, United States of America, by and through
3 its attorneys of record, for a Final Judgment in Condemnation and an Order
4 Distributing Funds hereon, and IT APPEARED TO THE COURT from the records
5 and files herein, First That pursuant to the provisions of the Act of
6 Congress approved August 3, 1888 (25 Stat. 357; 43 USC 357), any officer
7 of the United States authorized to procure real estate for public use
8 and is duly authorized to acquire the same by condemnation under
9 judicial process; and that pursuant to the Act of Congress approved July
10 3, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the
11 Secretary of War was and is authorized to acquire in the name of the
12 United States lands for military purposes; and that pursuant to said
13 statutes, the Secretary of War has determined and is of the opinion that
14 it is useful, proper, necessary, advantageous and in the interest of the
15 United States to acquire the full fee title to the lands hereinafter
16 described which have been selected by the said Secretary of War for ac-
17 quisition by the United States of America by condemnation under judicial
18 process; and that this condemnation proceeding was instituted pursuant to
19 the aforementioned statutes by direction of the Attorney General of the
20 United States, pursuant to the request of the Secretary of War; Second
21 That on January 10, 1941 petitioner filed seven Declarations of Taking
22 in the above entitled cause and simultaneously therewith deposited in the
23 Registry of the Court the sum of \$4,700.00, and on March 14, 1941 this
24 Court made and entered a Judgment on the Declarations of Taking ordering
25 and adjudgeing that the United States of America acquired title in fee
26 simple to the hereinafter described lands on the date of the filing of
27 said Declarations of Taking; Third That at the time of the filing of
28 said Declarations of Taking herein, the defendant Morrow County, Oregon
29 was the record owner of the lands hereinafter referred to, and that said
30 defendant Morrow County, Oregon is entitled to receive the full amount of
31 compensation to be paid for the hereinafter described lands; and that
32 there are no liens, encumbrances, assessments, taxes or charges of any

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Parcel No. 113 The N¹/₂ of Section 1, Township 4 North, Range
25 E.W.M., consisting of 120 acres, more or less;
Parcel No. 114 The N¹/₂ of Section 13, Township 4 North, Range
25 E.W.M., consisting of 120 acres, more or less;
All in Morrow County, Oregon;

vested in the petitioner, United States of America, on January 10, 1911,
free and discharged of all claims and liens of every kind whatsoever,
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.04 remaining on deposit in the Registry of this Court in this
cause to the defendant Morrow County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

/s/ JAMES ALLEN TEE
District Judge

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF. FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 30 DAY OF August, 1942

G. H. MARSH, CLERK

[Signature] Chief Deputy

RECEIVED
MAY 27 1942
OWRD

U.S. v. MORROW COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER DISBURSING FUNDS - 1.

Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 419
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

320 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

Civil 568
DECLARATION

OF
TAKING

Tract 11

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NOT FILED
JUDGMENT FILED
FINAL OPINION FILED

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry D. Stevenson, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50,171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

SCHEDULE "A"

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The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 320 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 11

E 1/2 of Section 13, Township 4N, R26E, Willamette meridian, consisting of 320 acres, more or less -
Purported Owner, County of Morrow - Estimated Value,
\$400.00.

The total area involved in this taking aggregates 320 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$400.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

HL-100

RFE

33-28-222-2

June 19, 1942

BY MAILING

Def. Off.

*601-1 Mr. Tolson
Mr. E.A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Miss Gandy*

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificate of title and transcript of record in the condemnation proceeding entitled United States vs. County of Morrow, Civil No. 568, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Battle Ordnance Depot.

Subsequent to the filing of the declaration of taking, a jury verdict in the amount of \$5,076.00 was entered in this proceeding. The original sum on deposit was \$4,700.00. This verdict was confirmed by judgment of court on April 1, 1942, in the form of a deficiency judgment in the sum of \$376.00 with interest at six per cent from January 10, 1941.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted. When it is your pleasure to forward to this Department a check in the sum of \$376.00, with interest as indicated, in satisfaction of the deficiency judgment, this condemnation proceeding will be brought to a satisfactory conclusion.

Respectfully,

Attorney General

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CHIEF OF ENGINEERS
OFFICE

JUN 20 2 31 PM '42

Enclosure
No. 587548

JUN 22 42



U. S. DEPT. OF JUSTICE
CONSTR. DIV.
REAL ESTATE BRANCH

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1 Now, at this time, this matter coming on to be heard upon
2 the application of the petitioner, United States of America, by and through
3 its attorneys of record, for a Final Judgment in Condemnation and an Order
4 Relinquishing Funds herein, and IT APPEARING TO THE COURT from the records
5 and files herein, Firstly That pursuant to the provisions of the Act of
6 Congress approved August 2, 1868 (25 Stat. 357; 40 USC 357), any officer
7 of the United States authorized to procure real estate for public use
8 was and is duly authorized to acquire the same by condemnation under
9 judicial process; and that pursuant to the Act of Congress approved July
10 2, 1917, as amended by the Act of April 11, 1918 (40 USC Sec. 171), the
11 Secretary of War was and is authorized to acquire in the name of the
12 United States lands for military purposes; and that pursuant to said
13 statutes, the Secretary of War has determined and is of the opinion that
14 it is useful, proper, necessary, advantageous and in the interest of the
15 United States to acquire the full fee title to the lands hereinafter
16 described which have been selected by the said Secretary of War for ac-
17 quisition by the United States of America by condemnation under judicial
18 process; and that this condemnation proceeding was instituted pursuant to
19 the aforementioned statutes by direction of the Attorney General of the
20 United States, pursuant to the request of the Secretary of War; Secondly
21 That on January 10, 1941 petitioner filed seven Declarations of Taking
22 in the above entitled cause and simultaneously therewith deposited in the
23 Registry of the Court the sum of \$4,700.00, and on March 14, 1941 this
24 Court made and entered a judgment on the Declarations of Taking ordering
25 and adjudging that the United States of America acquired title in fee
26 simple to the hereinafter described lands on the date of the filing of
27 said Declarations of Taking; Thirdly That at the time of the filing of
28 said Declarations of Taking herein, the defendant Morrow County, Oregon
29 was the record owner of the lands hereinafter referred to, and that said
30 defendant Morrow County, Oregon is entitled to receive the full amount of
31 compensation to be paid for the hereinafter described lands; and that
32 there are no liens, encumbrances, assessments, taxes or charges of any

7-1404

U. S. PATENT OFFICE

U. S. v. MORROW COUNTY, et al., - FINAL JUDGMENT IN CONDEMNATION AND
ORDER RELINQUISHING FUNDS - 2.

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Parcel No. 11: The E¹/₂ of Section 1, Township 1 North, Range
26 S.W.M., consisting of 120 acres, more or less;
Parcel No. 12: The E¹/₂ of Section 13, Township 1 North, Range
26 S.W.M., consisting of 120 acres, more or less;
All in Harney County, Oregon;

vested in the petitioner, United States of America, on January 10, 1911,
free and discharged of all claims and liens of every kind whatsoever,
and IT IS FURTHER ORDERED that the Clerk of this Court forthwith pay the
sum of \$107.54 remaining on deposit in the Registry of this Court in this
cause to the defendant Harney County, Oregon, without charging commission
or postage fees thereon, and that said Clerk take the receipt of said
defendant therefor.

Dated this 30 day of June, 1942.

J. JAMES ALLEN, JUDGE
District Judge

Filed July 6, 1942
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

THE FOREGOING HAS BEEN BY ME COMPARED WITH THE ORIGINAL
THEREOF AND IS A TRUE COPY OF FINAL JUDGMENT IN CONDEMNATION AND
IN THE ABOVE ENTITLED CAUSE. ORDER DISBURSING FUNDS

WITNESS MY HAND AND THE SEAL OF SAID COURT

THIS 30 DAY OF August, 1942

G. H. MARSH, CLERK

R. DeMott Chief Deputy

RECEIVED
FOR
COURT

Order No. 2542

Certificate No. 25913

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The East Half of Section One (1); the East Half of Section Thirteen (13) in Township Four (4) North of Range Twenty-six (26) East of the Willamette Meridian.

All of Sections Five (5) and Nine (9); the North Half, the Southwest Quarter and the South Half of the Southeast Quarter of Section Sixteen (16); all of Sections Seventeen (17) and Twenty-one (21) in Township Four (4) North of Range Twenty-seven (27) East of the Willamette Meridian, in the County of Morrow, State of Oregon.

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(Special)

Oregon Contract
No. _____

Deed No. 24598-W

N O R T H E R N P A C I F I C R A I L W A Y C O M P A N Y

The Grantor, NORTHERN PACIFIC RAILWAY COMPANY, a corporation duly organized and incorporated under the laws of the State of Wisconsin, for and in consideration of five thousand six hundred sixty dollars and fifty-two cents (\$5,660.52), the receipt of which is acknowledged, conveys and warrants to the UNITED STATES OF AMERICA, and its assigns, the following described land in the Counties of Morrow and Umatilla, State of Oregon, to-wit:

All of fractional Sections three (3) and seven (7), all of Sections eleven (11) and fifteen (15), that part of Section nineteen (19) lying north of the right of way of the Oregon-Washington Railroad & Navigation Company, all of Section twenty-three (23), and that part of Section twenty-seven (27) lying north of the right of way of the Oregon-Washington Railroad & Navigation Company, all in Township four (4) North, Range twenty-seven (27) East of the Willamette Meridian, containing three thousand six hundred ninety-three and three hundredths (3,693.03) acres, more or less, according to the United States Government Survey, subject, however, to an easement in the public for any public roads heretofore laid out or established and now existing over and across any part of said described land.

IN WITNESS WHEREOF, the Grantor, above named, pursuant to a resolution of its Board of Directors, duly and legally adopted, has caused these presents to be signed by its VICE PRESIDENT and Secretary and its corporate seal to be hereunto affixed this fourth day of October A.D. 1941.

Attest:

NORTHERN PACIFIC RAILWAY COMPANY,

Wm B. Schale
Secretary

By *B. W. Sandhu*
VICE PRESIDENT



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THE 12 FEB 18

5

STATE OF OREGON
County of Umatilla, } ss

This instrument was filed for record on
the 31 day of Oct, A. D. 1941
at 8:03 o'clock A.M., and duly recorded
in Vol. 163 of Deeds
Page 74

Jack Johnson
Recorder of Conveyances

By 40 Deputy
Fees \$ 1.40 No. 47219

RECORDED

COMPARED

65945

STATE OF OREGON
COUNTY OF MORGAN } ss

I Certify that the within instrument was
received and filed for record on the 29
day of Oct, 1941, at 10:55 A.M.,
and duly recorded in book 47, page 227

Record Books
C. H. Basant, Clerk
Edna Hughes, Deputy

of this recorded
Gladys A. G. 1941
SEP 27 1941

RECEIVED
MORGAN
COURT

R E C E I P T

Receipt is hereby acknowledged of Treasury Check No. 110,812 payable to Northern Pacific R'y. Co., Seattle, Washington, in the amount of \$5,660.52, in full payment for the following described lands, to-wit:

All of fractional sections 3 and 7; all of sections 11 and 15; and that part of section 19 lying north of the right of way of the Oregon-Washington Railroad & Navigation Company; all of section 23; and that part of section 27 lying north of the right of way of the Oregon-Washington Railway & Navigation Company; all in Township 4 north, Range 27 east of the W.M., and consisting of 3,693.03 acres, more or less, according to the Government survey; all of said land being located in Morrow and Umatilla Counties, Oregon.

Date Jan 10 - 1942

NORTHERN PACIFIC R.Y. CO.,

By [Signature]
Western Land Agent

Opinion of A. G. and certificate
of title examined SEP 9 - 1942
[Signature]

RECEIVED
OVRD

- 2. The lien of the 1942 taxes, for the payment of which a sufficient amount has been withheld from the purchase price.

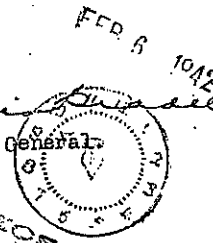
Your Department has advised that objection 1 will not interfere with the contemplated use of the land.

The certificates of title, deeds, and related papers are enclosed.

Respectfully,

Francis B. Furze

Attorney General



RECEIVED
REAL ESTATE BR.
CONSTR. DIV.

FEB 5 1942

Opinion of A. G. and certificates
of title examined *as to City of Memphis*
SEP. 2 1942
W. W. X

2 J

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OWRD

HARTMAN ABSTRACT COMPANY

PENDLETON, OREGON

OWNER United States of America File No. -T&M 1956 -
3, 11, -
Section 15, - Township 4 N., - Range 27, E.W.M. - Umatilla - County, Oregon.
23, 27 -

FINAL CERTIFICATE OF TITLE

Premium \$ 67.00 (Paid) Order No.
Certificate No. 22914

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 24th day of November, 1941, at 5:00 P.M., the title to ~~perpetual easement over, across, and under~~ the said real estate was indefeasibly vested by virtue of a deed recorded in Book 163 Page 74, Records of Deeds in

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of THIRTY-THREE HUNDRED FIFTEEN & 21/100 (\$3315.21) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of Northern Pacific Railway Company, immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

HARTMAN ABSTRACT COMPANY

By [Signature] Vice-President.
Attest: Alma [Signature] Assistant Secretary.

Examination of A. G. [Signature] SEP 27 1942
By [Signature]

Page 1 of Certificate No. 22914

RECEIVED
[Stamp]
OWRD

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

1. Any state of facts which an accurate survey and inspection would show; roads, ways and easements not established of record; the existence of county roads; water rights; water locations; mining rights; and exceptions or reservations in United States Patents, or in deeds from the State of Oregon.
2. Rights or claims of persons in possession, or claiming to be in possession, not shown of record; rights claimed under instruments not of record; material or labor liens of which no notice is of record.
3. Matters relating to taxes and assessments, if any, preceding the same becoming fixed and shown as a lien; taxes not yet payable; and all matters relating to vacating, opening or other changing of streets or highways preceding the final termination of the same.
4. Certified Copy of Order of John Day Irrigation District dated February 5, 1924, filed March 17, 1924, recorded in Book 123, Page 434, Deed Records of Umatilla County, Oregon, excluding Sections 23 and 27 from said District, changes the boundary of said District in part, as follows:
"thence East one-half mile to the Southeast corner of Section 20, Township 4 North, Range 27, E.W.M.; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-half mile; thence East one-half mile; thence South one-half mile; thence East one-half mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-half mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-half mile; thence North one-fourth of a mile; thence East one-fourth of a mile to the Southeast corner of Section 11, Township 4 North, Range 27, E.W.M."
Such boundary, as so changed, includes the Southeast Quarter of the Southeast Quarter of Section 15 in such District. Such order provides:
"That nothing in this order contained shall in any manner operate to release any of the lands so excluded from said District from any obligation to pay or lien thereon of any valid outstanding bonds or other indebtedness of said District existing on the 16th day of November, 1923, which is the date of filing the petition for the exclusion of said lands."
Certified Copy of Decree from Circuit Court of Gilliam County, Oregon, in case of "Northern Pacific Railway Company, a corporation,

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OWNED

HARTMAN ABSTRACT COMPANY
PENDLETON, OREGON

OWNER THE UNITED STATES OF AMERICA File No.
Section Township Range 27 MORROW County, Oregon
7 & 19 4 N.R. FINAL
CERTIFICATE OF TITLE

Premium \$ 39.50 Order No. 2574 "A"
Certificate No. 25794

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 15th day of NOVEMBER 1941, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

THE UNITED STATES OF AMERICA

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO THOUSAND, THREE HUNDRED FORTY-FIVE AND 31/100 (\$2,345.31) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

THE UNITED STATES OF AMERICA immediate vendor

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Not valid unless countersigned by Morrow County Abstract & Title Co., Inc., by F. B. Nickerson, President.

HARTMAN ABSTRACT COMPANY

Countersigned:
MORROW COUNTY ABSTRACT &
TITLE CO., INC.

By F. B. Nickerson
President.

By [Signature]
Vice-President.

Attest:
[Signature] Alma Poperman
Assistant Secretary.

Page 1 of Certificate No. 25794

Original of A. G. and certified
SEP 9 1942
title examined

RECEIVED
MORROW
COUNTY
ABSTRACT
COMPANY
OWNED

Order No. 2574 "A"

Certificate No. 25794

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

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OPTION TO PURCHASE LAND

KNOW ALL MEN BY THESE PRESENTS: That the NORTHERN PACIFIC RAILWAY COMPANY, a Wisconsin corporation, hereinafter referred to as the Company, for and in consideration of one dollar (\$1.00), paid by the UNITED STATES OF AMERICA, hereinafter referred to as the Government, the receipt whereof is hereby acknowledged, hereby agrees for itself, its successors and assigns, to sell and convey to the Government for the consideration of five thousand six hundred sixty dollars and fifty-two cents (\$5,660.52), the following described tracts of land situated in the Counties of Morrow and Umatilla, State of Oregon, to-wit:

<u>Part of Section</u>	<u>Sec. Twp. Rge.</u>	<u>Acres</u>
All frl.	3 4N 37E	655.63
All frl.	7 " "	667.20
All	11 " "	640.00
All	15 " "	640.00
Part north of O.& W.R/W.	19 " "	373.66
All	23 " "	640.00
Part north of O.& W.R/W.	27 " "	76.55
Total:		3,693.03

Subject, however, to the right of the Morrow Grazing Association, former lessee of said lands, to remove its personal property, if any, from said lands. This option shall expire ninety (90) days from the date hereof.

In the event this option is exercised by the Government within ninety (90) days from the date hereof, the Company hereby grants to the Government the right of immediate occupancy and use of the lands for any purpose whatsoever, from and after the acceptance by the Government of this option, and until such time as said land is conveyed to the Government by the Company, the title approved by the Attorney General of the United States as required by law, and the agreed purchase price paid by the Government to the Company. It is agreed that the Attorney General will approve or reject the title to said lands within six months after the date this option is accepted. In the event of rejection of title by the Attorney General, the Government agrees to proceed immediately with condemnation proceedings, as hereinafter provided.

The Company further agrees that it will execute and deliver a warranty

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WARD

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,
Petitioner,

Vs.

480 ACRES OF LAND, MORE OR
LESS, SITUATE IN UMATILLA
COUNTY, STATE OF OREGON, AND
THE NORTHERN PACIFIC RAILWAY
COMPANY, ET AL,
Defendants.

DECLARATION
OF
TAKING

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Henry L. Stinson Secretary of War of the
United States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a), and under the further authority of the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241) and April 11, 1918 (40 Stat. 518, 50 U.S.C. sec. 171), which acts authorize the acquisition of land for military purposes, the Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) and the Act of Congress approved April 5, 1941 (Public Law 29 - 77th Congress) which appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows:
The said lands are necessary adequately to provide for a munitions storage depot and related military purposes. The said lands have been selected by me for acquisition by the United States for use in connection with the establishment of the Umatilla Ordnance Depot, and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

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SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 480 acres, more or less, situate and being in the County of Umatilla, State of Oregon. A description of the lands taken, together with a list of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

TRACT NO. 1

DESCRIPTION:

The South Half of Section 35, Township 5 North, Range 27 East of the Willamette Meridian, in Umatilla County, Oregon, containing 320 acres, more or less.

Name of purported owner: The Northern Pacific Railway Company, a corporation.

Estimated Compensation: \$ 400.00.

TRACT NO. 2

DESCRIPTION:

The Southwest Quarter of Section 36, Township 5 North, Range 27 East of the Willamette Meridian, Umatilla County, Oregon, containing 160 acres, more or less.

Name of purported owner: Umatilla County.

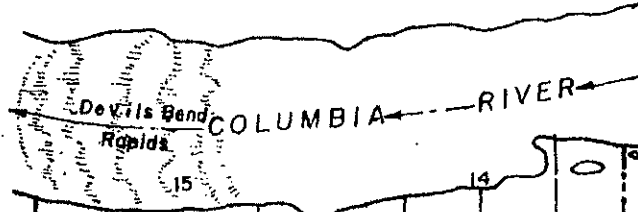
Estimated Compensation: \$ 200.00.

The gross sum estimated to be just compensation for the lands hereby taken is \$600.00.

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WASHINGTON



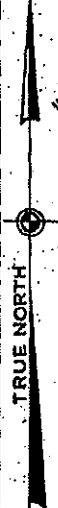
Oregon-Washington RR & Navig. Co.
Columbia River Highway

VICINITY MAP
SCALE IN MILES
0 2.5 5 7.5 10

MORROW COUNTY
UMATILLA COUNTY

OREGON

22 23 24
27 26 25



34 ND-17-1 SE 1/4 U.S.
35
36 ND-17-3 SW 1/4 UMATILLA COUNTY

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To accompany letter dated JUL 29 1941

TRACT MAP
PARCEL No. ND-17-2
UMATILLA MUNITION DEPOT
LANDS
T. 5 N., R. 27 E., WM.
UMATILLA COUNTY, OREGON

LEGEND
LANDS TO BE ACQUIRED

BEARINGS U.S.C. & G.S. DATUM
U.S. ENGINEER OFFICE, PORTLAND OREGON, DISTRICT
Submitted Approved
Recommended
Major, Corps of Engineers
SCALE 1 IN = 2640 FT
July 23, 1941
Drawn by E.A. Checked by

SCHEDULE 4811

Sheet 6

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF OREGON

1 UNITED STATES OF AMERICA,

2
3 Petitioner,

4 v.

5 NORTHERN PACIFIC RAILWAY COMPANY, a
6 corporation; and UMATILLA COUNTY,
7 OREGON, a municipal corporation and
8 political and geographical subdivi-
9 sion of the State of Oregon,

10 Defendants.

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CIVIL NO. 903
FINAL JUDGMENT IN CONDEMNATION
AND ORDER DISBURSING FUNDS

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This matter coming on upon the motion of the petitioner United States of America for final judgment herein, and the defendants appearing not and the default of said defendants and each of them having been heretofore entered herein; AND IT APPEARING TO THE COURT that heretofore and on the 24th day of October, 1941, the petitioner filed herein its declaration of taking and its petition for condemnation, and that simultaneously therewith the petitioner deposited in the Registry of this Court the sum of \$400.00 as estimated just compensation for the taking of the hereinafter described real property, and that prior to the filing of the declaration of taking herein, and pursuant to the provisions of the Act of Congress approved February 26, 1931, and the further Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241), and April 11, 1918 (40 Stat. 518, 50 U.S.C. Sec. 171), and the Act of Congress approved September 9, 1940 (Public No. 781--76th Congress), and the Act of Congress approved April 5, 1941 (Public Law 29--77th Congress), the Secretary of War (1) selected the lands hereinafter described for acquisition by the United States of America for the purpose of the establishment of the Umatilla Ordnance Depot and for use in connection therewith, and for related military purposes, and for such other uses as may be authorized by Congress or by Executive Order, and has determined that such lands are necessary in his opinion to be appropriated for the uses hereinabove set forth; (2) determined that in his opinion it is necessary and

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U.S. v. Northern Pacific Railway Company - Final Judgment, etc. - 1.

U. S. GOVERNMENT PRINTING OFFICE

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1 compensation to be paid by the United States of America for the taking
2 of the above-described property is the sum of \$400.00; that the defend-
3 ant Northern Pacific Railway Company, a corporation, is entitled to re-
4 ceive the whole of said sum of \$400.00 as just compensation for the
5 taking of said lands; AND IT IS FURTHER ORDERED that the Clerk of this
6 Court be and he is hereby authorized and directed to forthwith pay
7 over to the defendant Northern Pacific Railway Company, a corporation,
8 c/o W. E. Holt, Western Land Agent, Northern Pacific Railway Company,
9 Smith Tower, Seattle, Washington, the sum of \$400.00 now on deposit in
10 the Registry of this Court, without charging commission or poundage
11 fee, and that he take the receipt of the defendant Northern Pacific
12 Railway Company, a corporation, therefor.

13 Dated at Pendleton, Oregon, this 31 day of March, 1942.

14
15 /s/ James Alger Fee
16 District Judge.

17 Filed March 31, 1942
18 at Pendleton, Oregon
19 G. H. Marsh, Clerk
20 By R. DeMott, Deputy Clerk
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32 U.S. v. Northern Pacific Railway Company - Final Judgment, etc. - 3.

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Order No.

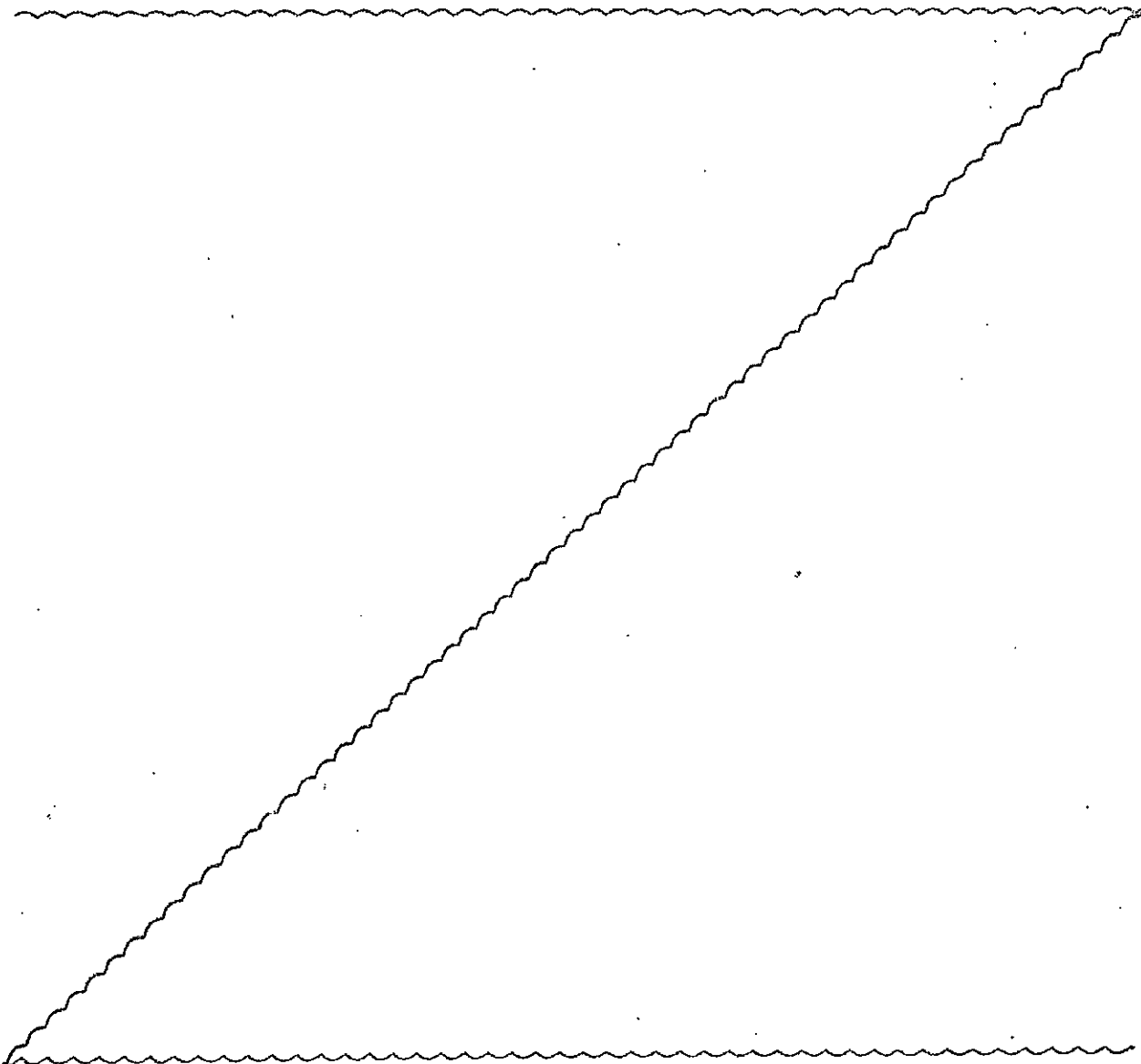
Certificate No.—23429—

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate: ~~~~~

The South Half of Section Thirty-five (35), Township Five (5) North, Range Twenty-seven (27), East of the Willamette Meridian, in the County of Umatilla and State of Oregon. ~~~~~



I, C. B. MATTHAI, Assistant Secretary of Oregon-Washington Railroad & Navigation Company, a corporation organized and existing under the laws of the State of Oregon, and its lessee, Union Pacific Railroad Company, a corporation organized and existing under the laws of the State of Utah, do hereby certify that the following is a true copy of Section 2 of Article V and Section 5 of Article V, respectively, of the By-Laws of the aforesaid companies, as amended effective May 25, 1939, and that the same are still in force:

***** licenses, permits and contracts for crossings over or under the right of way, station grounds, or other property of the Company by railroads, highways, canals, pipe lines, telegraph and telephone lines and similar crossings, for any period or indefinitely; ***** may be made in the name and on behalf of the Company by the President (or such officer as he shall designate) without further authority *****."

I further certify that the President of said Oregon-Washington Railroad & Navigation Company and Union Pacific Railroad Company, in accordance with the authority vested in him by the above quoted sections of the By-Laws of said companies, has delegated to the General Manager (presently M. C. Williams) authority to execute licenses, permits and contracts for crossings over or under the right of way and station grounds, or other property of said companies by pipe lines, for any period or indefinitely, and that said authority has not been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seals of said Companies at Omaha, Nebraska, this

10th day of May, 1943.

C. B. Matthai
Assistant Secretary

(Seal)

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HOWEVER, to the Grantors, their successors and assigns, all right, title and interest and privilege as may be used and enjoyed without interfering with or abridging the rights conveyed to the United States, including, but not limited to, the right to graze livestock on said lands, and the right to farm same.

For the consideration recited above, the Grantors agree to abide by the following covenants which shall run with the land:

(a) That the Government may grant, convey, transfer, or assign, or permit the use and occupation of, by grant of easement, lease, license, permit, or otherwise, all or any part of the easement and rights granted herein, to any individual, partnership, corporation, or political body, for either commercial or non-commercial purposes.

(b) That the payment by the Government of the considerations recited above shall constitute full fair value and full compensation to the Grantors, for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, transferees, assignees, lessees, licensees, or permittees as described in the foregoing subsection (a) of this paragraph; and the Grantors expressly release and relinquish any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easement and rights granted herein.

AND FURTHER, the grantor hereby accepts the above-recited consideration in full payment for all damages whatsoever that have occurred, or may hereafter occur, to the land above-described, and to the appurtenances thereunto belonging.

TO HAVE AND TO HOLD THE above described easement and right unto the Government in perpetuity.

The Grantors covenant and agree to pay all taxes and assessments on the above described property promptly when due and to warrant and defend the title to said easement and right against the lawful claims of all persons whomsoever, for the full term of this easement and right.

IN WITNESS WHEREOF the Grantors have hereunto set their hands and seals on the day and year first above written.

WITNESSES:

D.J. Phillips (SEAL)
Ida Phillips (SEAL)

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Office of the Attorney General
Washington, D. C.

February 19, 1957

Honorable Wilber M. Brucker
Secretary of the Army
Washington, D. C.

My dear Mr. Secretary:

A re-examination has been made of the title data relating to 41.32 acres of land, more or less, Tract No. 23-E, Umatilla Ordinance Depot Project in Morrow County, Oregon. An easement over this land was conveyed to the United States of America, under the provisions of existing legislation by D. J. Phillips and Ida Phillips, husband and wife, under deed dated December 13, 1956, filed for record on December 20, 1956, and recorded among the land records of the county in Book 61 of Deeds at page 324. The file number of this Department is 33-38-222-11.

The easement is described in the aforesaid deed, which recites a consideration of \$200.00.

The certificate of title, No. 72483, dated as of December 21, 1956, was prepared by Oregon Title Insurance Company, countersigned by Morrow County Abstract and Title Co., Inc., and is satisfactory.

The certificate, recorded deed and accompanying data disclose valid title to the easement to be vested in the United States of America, subject to easements for public roads, rights of way and utilities, if any, not shown of record, which your Department has advised will not interfere with the contemplated use of the easement.

The certificate of title, deed and related papers are enclosed.

Sincerely yours,

Attorney General

UMATILLA ORDINANCE

23-E

OREGON

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Order No. 3275

Certificate No. 72483

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

All that portion of the Southeast Quarter of Section 36, Township 5 North, Range 26 East of the Willamette Meridian, Morrow County, Oregon, lying southeasterly of the southeasterly right-of-way line of the West Extension Irrigation District main canal, containing 41.32 acres, more or less.

Subject to existing easements for public roads and highways, public utilities, railroads and pipelines.

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Office of the Attorney General

Washington, D. C.

September 28, 1956

Honorable Wilber M. Brucker
Secretary of the Army
Washington, D. C.

My dear Mr. Secretary:

An examination has been made of the title data relating to 41.32 acres of land, more or less, Tract No. 23-E, Umatilla Ordnance Depot Project in Morrow County, Oregon. An easement over this land is to be acquired for a consideration of \$200.00 by authority of existing legislation. The file number of this Department is 33-38-222-11.

The land is described in the enclosed draft of deed from D. J. Phillips and Ida Phillips, husband and wife, to the United States of America.

The certificate of title No. 72483, dated as of June 8, 1956, was prepared by Oregon Title Insurance Company, countersigned by Morrow County Abstract and Title Co. Inc., and is satisfactory in form.

The certificate and accompanying data disclose the title to be vested in D. J. Phillips and Ida Phillips, subject to:

1. All taxes and assessments.
2. Rights or claims of persons in possession, if any, not shown of record.
3. Mechanics' liens, if any, not shown of record.
4. Easements for roads, highways and public utilities, if any, not shown of record.
5. The lien of the assessments of the West Extension Irrigation District as shown at item 2 of the certificate of title.

As a copy of the option was not submitted to this Department; prior to the consummation of this purchase it should be definitely determined that the deed to the United States and the certificate of title include all of the land described in the option.

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OREGON TITLE INSURANCE COMPANY

PENDLETON, OREGON

OWNER D.J. PHILLIPS and IDA PHILLIPS
LAWRENCE P. DOHERTY, J.A. ROBBINS and
Section Township Range

File No. P. RC-576 001.01
Title Office - Pendleton
Morrow County, Oregon

CERTIFICATE OF TITLE

Premium \$25.00

Order No. 3275

Certificate No. 72483

Morrow No. 2075

To THE UNITED STATES OF AMERICA:

OREGON TITLE INSURANCE COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 8th day of JUNE 1956, at 8:00 A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in: D.J. PHILLIPS and IDA PHILLIPS, husband and wife, as to PARCEL NO. I.; LAWRENCE P. DOHERTY, as to PARCEL NO. II; UNITED STATES OF AMERICA, as to PARCEL NO. III, and J.A. ROBBINS and ANNA MAE ROBBINS as to PARCEL NO. IV.

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO HUNDRED FIFTY AND NO/100 (\$250.00) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of THE UNITED STATES OF AMERICA immediate vendor

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Not valid unless countersigned and sealed by Morrow County Abstract and Title Co., Inc.

OREGON TITLE INSURANCE COMPANY

By [Signature] Vice-President

Attest: John D. Logan Assistant Secretary

Page 1 of Certificate No. 72483

Countersigned: MORROW COUNTY ABSTRACT AND TITLE CO., INC.

By [Signature] Secretary

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OREGON TITLE INSURANCE COMPANY

Order No. 3975

Certificate No. 72483

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances, and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

1. Taxes for the year 1955-56 in the sum of \$34.78, plus interest. (Affects PARCEL NO. IV.)
2. Assessments of West Extension Irrigation District, within the boundaries of which district said land is situated, and other obligations of said District and matters pertaining thereto.
3. EXCEPTING and reserving all minerals of any nature whatever including coal, iron, natural gas and oil together with use of the surface as may be necessary for mining, etc. In Deed from Northern Pacific Railway Company to Lawrence P. Doherty in Book 56 of Deeds, page 559, affecting PARCEL NO. II.
4. RESERVATIONS and exceptions in deed from Northern Pacific Railway Company to Oregon Land and Water Company in Book "S" of Deeds, page 342 reserving and excepting from said lands such as are now known or shall hereafter be ascertained to contain coal or iron and also the use of such surface ground as may be used for mining operations, etc. Affects PARCEL No. IV.

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(b) That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantors, for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, transferees, assignees, lessees, licensees, or permittees as described in the foregoing subsection (a) of this paragraph; and the Grantors expressly release and relinquish any and all claims against any of the aforementioned for further or future payment of consideration for the aforesaid easement and rights granted herein.

The terms of the Option are as follows:

1. The purchase price of said easement and rights is to be the sum of ~~Five Hundred and no/100~~ Dollars (~~\$500.00~~) payable as soon as the United States has accepted this option and has had a reasonable time within which to secure and examine the evidence of title to said land and to obtain the necessary approval of title; provided that the Vendor can execute and deliver to the United States a good and sufficient general warranty easement deed, conveying said easement and rights to the United States of America and its assigns; said conveyance to be subject only to such outstanding easements or estates as may be set forth immediately following the description of the land hereto attached.

2. It is the intention of the Vendor and he hereby agrees that this option may be accepted by the United States through any duly authorized representative, by delivering, mailing, or telegraphing a notice of acceptance to the Vendor at the address stated below, at any time within six (6) months from the date hereof.

3. The Vendor agrees to pay promptly when due all taxes and assessments levied against the said land; and that he will satisfy of record any other encumbrances which are a lien against the land at the time of conveyance to the United States, as the United States may acquire, and, if the Vendor fails to do so, the United States may pay such other encumbrances which are a lien against the land; that the amount of such payments shall be deducted from the purchase price of the land; and at the request of the United States, by its authorized representative and without prior payment to tender of the purchase price, he will execute and deliver the general warranty easement deed hereinabove provided for conveying to the United States the easements and rights herein described; and he will pay the documentary revenue stamp tax and obtain and record such other evidence of title as may be required by the United States; it is understood that the United States will defray the expenses incident to the preparation of the deed to United States; the fee for recordation of said deed; and the abstract or certificate of title.

4. The Vendor agrees that the United States may, at its election, and notwithstanding the prior acceptance of this option, acquire title to said easement by condemnation or other judicial proceedings, in which event

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SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 480 acres, more or less, situate and being in the County of Umatilla, State of Oregon. A description of the lands taken, together with a list of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

TRACT NO. 1

DESCRIPTION:

The South Half of Section 35, Township 5 North, Range 27 East of the Willamette Meridian, in Umatilla County, Oregon, containing 320 acres, more or less.

Name of purported owner: The Northern Pacific Railway Company, a corporation.
Estimated Compensation: \$ 400.00.

TRACT NO. 2

DESCRIPTION:

The Southwest Quarter of Section 36, Township 5 North, Range 27 East of the Willamette Meridian, Umatilla County, Oregon, containing 160 acres, more or less.

Name of purported owner: Umatilla County.
Estimated Compensation: \$ 200.00.

The gross sum estimated to be just compensation for the lands hereby taken is \$600.00.

NOTICE OF EXERCISE OF OPTION IS TO BE SENT TO:

D. J. Phillips (Name)

ORIGON, OREGON (Address)

Date 7 August 1954

The offer of the Vendor contained in this option is hereby accepted for and on behalf of the United States of America.

By J. E. Moran
Contracting Officer

WITNESS:
Walter J. Lamb

**OFFICE OF THE CONTRACTING OFFICER
GENERAL INVESTIGATIVE
DIVISION
WASHINGTON, D. C.**

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,
Petitioner,

Vs.

480 ACRES OF LAND, MORE OR
LESS, SITUATE IN UMATILLA
COUNTY, STATE OF OREGON, AND
THE NORTHERN PACIFIC RAILWAY
COMPANY, ET AL,
Defendants.

DECLARATION
OF
TAKING

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Henry L. Stinson Secretary of War of the
United States, do hereby declare that:

1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a), and under the further authority of the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241) and April 11, 1918 (40 Stat. 518, 50 U.S.C. sec. 171), which acts authorize the acquisition of land for military purposes, the Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) and the Act of Congress approved April 5, 1941 (Public Law 29 - 77th Congress) which appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows: The said lands are necessary adequately to provide for a munitions storage depot and related military purposes. The said lands have been selected by me for acquisition by the United States for use in connection with the establishment of the Umatilla Ordnance Depot, and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

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Project: Umatilla Ordnance
Depot

Tract: 29E

Contract No.: DA-45-164-eng-3095

VENDORS Deloss M. Webb and Florence Irene Webb, husband and wife

OPTION FOR PURCHASE OF RESTRICTIVE EASEMENT

In consideration of One Dollar (\$1.00) and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the undersigned, hereinafter called the "Vendor", who represents that he is the owner of the property hereinafter described, hereby, for himself and his heirs, executors, administrators, successors and assigns, agrees to convey to the United States of America in accordance with the terms and conditions set forth below, a perpetual and assignable restrictive easement and right for the purpose of the establishment, maintenance, operation and use of a Safety Area in connection with the operation of the Umatilla Ordnance Depot situate in Umatilla and Morrow Counties, Oregon, which easement is in, on, over and across all of the property designated as Tract 29E, more particularly described in "Exhibit A", hereto attached and made a part hereof.

The easement and rights to be granted shall consist of (a) the right to prohibit human habitation and remove buildings presently or hereafter used therefor, (b) the right to prohibit occupation or erection of buildings or roofed structures, including barns and sheds, as well as dwellings, which would be occupied by persons either usually or intermittently, (c) the right to prohibit gatherings of more than 25 persons, (d) the right to post signs indicating the nature and extent of United States control and (e) the right and easement of access for ingress and egress over and across the said lands for the purpose of exercising the above rights. RESERVING, HOWEVER, to the Vendor, his successors and assigns, all right, title and interest and privilege as may be used and enjoyed without interfering with or abridging the rights conveyed to the United States, including, but not limited to, the right to graze livestock on said lands, and the right to farm same.

In addition, for the consideration herein recited the Vendor agrees to abide by the following covenants which shall run with the land:

(a) That the Government may grant, convey, transfer, or assign, or permit the use and occupation of, by grant of easement, lease, license, permit, or otherwise, all or any part of the easement and rights granted herein, to any individual, partnership, corporation, or political body, for either commercial or non-commercial purposes.

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14. The Railroad Company does not and will not assume any liability for injury to or death of any person or persons or damage to or destruction of property whatsoever, incident to, or that may arise during and in consequence of the use and enjoyment, in accordance with this agreement, by the Licensee of the portion of the right of way of the Railroad Company which the Licensee is authorized to use under the provisions of this agreement, or failure to properly and safely use said portion of said right of way for the purposes contemplated by this agreement. And the Licensee agrees to use said portion of said right of way for aforesaid purpose, and employ said wire line with all reasonable diligence and precaution to avoid damage to or obstruction of the track or tracks or other facilities of the Railroad Company, or interference in any manner with the operations of trains, cars or locomotives on or over said track or tracks.

15. It is further understood and agreed that all of the privileges and immunities inuring for the benefit of the Railroad Company, and all the covenants protecting the latter, under the terms of this agreement, shall also inure to the benefit of the Western Union Telegraph Company, a New York corporation and its successors and assigns, to the same extent as if the latter named Company were a signatory party hereto.

16. Nothing contained herein shall involve the licensee in any contract or other obligation in excess of any available appropriation.

17. No Member of or Delegate to Congress or Resident Commissioner shall be admitted to any share or part of this agreement or to any benefit that may arise therefrom. Nothing, however, herein contained shall be construed to extend to any incorporated company, if the agreement be for the general benefit of such corporation or company.

18. Portion of second paragraph and of Sections 5 and 11 were deleted, and portion of Section 11 and all of Sections 13, 14, 15, 16 and 17 were inserted prior to execution.

(Parties' initials here: MCW RTM)

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CERTIFICATE OF INSPECTION AND POSSESSION
(Lands other than Federal Building Sites)

I, Ralph W. Teague an Appraiser
of the War Department hereby certify that on the 30th day of October
1956 I made a personal examination and inspection of that certain tract or parcel
of land situate in the County of Morrow state of Oregon
designated as Tract No. 23-E and containing 41.32 acres,
(proposed to be) acquired by the United States of America in connection with the
Umatilla Ordnance Depot Project, from D. J. & Ida Phillips

1. That I found no evidence of any work or labor having been performed or any materials having been furnished in connection with the making of any repairs or improvements on said land; and that I made careful inquiry of the above-named vendor ~~(NAME OF THE COMPANY, FIRM OR INDIVIDUAL)~~ and ascertained that nothing had been done on or about said premises within the past 4 months that would entitle any person to a lien upon said premises for work or labor performed or materials furnished.

2. That to the best of my knowledge and belief and after actual and diligent inquiry and physical inspection of said premises, there are no unrecorded visible easements which are not covered by proper releases or which have not been waived in writing by the acquiring agency.

3. That I also made inquiry ~~of all occupants, lessors, lessees, mortgagees, and other persons claiming rights of possession, and of the vendor and of all persons known to him, and neither found any evidence nor obtained any information showing or tending to show that any persons had any rights of possession or other interest in said premises adverse to the rights of the above-named owner or the United States of America, except such mineral right, roads, rights-of-way and public utility easements as have been administratively waived by the War Department and the following: (1) (Insert names and addresses together with statement of right of interest claimed.)~~

Name Address Statement of Interest Claimed

N O N E

APPROVED

Ralph W. Teague (Name)
RALPH W. TEAGUE
Appraiser (Title)
(This certificate will be executed by a representative of the War Department.)

(1) In purchase cases the rights of all persons in possession or claiming a right of possession exclusive of mineral rights, roads, rights-of-way and public utility easements which have been administratively waived by the War Department, must be eliminated by a proper release, quitclaim deed or disclaimer. However, if the War Department has determined to acquire title subject to outstanding mineral rights, roads, rights-of-way or public utility easements, it will not be necessary to obtain a release, quitclaim deed or disclaimer for such mineral rights, roads, rights-of-way or public utility easements as have been administratively waived in writing by the War Department.

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RESERVING, HOWEVER, to the Grantors, their successors and assigns, all right, title and interest and privilege as may be used and enjoyed without interfering with or abridging the rights conveyed to the United States, including, but not limited to, the right to graze livestock on said lands, and the right to farm same.

For the consideration recited above, the Grantors agree to abide by the following covenants which shall run with the land:

(a) That the Government may grant, convey, transfer, or assign, or permit the use and occupation of, by grant of easement, lease, license, permit, or otherwise, all or any part of the easement and rights granted herein, to any individual, partnership, corporation, or political body, for either commercial or non-commercial purposes.

(b) That the payment by the Government of the consideration recited above shall constitute full fair value and full compensation to the Grantors, for the easement and rights granted herein, whether such easement and rights shall be exercised by the Government or by any of its grantees, transferees, assignees, lessees, licensees, or permittees as described in the foregoing subsection (a) of this paragraph; and the Grantors expressly release and relinquish any and all claims against any of the aforesaid for further or future payment of consideration for the aforesaid easement and rights granted herein.

AND FURTHER, the Grantor hereby accepts the above-recited consideration in full payment for all damages whatsoever that have occurred, or may hereafter occur, to the land above-described, and to the appurtenances thereunto belonging.

TO HAVE AND TO HOLD the said easement and rights unto the United States of America and its assigns for the purposes aforesaid, forever.

We covenant with the United States of America that we are lawfully possessed of the said lands under a valid and subsisting desert entry No. Oregon 04592, issued by the Department of the Interior, Bureau of Land

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Bill [unclear]
[unclear]

Williamson 79016 W

INDEXED
PAGED
DATE RETURNED
MAY 15 1958

STATE OF OREGON,
COUNTY OF UMATILLA,

I, Jack Robson, Recorder, certify that
this instrument was filed for record on

MAY 14, 1958

at *1170* o'clock *A.M.* in the record
of *Deeds* of said County in

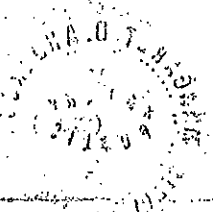
Book *219*
Page *15*

Jack Robson
Recorder of Counties

By *[Signature]* Deputy
Fee \$ *3.50* No. *204818*

o 2 Rec

Faint, mostly illegible text in the middle section of the page, possibly a body of text or a list.



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OREGON TITLE INSURANCE COMPANY

PENDLETON, OREGON

OWNER United States of America

Section 24, Township 4 N., Range 27, E.W.M.

File No. NPWRO
NPW 601.1 (Tract 29E,
Umatilla Ordnance Depot)
Umatilla County, Oregon

FINAL CERTIFICATE OF TITLE

Premium \$ 39.00

Order No.

Certificate No. 79016

To THE UNITED STATES OF AMERICA:

OREGON TITLE INSURANCE COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 15th day of May, 1958, at 8:00 A.M., the title to a perpetual easement over, across, and under the said real estate was indefeasibly vested by virtue of a deed recorded in Book 249, Page 15, Record of Deeds in

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO THOUSAND SEVEN HUNDRED EIGHTY AND NO/100 (\$2,780.00) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of United States of America, sub-immediate vendor ject to Note 1

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

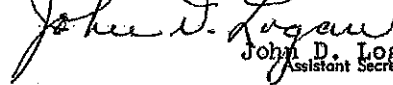
OREGON TITLE INSURANCE COMPANY

By



Vice-President.

Attest:



John D. Logan
Assistant Secretary.

Page 1 of Certificate No. 79016

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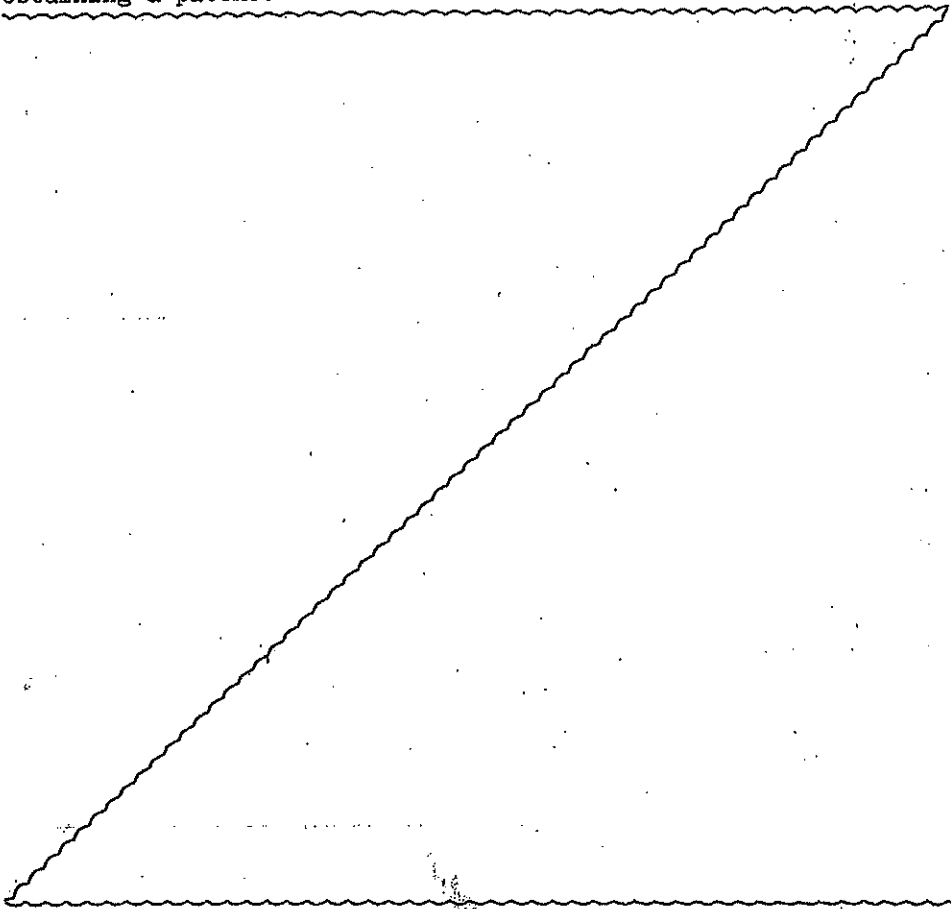
Order No.

Certificate No. 79016

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances, and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

NOTE: We have information that Desert Entry No. Oregon 04592 has been allowed to DeLoss Webb on the above described land, and that said DeLoss Webb has submitted his first annual proof toward obtaining a patent.



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Project Umatilla Ord. Depot
Tract 29E
County Umatilla
State Oregon

PAYMENT AND CLOSING SHEET

Vendors DeLoss M. Webb and Florence Irene Webb

New Address RFD, Hermiston, Oregon

Acreage 280.00

Consideration \$ 2,780.00

Date 3 June 1958

	Action Taken (✓)	Cash Payments by Vendor	Amount Paid From Treas. Check
Curative Material Obtained			
Approved by Spec. Atty. (abst.) or Title Co. (C. of T.)			
Notary Fees (Vendor's Expense)	✓	1.00	
Recording Fees (Vendor's Expense)			
Physical Inspection of Property			
Disclaimers (CR Form 20)			
Statement of Consent of Commanding Officer			
Report on Vacation of Property (CR Form 100)			
Certificate of Crop Inspection (CR Form 77)			
Refund for Crops Harvested by Vendor			
Fee for Issuing Cashier's Check or Money Order			
Certificate of Inspection and Possession (CR Form 59)			
Deed to United States			
Notary Fee (Vendor's Expense)			
Federal Revenue Stamps - 56¢ for \$500 (Vendor's Expense)	✓	3.30	
State Revenue Stamps (Vendor's Expense)			
Recording Fee by Vendor or United States (see option)			
Search of Records Since Last Continuation			
Mortgages, Judgments, F.S.A. Loans and Other Liens			
1. Payment to _____; Principal			
Interest from _____ to _____			
2. Payment to _____; Principal			
Interest from _____ to _____			
Release Fees (Vendor's Expense)			
Certificates Re: Blocked Nations (CR Form 98 or 99)			
Taxes: Delinquent (19__ to 19__)			
Current (19__)			
Withheld for Taxes Which are a Lien but not Payable			
Fee for Issuing Cashier's Check or Money Order			
Total Cash Payments by Vendor		4.30	
Total Amount Paid From Treasurer's Check			<u>none</u>
Option Price			\$2,780.00
Total Amount Paid From Treasurer's Check			<u>none</u>
(Are all requirements of Attorney General's opinion satisfied?)			
Balance Due Vendor			<u>2,780.00</u>
Receipt for U. S. Treasurer's Check (CR Form 19)			
Certificates Re: Blocked Nations (CR Form 98 or 99)			

The above is a complete, true and correct account of funds received and disbursed by me and a report of the action taken in conducting payment and closing of the instant transaction.

Robert P. Pettinato
Closing Attorney

I/We have examined the above statement and find it correct. This acknowledges that \$ 2,780.00 has been disbursed as above with my/our approval and for my/our account and benefit, which said sum is the sale price set forth in my/our Option Agreement with the United States of America, and I/We acknowledge receipt of the balance due me/us as shown above.

Florence Irene Webb
FLORENCE IRENE WEBB

DeLoss M. Webb
DeLOSS M. WEBB

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Office of the Attorney General
Washington, D. C.

March 25, 1958

Honorable Wilber M. Brucker
Secretary of the Army
Washington, D. C.

My dear Mr. Secretary:

An examination has been made of the title data relating to 280 acres of land, more or less, Tract No. 29E, Umatilla Ordnance Depot Project in Umatilla and Morrow Counties, Oregon. A restrictive easement over this land is to be acquired for a consideration of \$2,780.00 by authority of existing legislation. Your reference number is NEW 601.1 and the file number of this Department is 33-38-222-13.

The land is described in the enclosed draft of easement deed from DeLoss M. and Florence Irene Webb, husband and wife, to the United States of America.

The certificate of title, No. 79016, dated as of January 13, 1958, was prepared by the Oregon Title Insurance Company and is satisfactory in form.

The certificate and accompanying data disclose the title can be conveyed by DeLoss M. Webb and Florence Irene Webb, husband and wife, subject to:

1. All taxes and assessments.
2. Rights or claims of persons in possession, if any, not shown of record.
3. Mechanics' liens, if any, not shown of record.
4. Easements for roads, highways, railroads, pipe lines and public utilities, if any, not shown of record.
5. Rights of the United States and third persons, if any, under reservations contained in the Desert Entry No. Oregon 04592, issued by the Department of the Interior.
6. Easements, if any, used by third persons in connection with vested and accrued water rights.

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the Vendor agrees to cooperate with the United States in the prosecution of such proceedings and also agrees that the consideration hereinabove stated shall be the full amount of just compensation inclusive of interest for the taking of said easement and that any and all awards of just compensation that may be made in the proceeding to any defendant shall be payable and deductible from the said amount and that said consideration shall also be in full satisfaction of any and all claims of the Vendor for the payment of the right of occupancy and use hereinafter provided for in paragraph 5.

5. As additional consideration for the payment of the purchase price hereinabove set forth, the Vendor hereby grants to the United States the right of immediate occupancy and use of the land in which said easements is to be granted for the purpose of exercising any of the rights hereinabove described from and after the acceptance by the United States of this option until such time as said easement is conveyed to the United States by the Vendor as hereinabove provided.

6. In consideration of the premises, it is expressly understood and agreed that the above specified sum liquidates in full all damages whatsoever that have occurred, or may hereafter occur, to the land described in "Exhibit A", hereto attached, and to the appurtenances thereunto belonging.

7. It is agreed that the spouse, if any, of the Vendor by signing below agrees to join and execute the deed to the United States.

8. The attached description of the real estate is subject to such modifications as may be necessary to conform to survey (if any) made by the United States.

9. The Vendor represents and it is a condition of acceptance of this option, that no Member of or Delegate to Congress, or Resident Commissioner, shall be admitted to or share any part of this option, or to any benefits that may arise therefrom; but this provision shall not be construed to extend to any contract if made with a corporation for its general benefit.

10. Wherever the context thereof requires, the singular number as used herein shall be read as plural, and the masculine gender as feminine or neuter.

11. All terms and conditions with respect to this option are expressly contained herein and the Vendor agrees that no representative or agent of the United States has made any representation or promise with respect to this option not expressly contained herein.

SIGNED, SEALED, AND DELIVERED this 10th day of January, 1958.

WITNESSES:

/s/ Stanley W. Marks

/s/ DeLoss M. Webb (SEAL)
DELOSS WEBB

/s/ Esther J. Lawton

/s/ Florence Irene Webb (SEAL)

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UMATILLA ORDINANCE DEPT
OREGON

DeLass Webb

Tract 29E
(280.00 Ac)

Description of Tract

The southeast quarter, the south half of the northeast quarter and the northwest quarter of the northeast quarter of Section 24, Township 4 North, Range 27 East of the Willamette Meridian, Umatilla County, Oregon, containing 280.00 acres, more or less.

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EXHIBIT "A"

Order No.

Certificate No. 79016

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The Southeast Quarter, the South Half of the Northeast Quarter and the Northwest Quarter of the Northeast Quarter of Section 24, Township 4 North, Range 27, East of the Willamette Meridian, in the County of Umatilla and State of Oregon.

Excepting any and all water rights of way.

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This Indenture, made as of the date of signature below, between Lamb - Weston, Inc., of 6600 S.W. Hampton Street, Portland, Oregon, for themselves, their heirs, executors, administrators, and assigns (hereinafter referred to as Grantors) and the United States of America and its assigns (hereinafter referred to as the Government);

Witnesseth: that the Grantors, in consideration of a land exchange between themselves and the Bureau of Land Management, hereby grant and convey to the Government an easement and right for the establishment, maintenance, operation, and use of a safety area, in connection with the Umatilla Ordinance Depot, in Umatilla and Morrow counties, State of Oregon, which easement and right is in, across and over the following described parcel of land:

North half of the Northeast quarter (N² NE⁴) and the Southwest quarter of the Northeast quarter (SW⁴ NE⁴) all in Section 12, T4N., R27E., Willamette Meridian, Umatilla County, Oregon, containing 120 acres, more or less. Subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

The easement and rights to be granted shall consist of:

- a. The right to prohibit human habitation and remove buildings presently or hereafter used therefor.
- b. The right to prohibit occupation or erection of buildings or roofed structures, including barns and sheds, as well as dwellings, which would be occupied by persons either usually or intermittantly.
- c. The right to prohibit gatherings of more than twenty-five (25) persons.
- d. The right to post signs indicating the nature and extent of the Government control.

BOOK 334 PAGE 596

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INDEXED ✓
FILED ✓

STATE OF OREGON,
COUNTY OF WASHINGTON, } ss
I, Jessie M. Bell, County Clerk, certify that
this instrument was received and recorded
ON FEB. - 7, 1974

at 8:38 o'clock A.M. in the record
of DEEDS of said County in

Book 334 Page 596

JESSIE M. BELL
County Clerk

By Betty Beaman Deputy
Fees \$4.00 No. 356347

Indexed
STATE OF OREGON 140342
County of Morrow

I hereby certify that the within
instrument was received for record
on Feb. 12, 1974 at 1:00 PM
and assigned No. 6504

In the Microfilm Records of said
County
Witness My Hand and Seal of County

SADIE PARRISH
County Clerk
By Sadie Parrish Deputy

MINNICK & HAYNER LAW OFFICES

P. O. BOX 1056 - PERTH & ALDER STREETS - WALLA WALLA WASHINGTON 99142

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102769

Umatilla Army Depot, OR
Tract 131E

R 23 PAGE 1648

RESTRICTIVE EASEMENT

28876

This Indenture, made as of the date of signature below, between Ronald R. Baker and Jane I. Baker of Route 1, Box 1028, Hermiston, Oregon 97838, for themselves, their heirs, executors, administrators, and assigns (hereinafter referred to as Grantors) and the United States of America and its assigns (hereinafter referred to as the Government);

Witnesseth: that the Grantors, in consideration of the purchase by public sale of public land from the Bureau of Land Management, hereby grant and convey to the Government an easement and right for the establishment, maintenance, operation, and use of a safety area, in connection with the Umatilla Ordnance Depot, in Umatilla and Morrow counties, State of Oregon, which easement and right is in, across and over the following described parcel of land:

Northeast quarter of the Northeast quarter (NE¹/₄NE¹/₄) all in Section 24, T. 4 N., R. 27 E., Willamette Meridian, Umatilla County, Oregon, containing 40 acres, more or less. Subject to existing easements of record for public roads and highways, public utilities, railroads and pipelines.

The easement and rights to be granted shall consist of:

- a. The right to prohibit human habitation and remove buildings presently or hereafter used therefor.
- b. The right to prohibit occupation or erection of buildings or roofed structures, including barns and sheds, as well as dwellings, which would be occupied by persons either usually or intermittantly.
- c. The right to prohibit gatherings of more than twenty-five (25) persons.
- d. The right to post signs indicating the nature and extent of the Government control.
- e. The right and easement of access for ingress and egress over and across the said land for the purpose of exercising the above rights. Reserving, however, to the Grantors, their successors and assigns, all right, title and interest and privilege as may be used and enjoyed without interfering with or abridging the rights conveyed to the Government, including, but not limited to, the right to graze livestock on said land, and the right to farm same.

The aforementioned rights are identical to rights reserved to the Government under Public Land Order No. 1789 of 10 February 1950, over the above described land and said reservations are still a matter of record in the Bureau of Land Management, Oregon State Office, Portland, Oregon.

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MAR 30 1977

R 23 PAGE 1650

STATE OF OREGON,
COUNTY OF TILLAMOOK } ss

I, Jessie M. Bell, County Clerk, certify that
this instrument was received and recorded
ON SEP 30 1977

at 10:26 o'clock A. M. in the record
of 1000 of said County to

Book 8-23 Page 1648

JESSIE M. BELL
County Clerk

By Betty Brewster Deputy
Fees \$ 6 No. 28876

STATE OFFICE
PORTLAND, OREGON

11 AM 00 01 03 NOV

LAND MANAGEMENT
BUREAU OF
RECORDS

TRANSCAMERICA TITLE INS. CO. (S)

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OR 13996

the same under applicable law and such regulations
as the Secretary of the Interior may prescribe.
Section 209 of the Act of October 21, 1976,
90 Stat. 2757; 43 U.S.C. 1719; and

SUBJECT TO such rights for irrigation canal purposes as
the Western Land and Irrigation Company, or its successors in
interest may have pursuant to right-of-way The Dalles 023691.
Act of March 3, 1891, 26 Stat. 1101; 43 U.S.C. 946.

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IN TESTIMONY WHEREOF, the undersigned authorized officer of the
Bureau of Land Management, in accordance with the provisions
of the Act of June 17, 1948 (62 Stat. 476), has, in the name of the
United States, caused these letters to be made Patent, and the
Seal of the Bureau to be hereunto affixed.

[SEAL]

GIVEN under my hand, in Portland, Oregon
the SIXTEENTH day of SEPTEMBER in the year
of our Lord one thousand nine hundred and SEVENTY-SEVEN
and of the Independence of the United States the two hundred
and SECOND.

By *R. P. [Signature]*
Chief, Division of Technical Services

Patent Number 36-77-0016

sec. 32, NW 1/4 NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4, E 1/2 SE 1/4;
sec. 33, E 1/2, W 1/2 W 1/2;
T. 15 S., R. 1 W.,
sec. 4, lots 4, 5, 10;
sec. 5, lots 1, 2, 3, 5, S 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, SW 1/4 SE 1/4, N 1/2 SE 1/4;
sec. 6, lots 1, 6, 7, E 1/2 SW 1/4, W 1/2 SE 1/4;
sec. 7, NW 1/4 NE 1/4, SE 1/4 NE 1/4, lot 1;

The areas described, including both public and non-public lands, aggregate 2395.82 acres.

This order supersedes, as to any of the above-described lands affected thereby, the withdrawal made by Executive Order No. 6910 of November 26, 1934, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 14, 1941.
[No. 8790]

[F. R. Doc. 41-4322; Filed, June 16, 1941; 2:00 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE NAVY

CALIFORNIA

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights and withdrawals, the following-described public lands be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Department of the Navy in connection with a Marine Corps combat and training area:

SAN BERNARDINO MERIDIAN

T. 15 S., R. 2 W.,
sec. 11, lot 1, NE 1/4 SW 1/4,
sec. 12, N 1/2 NE 1/4, NE 1/4 NW 1/4,
containing 189.04 acres.

This order supersedes, as to any of the above-described lands affected thereby, the temporary withdrawal for classification and other purposes, made by Executive Order No. 6910 of November 26, 1934, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 14, 1941.
[No. 8791]

[F. R. Doc. 41-4327; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

FLORIDA

By virtue of the authority vested in me as President of the United States, and subject to all valid existing rights, it is ordered that the following-described public lands be, and they are hereby,

withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

TALLAHASSEE MERIDIAN

T. 6 S., R. 23 E., sec. 2, W 1/2 NW 1/4, SE 1/4 NW 1/4;
T. 7 S., R. 23 E.,
sec. 10, SW 1/4 NE 1/4;
sec. 20, NW 1/4 SE 1/4,
containing 199.66 acres.

This order supersedes as to any of the above-described lands affected thereby the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 14, 1941.

[No. 8792]

[F. R. Doc. 41-4324; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR THE USE OF THE WAR DEPARTMENT

OKLAHOMA

By virtue of the authority vested in me as President of the United States it is ordered that, subject to valid existing rights, the following-described lands be, and they are hereby, withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

GOLDEN PASS TOWN SITE, OKLAHOMA

All of Blocks 15, 24, 35 and 36, containing 10.32 acres.

This order supersedes as to any of the above-described lands affected thereby, the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 14, 1941.

[No. 8793]

[F. R. Doc. 41-4326; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

OREGON

By virtue of the authority vested in me as President of the United States, and subject to all valid existing rights, it is ordered that the public lands within the following-described areas, be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MERIDIAN

T. 4 N., R. 26 E.,
sec. 1, E 1/2;
sec. 12, E 1/2;
sec. 13, E 1/2;
sec. 24, that part of the E 1/2 lying north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off.

T. 4 N., R. 27 E.,

sec. 1, W 1/2;
secs. 2 to 11, inclusive;
sec. 12, W 1/2;
sec. 13, W 1/2;
secs. 14 to 18, inclusive;
secs. 19, 20, and 21, those parts north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off;
secs. 22 and 23, all;
sec. 24, W 1/2;
sec. 25, that part of W 1/2 lying north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off.
secs. 26, 27, and 28, those parts north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off.

The areas described, including both public and non-public lands, aggregate 15,387 acres.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 14, 1941.
[No. 8794]

[F. R. Doc. 41-4325; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

MODIFYING EXECUTIVE ORDER OF DECEMBER 12, 1917, CREATING POWER SITE RESERVE NO. 861, WILLAMETTE RIVER TRIBUTARIES, OREGON

MODIFICATION NO. 418

By virtue of the authority vested in me by the act of June 25, 1910, c. 427 36 Stat. 847, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497, it is ordered that the Executive order of December 12, 1917, creating Power Site Reserve No. 661, be, and it is hereby modified to the extent necessary to permit the County of Lane, Oregon, to construct a road over lot 5, sec. 35, T. 16 S., R. 2 E., Willamette meridian, Oregon, as shown on a map on file in the General Land Office, Department of the Interior and bearing the title

COUNTY ROAD LOCATION IN SECTION 35, T. 16 S., R. 2 E., W. M. LANE COUNTY, OREGON

on condition that the use of the road on any part of it shall be discontinued without liability or expense to the United States or its licensees when found by the Secretary of the Interior to be in conflict with project works authorized by the United States.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
June 16, 1941.

[No. 8795]

[F. R. Doc. 41-4348; Filed, June 17, 1941; 11:34 a. m.]

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12-2-42

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

FEB - 2 1942

12-2-42

RECEIVED
DEPARTMENT OF THE INTERIOR
WASHINGTON, D.C.

The Honorable
The Secretary of War.

Sir:

Reference is made to your letter of September 19, 1941 and to Secretary Ickes' letter of December 11, 1941, relating to the proposed withdrawal of the SD₂ sec. 34, T. 5 N., R. 27 E., W. M., Oregon, for the use of the War Department.

A special land-use permit was enclosed with the letter of December 11, 1941, granting to the War Department permission to use the land in question, pending approval of the proposed Executive order. The President, on December 26, 1941, signed Executive Order No. 8999 withdrawing the land. That Order appears in the Federal Register, Volume 6, No. 252, pages 6786-6787.

Enclosed is the revocation of the special land-use permit.

Very truly yours,

Archie L. Chapman
Acting Assistant Secretary

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MISCELLANEOUS

Enclosure 2892612.

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MAR 6 1942
MISCL. DIV.
A. G. O.

RECEIVED
MAR 2 1942
REAL ESTATE DIV.

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Executive number for
JUDGE ADVOCATE GENERAL

REC'D

MAR 3 1942

J.A.G.O.

DEPT. OF THE JUDGE ADVOCATE GENERAL, OREGON

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ADDRESS REPLY TO
CHIEF OF ENGINEERS, U. S. ARMY
WASHINGTON, D. C.

WAR DEPARTMENT
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON

REFER TO FILE NO. CE 601.1 ORD
Umatilla Ordnance Depot, Oregon

January 17, 1942

SUBJECT: Special Use Permit

TO: THE JUDGE ADVOCATE GENERAL

Transmitted herewith for the permanent files of your office are the following papers relating to the acquisition of land for a protective area at Umatilla Ordnance Depot, Oregon:

- (a) Letter from Department of Interior dated December 11, 1941.
- (b) Special Land-use Permit.

For the Chief of Engineers:

John J. O'Brien
JOHN J. O'BRIEN
Colonel, Corps of Engineers
Chief, Real Estate Branch

2 Inclosures
(as listed)

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UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

1885831 "K"

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SPECIAL LAND-USE PERMIT

Permission is hereby granted to the War Department of the United States to use the SE $\frac{1}{4}$ sec. 34, T. 5 N., R. 27 E., W. M., Oregon, for military purposes.

This permit is subject to the following provisions and conditions:

(1) This permit is issued for the period from November 30, 1941 to November 30, 1946, and is revocable for any breach of the conditions hereof. It is also revocable at the discretion of the Commissioner of the General Land Office, at any time, upon notice, if in his judgment the lands should be devoted to another use. The permit is subject to valid adverse claims heretofore or hereafter acquired.

(2) The permittee shall observe all Federal, State, and local laws and regulations applicable to the premises, including the regulations for the protection of game birds and game animals.

(3) The permittee shall keep the premises in a neat, orderly, and sanitary condition, and upon vacating the lands, shall leave them in substantially as good condition as when originally occupied.

(4) The permittee shall take all reasonable precautions to prevent and suppress forest, brush and grass fires, and to prevent the pollution of waters on or in the vicinity of the lands.

(5) Authorized representatives of the Department of the Interior and other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

(6) The permittee shall not enclose roads or trails commonly in public use.

(7) This permit is subject to the following provisions and conditions contained in the regulations (43 CFR 258.1-258.16, Circ. 1483, Nov. 19, 1940):

(a) Applications and selections may be made under non-mineral laws subject to the revocation of the permit.

(b) The mineral contents in the land shall at all time be subject to prospecting, location, developing, mining, entering, leasing or patenting under the provisions of the applicable general mining laws or mineral leasing laws.

(c) The special land-use permit shall be subject to any permit issued under the act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431-433); to explore for objects of antiquity on the public lands.

(d) The special land-use permit shall not restrict the acquisition by grant or permit of rights of way under existing laws.

(8) Special stipulations:

(a) The grazing privileges on the land shall remain under the control and administration of the Grazing Service, Department of the Interior.

(b) That grazing permittee, L. D. Neill, be permitted to use the land for grazing until the expiration of his grazing license on May 14, 1942.

THE UNITED STATES OF AMERICA

By Fred W. Johnson
Commissioner of the General Land Office.

DEC 2 - 1941

(Date)

Paul

Mineral rights reserved

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

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1885831 "K"

SPECIAL LAND-USE PERMIT

Permission is hereby granted to the War Department of the United States to use the SE $\frac{1}{4}$ sec. 34, T. 5 N., R. 27 E., W. M., Oregon, for military purposes.

This permit is subject to the following provisions and conditions:

(1) This permit is issued for the period from November 30, 1941 to November 30, 1946, and is revocable for any breach of the conditions hereof. It is also revocable at the discretion of the Commissioner of the General Land Office, at any time, upon notice, if in his judgment the lands should be devoted to another use. The permit is subject to valid adverse claims heretofore or hereafter acquired.

(2) The permittee shall observe all Federal, State, and local laws and regulations applicable to the premises, including the regulations for the protection of game birds and game animals.

(3) The permittee shall keep the premises in a neat, orderly, and sanitary condition, and upon vacating the lands, shall leave them in substantially as good condition as when originally occupied.

(4) The permittee shall take all reasonable precautions to prevent and suppress forest, brush and grass fires, and to prevent the pollution of waters on or in the vicinity of the lands.

(5) Authorized representatives of the Department of the Interior and other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

(6) The permittee shall not enclose roads or trails commonly in public use.

(7) This permit is subject to the following provisions and conditions contained in the regulations (43 CFR 258.1-258.16, Circ. 1483, Nov. 19, 1940):

(a) Applications and selections may be made under non-mineral laws subject to the revocation of the permit.

(b) The mineral contents in the land shall at all time be subject to prospecting, location, developing, mining, entering, leasing or patenting under the provisions of the applicable general mining laws or mineral leasing laws.

(c) The special land-use permit shall be subject to any permit issued under the act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431-433); to explore for objects of antiquity on the public lands.

(d) The special land-use permit shall not restrict the acquisition by grant or permit of rights of way under existing laws.

(8) Special stipulations:

(a) The grazing privileges on the land shall remain under the control and administration of the Grazing Service, Department of the Interior.

(b) That grazing permittee, I. D. Neill, be permitted to use the land for grazing until the expiration of his grazing license on May 14, 1942.

THE UNITED STATES OF AMERICA

By Fred W. Johnson
Commissioner of the General Land Office.

DEC 2 - 1941

(Date)

Paul

*11/10/41
A. D. Neill
Repealed*

This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D. ROOSEVELT
 THE WHITE HOUSE,
 December 26, 1941.
 (No. 8998)
 [F. R. Doc. 41-9787; Filed, December 27, 1941;
 9:45 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

OREGON

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public land, in the State of Oregon, be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MERIDIAN

T. 4 N., R. 24 E., sec. 22; containing 640 acres.

This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D. ROOSEVELT
 THE WHITE HOUSE,
 December 26, 1941.
 (No. 9000)
 [F. R. Doc. 41-9768; Filed, December 27, 1941;
 9:45 a. m.]

EXECUTIVE ORDER

AUTHORIZING THE WAR DEPARTMENT, THE NAVY DEPARTMENT, AND THE UNITED STATES MARITIME COMMISSION TO PERFORM THE FUNCTIONS AND EXERCISE THE POWERS DESCRIBED IN TITLE II OF AN ACT APPROVED DECEMBER 18, 1941, ENTITLED "AN ACT TO EXPEDITE THE PROSECUTION OF THE WAR EFFORT", AND PRESCRIBING REGULATIONS FOR THE EXERCISE OF SUCH FUNCTIONS AND POWERS

The successful prosecution of the war requires an all-out industrial mobilization of the United States in order that the materials necessary to win the war

may be produced in the shortest possible time. To accomplish this objective it is necessary that the Departments of War and the Navy and the United States Maritime Commission cooperate to the fullest possible degree with the Office of Production Management in the endeavor to make available for the production of war material all the industrial resources of the Country. It is expected that in the exercise of the powers hereinafter granted, these Agencies and the Office of Production Management will work together to bring about the conversion of manufacturing industries to war production, including the surveying of the war potential of industries, plant by plant; the spreading of war orders; the conversion of facilities; the assurance of efficient and speedy production; the development and use of subcontracting to the fullest extent and the conservation of strategic materials.

TITLE I

1. By virtue of the authority in me vested by the Act of Congress, entitled "An Act to expedite the prosecution of the War effort", approved December 18, 1941, (hereinafter called "the Act") and as President of the United States and Commander-in-Chief of the Army and Navy of the United States, and deeming that such action will facilitate the prosecution of the war, I do hereby order that the War Department, the Navy Department, and the United States Maritime Commission be and they hereby respectively are authorized within the limits of the amounts appropriated therefor to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress, and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts. The authority herein conferred may be exercised by the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission respectively or in their discretion and by their direction respectively may also be exercised through any other officer or officers or civilian officials of the War or the Navy Departments or the United States Maritime Commission. The Secretary of War, the Secretary of the Navy, or the United States Maritime Commission may confer upon any officer or officers of their respective departments, or civilian officials thereof, the power to make further delegations of such powers within the War and the Navy Departments, and the United States Maritime Commission.

2. The contracts hereby authorized to be made include agreements of all kinds (whether in the form of letters of intent, purchase orders, or otherwise) for all types and kinds of things and services necessary, appropriate or convenient for the prosecution of war, or for the invention, development, or production of, or research concerning any such things, including but not limited to, aircraft,

buildings, vessels, arms, armament equipment, or supplies of any kind, or any portion thereof, including plans, spare parts and equipment therefor, materials, supplies, facilities, utility machinery, machine tools, and any other equipment, without any restriction of any kind, either as to type, character, location or form.

3. The War Department, the Navy Department, and the United States Maritime Commission may by agreement modify or amend or settle claims under contracts heretofore or hereafter made may make advance, progress, and other payments upon such contracts of an percentage of the contract price, and may enter into agreements with contractors and/or obligors, modifying or releasing accrued obligations of any sort including accrued liquidated damages or liability under surety or other bonds whenever, in the judgment of the War Department, the Navy Department, or the United States Maritime Commission respectively the prosecution of the war is thereby facilitated. Amendments or modifications of contracts may be with or without consideration and may be utilized to accomplish the same thing as an original contract could have accomplished hereunder, irrespective of the time or circumstances of the making or the form of the contract amended, modified, or of the amending or modifying contract, and irrespective of right which may have accrued under the contract, or the amendments or modifications thereof.

4. Advertising, competitive bidding, and bid, payment, performance or other bonds or other forms of security, need not be required.

TITLE II

Pursuant to Title II of the Act and for the protection of the interests of the United States, I do hereby prescribe the following regulations for the exercise of the authority herein conferred upon the War Department, the Navy Department and the United States Maritime Commission.

1. All contracts and all purchases made pursuant to the Act and this Executive Order shall be reported to the President of the United States. Such reports shall be made at least quarter-annually, provided, however, that purchases or contracts of less than \$100,000 may be consolidated in such reports with other such purchases and need not be separately set forth. In case the War Department, the Navy Department, or the United States Maritime Commission shall deem a purchase or contract to be restrictive, confidential, or secret in its nature for reason of its subject matter, or for other reasons affecting the public interest, such purchases or contracts shall not be included with those described in the report just mentioned, but shall be included in a separate report containing such restricted, confidential, or secret purchases or contracts. The Secretary of War, the Secretary of the Navy, and the United

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NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

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WHEREAS it is appropriate that, in future determinations of the public purposes for which such lands shall be used, reserved, or administered after the emer-

gency, those departments and agencies of the Federal Government which had prior jurisdiction over, interests in, or administration of such lands should have restored to them such jurisdiction over, interests in, or administration of the lands as existed prior to the withdrawal and reservation of the lands for purposes incident to the national emergency and the prosecution of the war:

NOW, THEREFORE, by virtue of the authority vested in me as the President of the United States as set forth in the orders hereinafter enumerated, it is ordered as follows:

The Executive orders and Public Land orders hereinafter enumerated, withdrawing and reserving public lands for uses incident to the national emergency and the prosecution of the war, are hereby amended by adding to each of the said orders the following paragraph:

"The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered."

Executive Order Numbers: 8101, 8102, 8305, 8325, 8343, 8450, 8507, 8508, 8577, 8578, 8579, 8636, 8651, 8652, 8725, 8755, 8788, 8789, 8792, 8793, 8794, 8830, 8831, 8847, 8865, 8872, 8874, 8877, 8884, 8892, 8915, 8923, 8927, 8932, 8954, 8957, 8992, 8999, 9000, 9014, 9019, 9020, 9026, 9029, 9042, 9053, 9081, 9086, 9104, 9107, 9109, 9114, 9143, 9215.

Public Land Order Numbers: 1, 3, 4, 6, 7, 9, 10, 11, 13, 15, 16, 18, 21, 22, 24, 25, 26, 27, 28, 31, 33, 34, 35, 37, 39, 40, 43, 44, 50, 51, 55, 56, 57, 58, 59, 60, 62, 63, 64, 66, 72, 74, 75, 76, 80, 81, 83, 85, 87, 88, 89, 90, 93, 94, 97, 98, 105, 109, 110.

Any provision in any of the orders hereinabove enumerated which is in conflict with this order is hereby superseded to the extent of such conflict: *Provided, however,* That any provision for the earlier return of jurisdiction over the public lands in any of said orders shall remain operative.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
February 28, 1945.

[F. R. Doc. 45-3314; Filed, Mar. 1, 1945; 11:17 a. m.]

EXECUTIVE ORDER 9527

RELINQUISHING POSSESSION OF THE PLANTS OF YORK SAFE AND LOCK COMPANY, YORK COUNTY, PENNSYLVANIA

WHEREAS by Executive Order No. 9416, dated January 21, 1944, the Secretary of the Navy was authorized and directed to take possession of and operate the plants and facilities of York Safe

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DO NOT DETACH THIS SLIP

Return accompanying papers to

ROOM 5158 WAR DEPARTMENT BUILDING

OFFICE OF THE UNDER SECRETARY OF WAR

Date December 13, 1941

Subject: Letter from Secretary of the Interior, 12/11/41, re: proposed withdrawal of land in Oregon for the use of the War Dept. for military purposes.

To: THE QUARTERMASTER GENERAL

601.1 Ammunition, etc.

- 1. ~~XX~~ Necessary action.
- 2. Necessary action and direct reply.
- 3. Nec. action and prep. of reply for sig. of the Under Secy. of War.
- 4. Nec. action and prep. of reply for sig. of the Executive.
- 5. Preparation of memo. to enclose with reply.
- 6. Preparation of memo. on which to base personal reply.
- 7. Remark and recommendation.
- 8. Notation and filing or return.
- 9. Notation and return through B. & L. P. Branch.

By direction of the Under Secretary of War:

H. K. RUTHERFORD
Brigadier General, U.S.A.

Executive, Office of Under Secretary of War

Form No. 1
(Ed. Apr. 28, 1928)

U. S. GOVERNMENT PRINTING OFFICE 16-21685

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NOTICES

BOISE MERIDIAN, IDAHO

T. 6 N., E. 1 W.,
Sec. 29, NE 1/4 NW 1/4.

The area described contains 40 acres of public land.

The land is located approximately two and one-half miles south of Emmett, Idaho, and is adjacent to State Highway No. 16. The land is composed of the abrupt breaks between the Payette River Valley and the upper plains. The elevation range is estimated at about 350 feet. The soils are generally sandy with sagebrush, mountain mahogany, cheat and other native grasses.

No application for these lands will be allowed under the homestead, desert land, small tract, or any other nonmineral public land law, unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 3 hereof, are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the homestead (Alaska home site), desert land, and small tract laws by qualified veterans of World War II or of the Korean conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284, as amended), presented prior to 10:00 a. m. on June 14, 1957, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on September 13, 1957, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m., on September 13, 1957, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a. m., on September 13, 1957.

Persons claiming veteran's preference rights under Paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims, and the rules and regulations governing applications which may be filed in accordance with this notice can be found in 43 of the Code of Federal Regulations.

Inquiries and applications concerning the above lands shall be addressed to the Manager, Land Office, Bureau of Land Management, P. O. Box 2237, Boise, Idaho.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-3993; Filed, May 15, 1957; 8:47 a. m.]

[Serial No. Idaho 07053]

IDAHO

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MAY 7, 1957.

The Department of Agriculture has filed an application, Serial No. Idaho 07978, for the withdrawal of the lands described below, from all forms of appropriation under the general mining laws, subject to valid existing claims. The applicant desires the land for a roadside zone area.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, P. O. Box 2237, Boise, Idaho.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

BOISE MERIDIAN, IDAHO

A strip of land 200 feet wide on each side of the Lochsa River Road in the following subdivisions:

- T. 35 N., R. 9 E.,
- Sec. 23, NE 1/4 SE 1/4, S 1/2 S 1/2;
- Sec. 24, NE 1/4 NE 1/4, S 1/2 NE 1/4, SE 1/4 NW 1/4, N 1/2 SW 1/4;
- Sec. 26, NW 1/4 NW 1/4, S 1/2 NW 1/4;
- Sec. 27, NE 1/4 SE 1/4, S 1/2 S 1/2;
- Sec. 32, SE 1/4 SE 1/4;
- Sec. 33, NE 1/4, NW 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4;
- Sec. 34, NW 1/4 NW 1/4.
- T. 35 N., R. 10 E.,
- Sec. 7, SE 1/4 SE 1/4;
- Sec. 8, S 1/2 SW 1/4;
- Sec. 17, NW 1/4 NE 1/4, N 1/2 NW 1/4;

- Sec. 18, NE 1/4 NE 1/4, S 1/2 NE 1/4, S 1/2 NW 1/4, SW 1/4, NW 1/4 SE 1/4;
- Sec. 19, NW 1/4 NW 1/4.

A 500-foot strip contiguous to and on the northwesterly side of the Lochsa River in the following subdivision:

- T. 35 N., R. 10 E.,
- Sec. 9, NW 1/4 NE 1/4, NE 1/4 NW 1/4, S 1/2 NW 1/4, NW 1/4 SW 1/4.

J. R. PENNY,
State Supervisor.

[F. R. Doc. 57-3994; Filed, May 15, 1957; 8:47 a. m.]

[Oregon 05261]

OREGON

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

MAY 7, 1957.

The United States Department of the Army, Corps of Engineers has filed an application Serial No. Oregon 05261, as amended, for the withdrawal of the lands described below, subject to valid existing rights, from all forms of appropriation under the public land laws.

The applicant desires the land for the expansion of the Umatilla Ordnance Depot.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1001 Northeast Lloyd Boulevard, P. O. Box 3861, Portland 8, Oregon.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

WILLAMETTE MERIDIAN, OREGON

- T. 4 N., R. 27 E.,
- Sec. 12: N 1/2 NE 1/4, SW 1/4 NE 1/4;
- Sec. 24: E 1/2.
- T. 5 N., R. 27 E.,
- Sec. 32: All;
- Sec. 34: N 1/2, SW 1/4.

Approximately 1,560 acres.

ELTON M. HATTAN,
Lands and Minerals Officer.

[F. R. Doc. 57-3995; Filed, May 15, 1957; 8:47 a. m.]

UTAH

RESTORATION ORDER UNDER FEDERAL POWER ACT

MAY 9, 1957.

Pursuant to a determination issued April 5, 1957, Docket No. DA-121-Utah, by the Federal Power Commission, and by authority delegated to the State Supervisor by Order No. 541, section 2.5, of the Director, Bureau of Land Management,

TRACT "C"

Umatilla Ordnance Depot

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COPY

TITLE 43 PUBLIC LANDS:
INTERIOR

Chapter I - Bureau of Land Management, Department of the Interior

APPENDIX - PUBLIC LAND ORDERS
(Public Land Order 1789)
(Oregon 05261)

OREGON

Reserving Lands for Use of the Department of the Army for Military Purposes

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands in Oregon are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not disposals of materials under the act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Army, as a safety area in connection with the Matilla Ordnance Depot:

Willamette Meridian

- T. 4 N., R. 27 E.,
- Sec. 12, NE 1/4, and SW 1/4 NE 1/4;
- Sec. 24, E 1/2.
- T. 5 N., R. 27 E.,
- Sec. 32;
- Sec. 34, E 1/2 and SW 1/4.

The areas described aggregate 1,560 acres.

The lands may be used for grazing purposes under the provisions of the Taylor Grazing Act of June 28, 1934 (48 Stat. 1269), as amended, but only at such times and in such manner as may be agreed upon between the Bureau of Land Management and the Department of the Army, consistent with the primary purposes of this withdrawal.

ROGER ERNST,
Assistant Secretary of the Interior.

February 10, 1959.

(P. H., Doc. 59-1325; Filed, Feb. 13, 1959; 8:45 a.m.)

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HARTMAN ABSTRACT COMPANY

PENDLETON, OREGON

OWNER United States of America File No. T&M 1956
3,11
Section 15 Township 4 N. Range 27, E.W.M. Umatilla County, Oregon.
23, 27

FINAL CERTIFICATE OF TITLE

Premium \$ 67.00 (Paid) Order No.
Certificate No. 22914

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 24th day of November, 1941, at 5:00 P.M., the title to ~~perpetual easement over, across, and under~~ the said real estate was indefeasibly vested by virtue of a deed recorded in Book 163, Page 74, Records of Deeds in

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of THIRTY-THREE HUNDRED FIFTEEN & 21/100 (\$3315.21) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

Northern Pacific Railway Company, immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

HARTMAN ABSTRACT COMPANY

By [Signature] Vice-President.
Attest: [Signature] Assistant Secretary.

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SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

1. Any state of facts which an accurate survey and inspection would show; roads, ways and easements not established of record; the existence of county roads; water rights; water locations; mining rights; and exceptions or reservations in United States Patents, or in deeds from the State of Oregon.

2. Rights or claims of persons in possession, or claiming to be in possession, not shown of record; rights claimed under instruments not of record; material or labor liens of which no notice is of record.

3. Matters relating to taxes and assessments, if any, preceding the same becoming fixed and shown as a lien; taxes not yet payable; and all matters relating to vacating, opening or other changing of streets or highways preceding the final termination of the same.

4. Certified Copy of Order of John Day Irrigation District dated February 5, 1924, filed March 17, 1924, recorded in Book 123, Page 434, Deed Records of Umatilla County, Oregon, excluding Sections 23 and 27 from said District, changes the boundary of said District in part, as follows:

"thence East one-half mile to the Southeast corner of Section 20, Township 4 North, Range 27, E.W.M.; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-half mile; thence East one-half mile; thence South one-half mile; thence East one-half mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-half mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-fourth of a mile; thence North one-fourth of a mile; thence East one-half mile; thence North one-fourth of a mile; thence East one-fourth of a mile to the Southeast corner of Section 11, Township 4 North, Range 27, E.W.M."

Such boundary, as so changed, includes the Southeast Quarter of the Southeast Quarter of Section 15 in such District. Such order provides:

"That nothing in this order contained shall in any manner operate to release any of the lands so excluded from said District from any obligation to pay or lien thereon of any valid outstanding bonds or other indebtedness of said District existing on the 16th day of November, 1923, which is the date of filing the petition for the exclusion of said lands."

Certified Copy of Decree from Circuit Court of Gilliam County, Oregon, in case of "Northern Pacific Railway Company, a corporation,

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HARTMAN ABSTRACT COMPANY
PENDLETON, OREGON

OWNER THE UNITED STATES OF AMERICA File No.
Section Township Range 27 MORROW County, Oregon
7 & 19 4 N.R. FINAL
CERTIFICATE OF TITLE

Premium \$ 39.50 Order No. 2574 "A"
Certificate No. 25794

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 15th day of NOVEMBER 1941, at 8:00 o'clock A.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

THE UNITED STATES OF AMERICA

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO THOUSAND, THREE HUNDRED FORTY-FIVE AND 31/100 (\$2,345.31) DOLLARS.

The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

THE UNITED STATES OF AMERICA immediate vendor

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

Not valid unless countersigned by Morrow County Abstract & Title Co., Inc., by F. B. Nickerson, President.

HARTMAN ABSTRACT COMPANY

Countersigned:
MORROW COUNTY ABSTRACT &
TITLE CO., INC.

By F. B. Nickerson
President.

By [Signature]
Vice-President.

Attest: Alma Rohman
Assistant Secretary.

Page 1 of Certificate No. 25794.

Official of A. G. and co. records
SEP 9 1942
title examined

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Order No. 2574 "A"

Certificate No. 25794

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

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OPTION TO PURCHASE LAND

KNOW ALL MEN BY THESE PRESENTS: That the NORTHERN PACIFIC RAILWAY COMPANY, a Wisconsin corporation, hereinafter referred to as the Company, for and in consideration of one dollar (\$1.00), paid by the UNITED STATES OF AMERICA, hereinafter referred to as the Government, the receipt whereof is hereby acknowledged, hereby agrees for itself, its successors and assigns, to sell and convey to the Government for the consideration of five thousand six hundred sixty dollars and fifty-two cents (\$5,660.52), the following described tracts of land situated in the Counties of Morrow and Umatilla, State of Oregon, to-wit:

<u>Part of Section</u>	<u>Sec. Twp. Rge.</u>	<u>Acres</u>
All frl.	3 4N 27E	655.62
All frl.	7 " "	667.20
All	11 " "	640.00
All	15 " "	640.00
Part north of O.& W.R/W.	19 " "	373.66
All	23 " "	640.00
Part north of O.& W.R/W	27 " "	76.55
Total:		3,693.03

Subject, however, to the right of the Morrow Grazing Association, former lessee of said lands, to remove its personal property, if any, from said lands. This option shall expire ninety (90) days from the date hereof.

In the event this option is exercised by the Government within ninety (90) days from the date hereof, the Company hereby grants to the Government the right of immediate occupancy and use of the lands for any purpose whatsoever, from and after the acceptance by the Government of this option, and until such time as said land is conveyed to the Government by the Company, the title approved by the Attorney General of the United States as required by law, and the agreed purchase price paid by the Government to the Company. It is agreed that the Attorney General will approve or reject the title to said lands within six months after the date this option is accepted. In the event of rejection of title by the Attorney General, the Government agrees to proceed immediately with condemnation proceedings, as hereinafter provided.

The Company further agrees that it will execute and deliver a warranty

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Sub Office

In correspondence regarding this license please refer to Data

No. 19268

WAR DEPT. No. 28214

Track #21-1

A G R E E M E N T

BETWEEN

OREGON-WASHINGTON RAILROAD & NAVIGATION COMPANY
UNION PACIFIC RAILROAD COMPANY

AND

THE UNITED STATES OF AMERICA, WAR DEPARTMENT

Dated: August 5, 1943.

(Covers license and permit to maintain and use private road crossing over right of way and track of Licensor, near Munley, Morrow County, Oregon.)

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Incl. #22

shall be and are subject to each and all of the terms, provisions, conditions and covenants contained in this agreement, and are also subject and subordinate to the paramount use of the Licensor's property for railroad purposes.

1. This agreement shall be effective from and after the 1st day of June, 1943, and shall continue in full force and effect until terminated as hereinafter provided.

2. The Licensee agrees to, and shall and will, maintain said private road crossing and the roadway and gates in connection therewith at Licensee's own expense and to the satisfaction and approval of the Superintendent, or other authorized representative, of the Licensor, except that portion of said private road crossing, to-wit, the planked portion thereof, lying between the rails of the Licensor and for one (1) foot on either side thereof, which shall be maintained by the Licensor, at the expense of the Licensee.

3. It is understood and agreed that at all times when said private road crossing is in use, the Licensee at its own expense shall and will provide and station thereat a flagman who shall give warning signals. Said flagman shall be familiar with the rules of the Licensor, and before entering upon his duties shall pass a satisfactory examination on said rules, which examination shall be given by a representative of the Licensor. All vehicles of the Licensee, whether loaded or empty, shall come to a full stop before entering upon said private road crossing and shall proceed only upon signal from said flagman. Under no circumstances shall vehicles be permitted to stop or stand upon said private road crossing at any time, nor shall vehicles proceed upon or across said private road crossing while any train, engine, or car of the Licensor is approaching the same or in the vicinity thereof. The Licensee in the use of said private road crossing shall not stop or delay any train, engine or car of the Licensor.

successors and assigns, until terminated as herein provided, but neither this agreement nor any rights hereunder shall be assigned by the licensee without the written consent and approval of the Licensor first had and obtained. Any assignment or attempted assignment by the licensee without such consent shall, at the option of the Licensor, be null and void and be cause for termination of this agreement.

9. Unless sooner terminated as herein elsewhere provided, this agreement shall continue in full force and effect for the duration of the present emergency and for a period of six (6) months thereafter.

10. It is understood and agreed that the Licensor may at its option, by written notice to the licensee, terminate this agreement in the event of six (6) months' non-user by the licensee of the aforesaid private road crossing. Such notice shall be mailed, postage prepaid, to the licensee at the address shown beneath its signature hereto.

11. This agreement may be terminated by the licensee by written notice given by the latter to the Licensor on any date therein stated, not less, however, than thirty (30) days subsequent to the date on which such notice shall be given. Said notice shall be mailed to the Licensor, Pittock Block, Portland, Oregon. No expense or action in reliance upon this agreement shall make this license irrevocable.

12. Upon the expiration or sooner termination of this agreement, the Licensor at the expense of the licensee shall and will remove the aforesaid planking from between and adjoining the rails of the Licensor, remove said gates, and restore Licensor's fences. Except as aforesaid, the licensee at licensee's own

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I, C. B. MATTHEW, Assistant Secretary of Oregon-Washington Railroad & Navigation Company, a corporation organized and existing under the laws of the State of Oregon, and its lessee, Union Pacific Railroad Company, a corporation organized and existing under the laws of the State of Utah, do hereby certify

1) that the following is a true copy of Section 3 of Article V of the By-Laws of Oregon-Washington Railroad & Navigation Company, as amended effective May 25, 1939, and that the same is still in force:

"Leases, or contracts licensing the use and occupation, of portions of the right of way or station grounds of the Company for periods not exceeding five years; leases of non-operating real estate, other than mineral rights, for periods not exceeding two years; licenses, permits and contracts for crossings over or under the right of way, station grounds, or other property of the Company by railroads, highways, canals, pipe lines, telegraph and telephone lines and similar crossings, for any period or indefinitely; and licenses, permits and contracts for encroachments or obstructions upon the right of way or station grounds of the Company for periods not exceeding five years; may be made in the name and on behalf of the Company by the President (or such officer as he shall designate) without further authority; and leases, contracts, licenses and permits of the character specified in this section may be made for periods exceeding or which may exceed the periods hereinbefore limited therefor, provided that the same shall by their express terms be terminable at the option of the Company upon one year's notice or less."

and

2) that the following is a true copy of Section 5 of Article V of the By-Laws of Union Pacific Railroad Company as amended effective May 25, 1939, and that the same is still in force:

"Leases, or contracts licensing the use and occupation, of portions of the right of way or station grounds of the Company or its leased lines for periods not exceeding five years; leases of non-operating real estate, owned or leased, other than mineral rights, for periods not exceeding two years; licenses, permits, and contracts for crossings over or under the right of way, station grounds, or other property of the Company or its leased lines by railroads, highways, canals, pipe lines, telegraph and telephone lines and similar crossings, for any period or indefinitely; and licenses, permits and contracts for encroachments or

4. If, in the judgment of the Railroad Company, it shall at any time become necessary, for reasons of safety or for its own needs and requirements, or otherwise, to repair, change the location, elevation or method of construction of the Wire Line, such repairs or changes will be made promptly by the Licensee, at the sole cost and expense of the Licensee, within ten (10) days after receipt by the Licensee of written request from the Railroad Company, and in such manner as the Railroad Company shall direct.

5. The Licensee agrees that the Wire Line and appurtenances and the use of same shall not damage the Railroad Company, its property or property in its custody, or its employes or passengers, or the property of The Western Union Telegraph Company, or any other property lawfully upon said right of way, nor be or become a menace to the safety of the Railroad Company's operations or any operations conducted on the right of way with the consent of the Railroad Company. ~~The Licensee will indemnify and save harmless the Railroad Company, The Western Union Telegraph Company, and every other owner of any property lawfully upon said right of way, against all loss or damage to property, loss or damage of any interference with any of said operations, and against damages from injuries to or death of any person or persons lawfully on or about said right of way, which shall be caused in whole or in part by the Wire Line or appurtenances or the electric currents conducted thereon or escaping therefrom, or by the fault or negligence of the Licensee or the servants or employes of the Licensee. The Licensee will also indemnify and save harmless the Railroad Company against any and all damages, claims, demands, actions, costs and expenses of any nature whatsoever which may arise by reason of damage to or loss of property of the Licensee, or of the officers, agents or employes of the Licensee, or of others when in the custody and control of the Licensee, or by reason of injury to or death of the officers, agents or employes of the Licensee, where such damage, loss or injury results in any way from or in connection with the carrying on of any work contemplated by this agreement or the presence of the wire line or appurtenances, whether such loss or injury is occasioned by the negligence of the Railroad Company or of its officers, agents, servants, or employes, or otherwise.~~

6. The Licensee shall take all suitable precautions to prevent leakage of electricity from said wires (through the earth or other conductor, or by induction or otherwise) from affecting the operation of the signals, telegraph or telephone wires or other electrically operated devices or installations of the Railroad Company, or of any telegraph or telephone company, or of any person, persons or companies lawfully operating such wires or installations upon said right of way.

It is further agreed that, in the event the Wire Line herein provided for is now constructed and maintained, but not in accordance with said Specification, the Licensee shall, within ninety (90) days reconstruct the Wire Line at the location above described in such manner as to conform to said Specification or such modifications thereof as may be required by law or public authority.

7. ~~This agreement shall not create any right or estate not herein expressly granted, and it is agreed that if this license or easement is not used for a period of one year, or if the Licensee shall continue in default in the performance of any of the covenants or agreements herein contained for a period of ten (10) days after written notice is served upon the Licensee by the Railroad Company, the Railroad Company may, at its option, terminate this agreement.~~

8. It is further agreed that if this agreement be terminated, howsoever, the Licensee shall, at the sole cost and expense of the Licensee, immediately remove from the premises of the Railroad Company all structures herein authorized and restore said premises to their former condition.

9. The waiver by the Railroad Company of the breach of any condition, covenant or agreement herein contained, to be kept and performed by the Licensee, shall in no way impair the right of the Railroad Company to avail itself of any subsequent breach thereof.

10. The Licensee shall not assign this agreement or any of the rights conferred hereby without the written consent of the Railroad Company.

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CERTIFICATE OF INSPECTION AND
POSSESSION

I, W. E. Holt, Western Land Agent for the Northern Pacific Railway Company, hereby certify that I am in direct charge of those lands owned by the Northern Pacific Railway Company located in the Counties of Umatilla and Morrow, State of Oregon, and particularly those lands owned by said company and lying within the external boundaries of the McChord Bombing Range and the Arlington Ordnance Depot in said counties and state and consisting of approximately 23,531.32 acres.

That I am fully informed as to the boundaries, lines and corners of said tracts; that to my certain knowledge no mechanics' liens have been filed against any of the property, and that to the best of my knowledge and belief no work or labor has been performed or any materials furnished in connection with the making of any repairs or improvements on said land, and nothing has been done upon said land or any portion thereof within the past twelve months that would entitle any person to a lien upon said premises for work or labor performed or materials furnished.

That to my certain knowledge, no person or persons have any rights of possession or other interest in said premises adverse to the rights of the Northern Pacific Railway Company, and that to the best of my knowledge and belief no person or persons are now actually in possession or occupancy of said lands or any portion thereof, save the Northern Pacific Railway Company.


That to the best of my knowledge and belief, there are no outstanding unrecorded deeds, mortgages, leases, contracts or other instruments adversely affecting the title to said lands of the Northern Pacific Railway Company.

That to the best of my knowledge and belief, there are no vested or accrued water rights for mining, agricultural, manufacturing or other purposes, nor any ditches or canals constructed or being used thereon under authority of the United States, nor any exploration or operations whatever for the development of coal, oil, gas or other minerals on said lands; and that there are no possessory rights now in existence owned or being actively exercised by any third party under any reservation contained in any patent or patents heretofore issued by the United States for said lands or any portion thereof.

That to the best of my knowledge and belief, there are no outstanding rights whatsoever in any person to the possession of said premises nor any outstanding right, title, interest, lien or estate existing or being asserted in or to said premises except such as are disclosed and evidenced by the public records.

That said premises are now wholly unoccupied and vacant.

Done and dated at Seattle, Washington, this 23rd day of September, 1941.



W. E. HOLT, Western Land Agent for
the Northern Pacific Railway Co.

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Office of the Attorney General
Washington, D.C.

February 4, 1942

Honorable Henry L. Stimson
Secretary of War,
Washington, D. C.

My dear Mr. Secretary:

A re-examination has been made of the title data relating to 19838.29 acres of land, more or less, acquired for use in connection with McChord Field (Arlington Bombing Range) and 3693.03 acres, more or less, acquired for use in connection with the Umatilla Ordnance Depot in Umatilla and Morrow Counties, Oregon. This land is conveyed to the United States of America under the provisions of existing legislation by the Northern Pacific Railway Company, a corporation under deeds dated October 4, 1941, and the deed covering 19838.29 acres, more or less, recorded among the land records of Morrow County on October 27, 1941, in Book 47 of Deeds at page 230 and the deed covering 3693.03 acres, more or less, recorded among the land records of Morrow and Umatilla Counties on October 23, 1941, and October 31, 1941, in Book 47 of Deeds at page 227 and in Volume 163 of Deeds at page 74 respectively. Your reference is No. QM 601.1 C-RE and the file number of this Department is 33-38-225-26.

The land is described in the aforesaid deeds, which recite a total consideration of \$30458.38.

The certificates of title, numbered 22914, 25794 and 25793, dated as of November 24, 1941, November 15, 1941, and November 15, 1941, respectively, with an additional certification, dated December 8, 1941, attached to certificate No. 22914, were prepared by the Hartman Abstract Company, with certificates numbered 25794 and 25793 countersigned by Morrow County Abstract & Title Company, Inc., and are satisfactory.

The certificates of title, recorded deed, and accompanying data disclose valid title to be vested in the United States of America, subject to:

1. Easements for public roads, rights of way and utilities.

[Handwritten signature]

Opinion of A. G. and certificate
of title examined JUL 9 1943

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601.1
Umatilla OR, (North Pacific Ry. Co.)
Arlington Bombing Range (Morrow, Morrow, Morrow Co.)
1/1

RECORDED
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Northern Pacific Railway Company, Land Department.
No. L 2300

Seattle, Washington, _____ 19__

Received from United States Reclamation Service

which, when collected, will be applied on _____ DOLLARS,

Contract No. 1777 as follows:

Interest to _____ 19__

Taxes _____ 19__

Principal _____

Entered Salesbook _____ Per _____ Chief Clerk

W. E. HOLT,
Western Land Agent.

Cashier.

ATTACH THIS TO CONTRACT.

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STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

On this 15th day of October A.D. 1941,
before me personally appeared B. W. SCANDRETT, to
me known to be the VICE PRESIDENT of the corporation
that executed the within and foregoing instrument and ac-
knowledged the said instrument to be the free and voluntary
act and deed of said corporation for the uses and purposes
therein mentioned, and on oath stated that he was authorized to
execute said instrument and that the seal affixed is the cor-
porate seal of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and af-
fixed my official seal the day and year last above written.

State of Minnesota, } ss.
COUNTY OF RAMSEY }

I, J. J. FITZGERALD, Clerk of the District Court of the Second Judicial District and County aforesaid, the same be-
ing a Court of Record, do hereby certify that Sig A Bertelsen Esq.
whose name is subscribed to the certificate of the proof, acknowledgment or affidavit of the annexed instrument in writing,
was at the time of taking such proof, acknowledgment or affidavit, a NOTARY PUBLIC, in and for said County, duly com-
missioned and sworn and authorized to take and certify the same; and authorized by the laws of said State to take the
acknowledgments and proofs of deeds or conveyances of land, tenements or hereditaments in said State of Minnesota; and
further, that I am well acquainted with the handwriting of such NOTARY PUBLIC, and verily believe the signature to the
said certificate of proof, acknowledgment, or affidavit is genuine. The law of Minnesota does not require the impression of
the seal of a Notary Public to be filed in the clerk of the District Court's office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Court and County, at St. Paul,

this 15 day of October A. D. 1941

J. J. Fitzgerald
Clerk
Wm. M. Martin - Dep.

Form CDC014B 2M 4-41

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(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2845. TRANSFER OF ADMINISTRATIVE JURISDICTION, DEFENSE SUPPLY CENTER, COLUMBUS, OHIO.

(a) **TRANSFER AUTHORIZED.**—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property consisting of approximately 20 acres and comprising a portion of the Defense Supply Center in Columbus, Ohio.

(b) **USE OF PROPERTY.**—The Secretary of Veterans Affairs may only use the property transferred under subsection (a) as the site for the construction of a new outpatient clinic for the provision of medical services to veterans.

(c) **COSTS.**—Any administrative costs in connection with the transfer of property under subsection (a), including the costs of the survey required by subsection (e), shall be borne by the Secretary of Veterans Affairs.

(d) **RETURN OF JURISDICTION TO ARMY.**—If construction of the outpatient clinic described in subsection (b) has not commenced on the property transferred under subsection (a) by the end of the three-year period beginning on the date on which the property is transferred, the Secretary of Veterans Affairs shall return, at the request of the Secretary of the Army, administrative jurisdiction over the property to the Secretary of the Army.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

SEC. 2846. JURISDICTION AND UTILIZATION OF FORMER PUBLIC DOMAIN LANDS, UMATILLA CHEMICAL DEPOT, OREGON.

(a) **RETENTION OF JURISDICTION.**—The various parcels of real property consisting of approximately 8,300 acres within the boundaries of Umatilla Chemical Depot, Oregon, that were previously withdrawn from the public domain are no longer suitable for return to the public domain and shall remain under the administrative jurisdiction of the Secretary of the Army.

(b) **UTILIZATION.**—The Secretary shall combine the real property described in subsection (a) with other real property comprising the Umatilla Chemical Depot for purposes of their management and disposal pursuant to title II of the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100-526; 10 U.S.C. 2687 note) and other applicable law.

SEC. 2847. MODIFICATION OF AUTHORITY FOR LAND CONVEYANCE, EQUIPMENT AND STORAGE YARD, CHARLESTON, SOUTH CAROLINA.

Subsection (h) of section 563 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 360) is amended to read as follows:

“(h) **CHARLESTON, SOUTH CAROLINA.**—

“(1) **CONVEYANCE AUTHORIZED.**—The Secretary may convey to the City of Charleston, South Carolina (in this subsection referred to as the ‘City’), all right, title, and interest of the United States in and to a parcel of real property of the Corps

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DALO-INM 5284 (31 Jul 72)

SUBJECT: Partial Revocation of Public Land Order No. 1789 (160 Acres),
Umatilla Army Depot

TO: DAEN

FROM: DALO

DATE: 8 AUG 1972
Mr. Glass/cpf/44311

CMT 2

Recommendations as outlined in paragraph 3b of preceding CMT 1 are approved.

FOR THE DEPUTY CHIEF OF STAFF FOR LOGISTICS:

3 Incl
nc



WILLIAM M. LOCKWOOD
Chief, Installations
Management Division

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RULES AND REGULATIONS

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25 days after billing by the Commissioner on an annual basis.

2. Section 201.630(b) is amended to read:

§ 201.630 When insurance charge payable.

(b) Installment payments. On loans having a maturity in excess of 25 months the insurance charge shall be payable in installments. The first installment shall be equal to the charge for 1 year and be paid within 25 days of the Commissioner's acknowledgement of the loan report. The second and succeeding installments each equal to the charge for 1 year, shall be paid within 25 days after billing by the Commissioner on an annual basis.

Effective date. The foregoing amendments shall become effective on October 1, 1972.

(Sec. 7(d), 79 Stat. 670, 43 U.S.C. 3535(d); sec. 2, 48 Stat. 1246, 12 U.S.C. 1703)

Issued at Washington, D.C., August 29, 1972.

EUGENE A. GULLEDGE, Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.72-15088 Filed 9-5-72;8:48 am]

Umatilla Army Rept. Title 42—PUBLIC LANDS. On

INTERIOR

Chapter II—Bureau of Land Management, Department of the Interior

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5246]

[Oregon 8564, 9159]

OREGON

Partial Revocation of Public Land Order No. 1789

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Public Land Order No. 1789 of February 10, 1959, which withdrew public lands for use of the Department of the Army is hereby revoked so far as it affects the following described land:

WILLAMETTE MERIDIAN

T. 4 N., R. 27 E., Sec. 12, N. 1/2 NE 1/4, SW 1/4 NE 1/4; Sec. 24, NE 1/4 NE 1/4.

The area described contains 160 acres in Umatilla County.

2. At 10 a.m. on October 4, 1972, the land will be open to operation of the public land laws generally, including location under the mining laws, and leasing under the mineral leasing laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 4, 1972, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

of existing withdrawals, and the requirements of applicable law. All valid applications received at or prior to 10 a.m. on October 4, 1972, shall be considered simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to Chief, Branch of Lands and Minerals Operations, Bureau of Land Management, Portland, Ore.

HARRISON LOESCH, Assistant Secretary of the Interior.

AUGUST 29, 1972.

[FR Doc.72-15065 Filed 9-5-72;8:46 am]

[Public Land Order 5247]

[Oregon 8517 (Wash.)]

WASHINGTON

Partial Revocation of Reclamation Project Withdrawal

By virtue of the authority contained in section 3 of the Act of June 17, 1902, 32 Stat. 388, as amended and supplemented, 43 U.S.C. section 416 (1970), it is ordered as follows:

1. The departmental order of December 22, 1965, withdrawing lands for the Yakima project, is hereby revoked so far as it affects the following-described land:

WILLAMETTE MERIDIAN

T. 9 N., R. 27 E., Sec. 20, S 1/2 SE 1/4.

The area described contains 80 acres in Benton County.

2. At 10 a.m. on October 4, 1972, the land will be open to operation of the public land laws generally, and to location under the U.S. mining laws, subject to valid existing rights, the provisions of existing withdrawals, and the requirements of applicable law. The land has been and continues to be open to applications and offers under the mineral leasing laws. All valid applications received at or prior to 10 a.m. on October 4, 1972, shall be considered as simultaneously filed at that time. Those received thereafter shall be considered in the order of filing.

Inquiries concerning the land should be addressed to the Chief, Division of Technical Services, Bureau of Land Management, Portland, Ore. 97208.

HARRISON LOESCH, Assistant Secretary of the Interior.

AUGUST 29, 1972.

[FR Doc.72-15066 Filed 9-5-72;8:46 am]

[Public Land Order 5248]

[Idaho 4453]

IDAHO

Reservation for Constructed Forest Service Road

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights and to the provisions of existing withdrawals, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, 30 U.S.C. Ch. 2, but not from leasing under the mineral leasing laws, nor the disposal of materials under the Act of July 31, 1937, as amended, 30 U.S.C. sections 601-604 (1970), and reserved for the use of the Department of Agriculture for the granting of easements for road rights-of-way as authorized by section 2 of the Act of October 13, 1964, 16 U.S.C. sections 532, 533 (1970):

BOISE MERIDIAN

A strip of land 66 feet in width, being 33 feet in width on each side of the centerline of the Little Weiser Road No. 50206, over and across the legal subdivision, as described in Parcels 1 through 6, as follows, and as shown on plats filed in the Idaho State Office, Bureau of Land Management, Boise, Idaho.

PARCEL No. 1

T. 13 N., R. 1 W., Sec. 1, SE 1/4 SE 1/4.

Beginning at a point on the north boundary of the SE 1/4 SE 1/4 of sec. 1, said point bears N. 25°55' W., 2,350.0 feet from the southwest corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian, thence S. 69°03' E., 568.9 feet, thence on a curve to the left having a radius of 290.0 feet an arc distance of 547.2 feet to a point on the north boundary of said SE 1/4 SE 1/4, sec. 1. Said point bears N. 0°20' W., 2,128.0 feet from the southwest corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 1,106.1 feet, containing approximately 1.68 acres.

PARCEL No. 2

T. 13 N., R. 1 E., Sec. 6, SW 1/4 NE 1/4.

Beginning at a point on the south boundary of SW 1/4 NE 1/4 of sec. 6, said point is N. 49°05' E., approximately 3,940.0 feet from the southwest corner of said sec. 6, thence N. 54°36' E., 329.2 feet, thence on a curve to the left with a radius of 2,000.0 feet for 187.9 feet, thence N. 49°13' E., 245.5 feet to a point on the east boundary of SW 1/4 NE 1/4, sec. 6, T. 13 N., R. 1 E., said point bears S. 24° W., approximately 3,240.0 feet from the northeast corner of sec. 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 772.6 feet containing approximately 1.17 acres.

PARCEL No. 3

T. 13 N., R. 1 E., Sec. 5, lot 5.

Beginning at a point on the south boundary of lot 5, sec. 5, said point bears S. 13°40' E., approximately 2,150.0 feet from the north corner common to secs. 5 and 6, T. 13 N., R. 1 E., Boise Meridian; thence along the following courses and distances:

N. 65°06' E., 319.8 feet, thence on a curve to the left with a radius of 210.0 feet, an arc distance of 149.7 feet; thence N. 24°18' E., 184.6 feet, thence on a curve to the right with a radius of 150.0 feet, an arc distance of 126.1 feet, thence N. 72°23' E., 302.6 feet.

Ending at a point on the east boundary of lot 5, sec. 5, T. 13 N., R. 1 E., Boise Meridian, said point bears S. 49°45' E., approximately 2,010.0 feet from the north corner common to secs. 5 and 6, T. 13 N., R. 1 E., Boise Meridian.

A distance of 1,082.8 feet containing approximately 1.61 acres.

Vertical stamp: UMATILLA ARMY REPT. TITLE 42

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1 advantageous and to the interest of the United States of America to ac-
2 quire for the United States by condemnation under judicial process the
3 lands hereinafter described for the uses above set out; (3) made ap-
4 plication to the Attorney General to cause such proceedings to be com-
5 menced in pursuance of which application the Attorney General directed
6 this proceeding to be filed; AND IT FURTHER APPEARING TO THE COURT that
7 funds for the acquisition of such lands were appropriated by Act of
8 Congress approved September 9, 1940 (Public No. 781--76th Congress),
9 and the Act of Congress approved April 5, 1941 (Public Law 29--77th
10 Congress), and such funds are available for the payment of any award
11 made in this proceeding; AND IT FURTHER APPEARING TO THE COURT that the
12 petitioner has done and performed every act and thing required by law
13 to be done by such petitioner as a condition precedent to the beginning
14 and maintaining of this action; AND IT FURTHER APPEARING TO THE COURT
15 that the defendant Northern Pacific Railway Company, a corporation, was
16 at the time of the filing of the declaration of taking herein the owner
17 of the full fee title to the lands hereinafter described and that said
18 real property is free and clear of all liens, encumbrances, equities or
19 interest of any kind whatsoever, and that the defendant Northern Pacific
20 Railway Company, a corporation, is entitled to receive the whole of the
21 sum fixed as just compensation herein; that the Court finds from the
22 evidence presented herein that the reasonable and just compensation to
23 be paid for the taking of the hereinafter described lands was as of the
24 date of the filing of the declaration of taking herein, to-wit: the
25 24th day of October, 1941, and now is the sum of \$400.00. NOW, THERE-
26 FORE it is by the Court at this time CONSIDERED, ORDERED, ADJUDGED and
27 DECREED that the full fee title to the following-described lands, to-wit:
28 Tract No. 1: The South Half of Section 35, Township 5
29 North, Range 27 East of the Willamette Meridian, in
30 Umatilla County, Oregon, containing 320 acres, more or less;
31 is vested in the petitioner United States of America, free and clear of
32 any lien or encumbrance whatsoever; that the reasonable and just

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woman, the sum of Three Hundred Twenty Dollars (\$320.00) without charging
a commission or poundage fee thereon, and that he take the receipt of said
defendant therefor.

Dated at Pendleton, Oregon, this 4th day of November, 1941.

/s/ James Alger Fee
District Judge

Filed November 4, 1941 at Pendleton, Oregon
G. H. Marsh, Clerk
By R. DeMott, Deputy Clerk

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IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF OREGON

Tract 6

1 UNITED STATES OF AMERICA,

2
3 Petitioner

CIVIL No. 567

4
5 v.

FINAL JUDGMENT IN CONDEMNATION AND ORDER DISBURSING FUNDS ON DEPOSIT

6 MARIE ALICE HANSON, a single woman;
7 MORROW COUNTY, an Oregon municipal
8 corporation; and JOHN DAY IRRIGATION
9 DISTRICT, a public corporation,

10 Defendants

11 THIS MATTER coming on upon application of the petitioner, United
12 States of America, for final judgment and decree, the defendants not ap-
13 pearing and an order of default having heretofore been made and entered
14 herein against the defendants, Morrow County and John Day Irrigation Dis-
15 trict, and each of them, for want of an answer to the amended petition
16 for condemnation or other appearance in the above-entitled case; the de-
17 fendant Marie Alice Hanson having heretofore appeared herein by and
18 through her petition and submitted herself to the jurisdiction of this
19 court, and expressly waived the intervention of a jury for the purpose
20 of determining the amount of compensation to be paid for the land con-
21 demned herein; AND IT APPEARING TO THE COURT that prior to the filing of
22 the declaration of taking herein and pursuant to the provisions of 40
23 USC 257 and 50 USC 171, the Secretary of War selected the lands herein-
24 after described for acquisition by the United States for use in connec-
25 tion with the Umatilla Ordnance Depot, such lands being necessary in his
26 opinion and sought to be appropriated to provide for storage of ordnance
27 material for the War Department; determined and was of the opinion that
28 it was necessary and advantageous to acquire such lands for the United
29 States by condemnation and requested the Attorney General to cause these
30 proceedings to be commenced, in pursuance of which request these pro-
31 ceedings were instituted; AND IT FURTHER APPEARING TO THE COURT that on
32 January 10, 1941, pursuant to the provisions of 40 USC 258(a) a declara-
tion of taking was filed in the above-entitled case with the clerk of

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John E. Walker, Attorney At Law, 908 Public Service Building, Portland, Oregon,
the sum of \$1910.00 together with interest on the sum of \$1210.00 at the rate of
six percent per annum from the 20th day of February, 1957 until the 7th day of
May, 1959, and that the Clerk take the receipt of the said defendants therefor.

Dated at Portland, Oregon, this 18th day of May, 1959.

William G. East
District Judge

PRESENTED BY:
/s/ A. ALLAN FRANZKE
A. ALLAN FRANZKE
Assistant United States Attorney

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1 hereby authorized and directed forthwith to pay to Benjamin E. Conner and Dovie
2 May Conner, husband and wife, and Mervin Leonard and Gena Leonard, husband and wife,
3 in care of their attorney, John E. Walker, Attorney At Law, 908 Public Service
4 Building, Portland, Oregon, the sum of \$3,000.00 together with interest at the
5 rate of six percent per annum on the sum of \$2,850.00 from the 20th day of February,
6 1957 until the 7th day of May, 1959, and that the Clerk take the receipt of the
7 said defendants therefor.

8 Dated at Portland, Oregon, this 18th day of May, 1959.

9
10 W. H. East
11 District Judge

12
13 PRESENTED BY:

14 /s/ A. ALLAN FRANZKE
15 A. ALLAN FRANZKE
16 Assistant United States Attorney

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hereby authorized and directed forthwith to pay to Henry C. Vogler, Jr., and Pearl E. Vogler, husband and wife, and Marvin Leonard and Gena Leonard, husband and wife, in care of their attorney, John E. Walker, Attorney At Law, 908 Public Service Building, Portland, Oregon, the sum of \$1200.00 together with interest at the rate of six percent per annum on the sum of \$1125.00 from the 20th day of February, 1957 until the 7th day of May, 1959, and that the Clerk take the receipt of the said defendants therefor.

Dated at Portland, Oregon, this 15th day of May, 1959.

William G. East
District Judge

PRESENTED BY:

/s/ A. ALLAN FRANZKE
A. ALLAN FRANZKE
Assistant United States Attorney

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sum of \$2400.00 together with interest on the sum of \$2300.00 at the rate of six percent per annum from the 20th day of February, 1957 until the 7th day of May, 1959, and that the Clerk take the receipt of the said defendants therefor.

Dated at Portland, Oregon, this 18th day of May, 1959.

William J. East
District Judge

PRESENTED BY:

/s/ A. ALLAN FRANZKE
A. ALLAN FRANZKE
Assistant United States Attorney

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1 necessary for certain public uses and purposes, all of which are more particularly
2 described in plaintiff's complaint in condemnation and declaration of taking here-
3 before filed herein, and Third: That the sum of \$1150.00 is now on deposit in the
4 Registry of this Court on account of just compensation to be paid by the plaintiff
5 herein, NOW THEREFORE, it is by the Court at this time ORDERED, ADJUDGED and
6 DECREED that the estate in said lands, more particularly described in plaintiff's
7 complaint in condemnation and declaration of taking heretofore filed herein, became
8 and was vested in the United States of America on the 25th day of February, 1937,
9 free and discharged of all liens and claims of every kind whatsoever, and it is
10 further ORDERED, ADJUDGED and DECREED, that the sum of \$1150.00 now on deposit in
11 the Registry of this Court in this cause be paid to the defendant Lawrence F.
12 Doherty, and that the same be disbursed to the said defendant in care of his
13 attorney, Thomas M. Mosgrove, 216 Title Insurance Building, Bendleton, Oregon, and
14 that the Clerk take the receipt of the said defendant therefor.

15 Dated at Portland, Oregon, this 10th day of June, 1959.

17 /s/ WILLIAM G. EAST
District Judge

19 PRESENTED BY:

20 /s/ A. ALLAN FRANKS
21 A. ALLAN FRANKS
22 Assistant United States Attorney

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 320 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 11

E 1/2 of Section 13, Township 4N, R26E, Willamette meridian, consisting of 320 acres, more or less -
Purported Owner, County of Morrow - Estimated Value,
\$400.00.

The total area involved in this taking aggregates 320 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$400.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 419
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

320 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

Civil 568
DECLARATION

OF
TAKING

Tract 11

NOT FILED
JUDGMENT FILED *In the*
FINAL OPINION FILED *In the*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I *Henry S. Stevenson*, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry L. Stimson, Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said Henry L. Stimson, Secretary of War, this 31st day of December, A. D. 1940, in the City of Washington, District of Columbia.

Henry L. Stimson
Secretary of War of the
United States.

MAR 02 2023
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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 9

All Section 21, Township 4N, R27E, Willamette meridian, lying North of the Oregon-Washington Railroad and Navigation Company's Coyote Cut-off, consisting of 640 acres, more or less -
Purported owner, County of Morrow - Estimated value, \$800.00.

598,370
594,770
33

The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Track # 9
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

DECLARATION

OF
TAKING

Track 9
NOT FILED *22 # 4*
JUDGMENT FILED *22 # 4*
FINAL OPINION FILED *22 # 4*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry D. Stevenson, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the

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and also shown on that certain plan

of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry L. Stimson,
Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said Henry L. Stimson,
Secretary of War, this 22nd day of December,
A. D. 1940, in the City of Washington, District of Columbia.

Henry L. Stimson
Secretary of War of the
United States.

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 560 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 7

N 1/2 and SW 1/4 and S 1/2 of SE 1/4 of Section 16, Township 4N, R27E, Willamette meridian, consisting of 560 acres, more or less - Purported Owner, County of Morrow - Estimated Value, \$700.00.

The total area involved in this taking aggregates 560 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$700.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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MORROW

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract #7
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

560 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW,
ET AL.,
Defendants.

Civil 568
DECLARATION
OF
TAKING

Tract 7

D/T FILED *2-7-41*
JUDGMENT FILED *2-7-41*
FINAL OPINION FILED *2-7-41*

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding;

NOW, THEREFORE, I Henry D. Stimson, Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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MORROW

of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry A. ...,
Secretary of War, acting in the capacity aforesaid, hereby state, that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said Henry A. ...,
Secretary of War, this 11th day of March,
A. D. 1918, in the City of Washington, District of Columbia.

Henry A. ...
Secretary of War of the
United States.

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 640 acres, more or less, situate and being in the County of Morrow, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 5

All Section 9, Township 4N, R27E, Willamette meridian, consisting of 640 acres, more or less - Purported Owner, County of Morrow - Estimated Value, \$800.00.

The total area involved in this taking aggregates 640 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Morrow. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 5
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

640 ACRES OF LAND, MORE OR LESS,
SITUATE IN MORROW COUNTY, STATE
OF OREGON, AND COUNTY OF MORROW
ET AL.,
Defendants.

Civil 568

DECLARATION

OF

TAKING

Tract 5

D T FILED
JUDGMENT FILED
FINAL OPINION FILED

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I *Dennis S. Timmon*,

Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding and also shown on that certain plan

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of said land hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said Acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, _____,
Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said _____,
Secretary of War, this 31st day of December,
A. D. 1906, in the City of Washington, District of Columbia.

Henry L. Stewart
Secretary of War of the
United States.

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SCHEDULE "A" (Contd)

TRACT 27E

The northwest quarter and the east half of Section 36, Township 5 North and the east half of Section 1, Township 4 North, all in Range 27 East of the Willamette Meridian, Umatilla County, Oregon, containing 800.00 acres, more or less.

Name of Purported Owner: Benjamin E. Connor
Address of Purported Owner: Hermiston, Oregon
Estimated Just Compensation: ONE HUNDRED FIFTY and NO/100 DOLLARS
(\$150.00)

TRACT 28E

All that portion of the northeast quarter of Section 25, Township 4 North, Range 27 East of the Willamette Meridian, Umatilla County, Oregon, lying northerly of the northerly right of way line of the Oregon, Washington, Railroad and Navigation Company, containing 143.12 acres, more or less.

Names of Purported Owners: Roger J. Bounds and Doris S. Bounds,
also known as Doris Swayze Bounds,
husband and wife
Address of Purported Owners: 210 Main Street, Umatilla, Oregon
Estimated Just Compensation: SEVEN HUNDRED and NO/100 DOLLARS
(\$700.00)

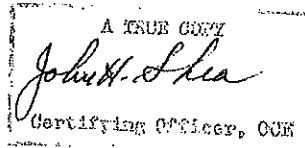
The gross sum estimated to be just compensation for the lands hereby taken is ONE THOUSAND NINE HUNDRED SEVENTY FIVE and NO/100 DOLLARS (\$1975.00)

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Schedule "A" herein, which sum I cause to be deposited herewith into the registry of said court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said land probably will be within any limits prescribed by law on the price to be paid therefor.

IN WITNESS WHEREOF, the plaintiff, by its Secretary of the Army thereunto authorized, has caused this declaration to be signed in its name by said *Kelber M. Brucker* Secretary of the Army, this the *4th* day of *January*, A. D. 195*8*, in the City of Washington, District of Columbia.

Kelber M. Brucker
Secretary of the Army



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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff

vs.

2327.37 ACRES OF LAND, more or less,
Situate in Umatilla and Morrow
Counties, State of Oregon, and
LAWRENCE P. DEHRTK, et al.,

Defendants

Filed 2-20-57

DECLARATION OF TAKING

CIVIL NO. 9025

Tracts 24E
25E
26E
27E
28E

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Wilbur M. Brucker, Secretary of the Army of the

United States, do hereby declare that:

1. (a) The land hereinafter described is taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. 258a), and acts supplementary thereto and amendatory thereof, and under the further authority of the Act of Congress approved August 1, 1888 (25 Stat. 357, 40 U.S.C. 257); the Act of Congress approved August 10, 1956 (Public Law 1028 - 84th Congress, Second Session, 10 U.S.C. 2663), which act authorizes the acquisition of land for military purposes; the Acts of Congress approved July 2, 1956 (Public Law 639 - 84th Congress), and August 3, 1956 (Public Law 968 - 84th Congress), which acts authorize the acquisition of the land, and the Act of Congress approved July 2, 1956 (Public Law 639 - 84th Congress), which act appropriated funds for such purposes.

(b) The public uses for which said land is taken are as follows:
The said land is necessary to adequately provide a safety area to meet safety standards and requirements necessary for full utilization of existing facilities for storage of ordnance materials at Umatilla Ordnance Depot and other military uses incident thereto. The said land has been

and 2

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Order No.

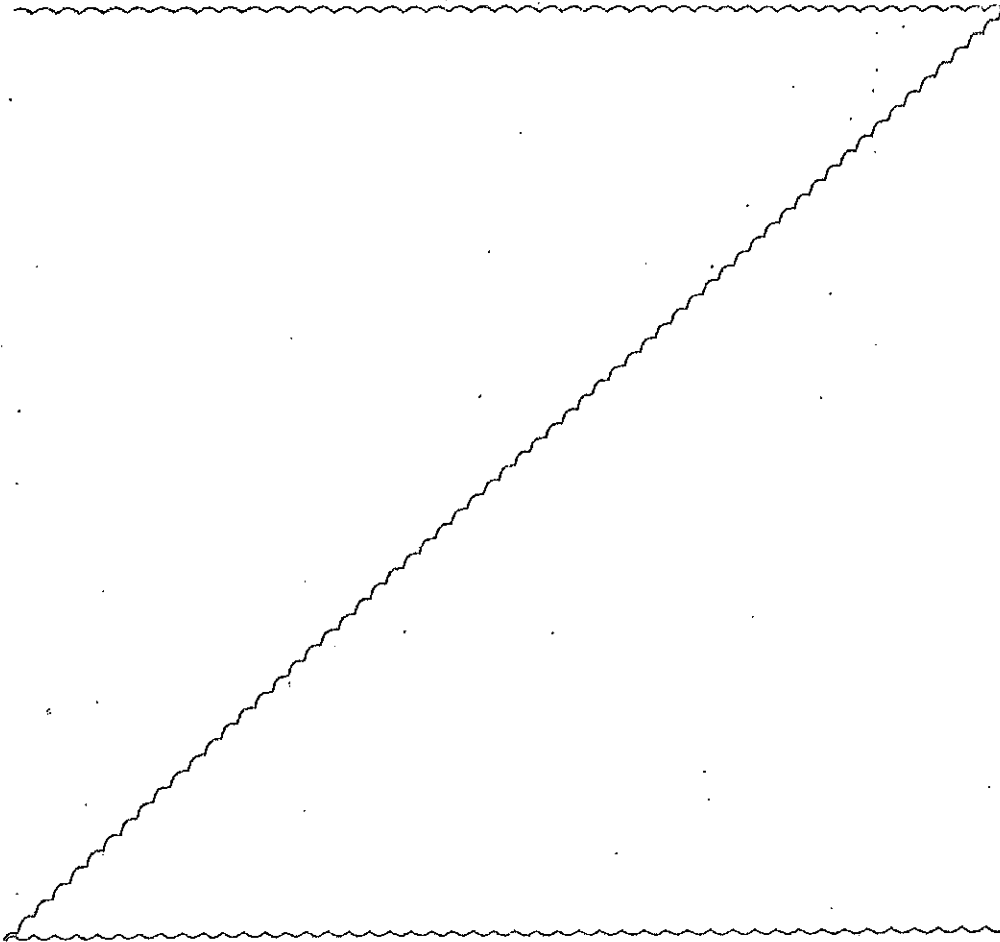
Certificate No.--23430--

SCHEDULE A

Being the legal description of the real estate covered by this certificate.

The following described parcels of real estate:

The Southwest Quarter of Section Thirty-six (36), Township Five (5) North, Range Twenty-seven (27), East of the Willamette Meridian, in the County of Umatilla and State of Oregon.



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Office of the Attorney General
Washington, D.C.

JAG

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JUN 13 1942

June 17, 1942

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed transcript of record and certificates of title in the condemnation proceeding entitled United States of America v. Umatilla County, Oregon, Civil No. 902, in the United States District Court for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for use in connection with the Umatilla Ordnance Depot.

Subsequent to the filing of the declaration of taking, a final judgment was entered in this proceeding on May 29, 1942, under the terms of which the sum on deposit, \$200.00, was adjudged just compensation for the taking of the land involved in this proceeding.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion, and that a valid title to the lands, more particularly described in the final judgment, is now vested in the United States of America in fee simple.

Respectfully,

Francis Biddle
Attorney General

Knappelt

*Umatilla County
United States District Court - District of Oregon
Civil No. 902*

*E-48
M-9*

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1 thereby; and IT FURTHER APPEARED TO THE COURT that at the time of the
2 filing of the Declaration of Taking herein the defendant Wasilla County,
3 Oregon, a municipal corporation and political and geographical subdivi-
4 sion of the State of Oregon, was the owner of the full fee simple title
5 to the lands hereinafter described, and that said lands were free and
6 clear of all liens and charges of any kind and character whatsoever; and
7 IT FURTHER APPEARED TO THE COURT that the said Wasilla County, Oregon,
8 a municipal corporation and political and geographical subdivision of the
9 State of Oregon, is entitled to receive the full amount of the compensa-
10 tion to be paid for the taking of the full fee simple title to the lands
11 hereinafter described; and IT FURTHER APPEARED TO THE COURT from the
12 evidence introduced herein that the reasonable and just compensation to
13 be paid by the United States of America for the taking of the full fee
14 simple title to the lands hereinafter described is the sum of \$200.00,
15 and that said sum is now on deposit in the Registry of this Court as the
16 estimated just compensation for the taking of the full fee simple title
17 to said lands; NOW, THEREFORE, it is by the Court at this time ORDERED,
18 ADJUDGED and DECREED that the full fee simple title to the following
19 described land situated in the County of Wasilla and State of Oregon:

20 The Southeast Quarter of Section 36, Township

21 5 North, Range 27 East of the Willamette Meridian,

22 containing 160 acres more or less,

23 is vested in the petitioner, United States of America, and that the sum
24 of \$200.00 is the reasonable and just compensation to be paid by the
25 United States of America for the taking of the full fee simple title
26 thereto; and IT IS FURTHER CONSIDERED, ORDERED and ADJUDGED that the
27 defendant Wasilla County, Oregon, a municipal corporation and political
28 and geographical subdivision of the State of Oregon, is entitled to re-
29 ceive the whole of said sum of \$200.00, and IT IS FURTHER ORDERED that
30 the Clerk of this Court pay over to the said defendant Wasilla County,
31

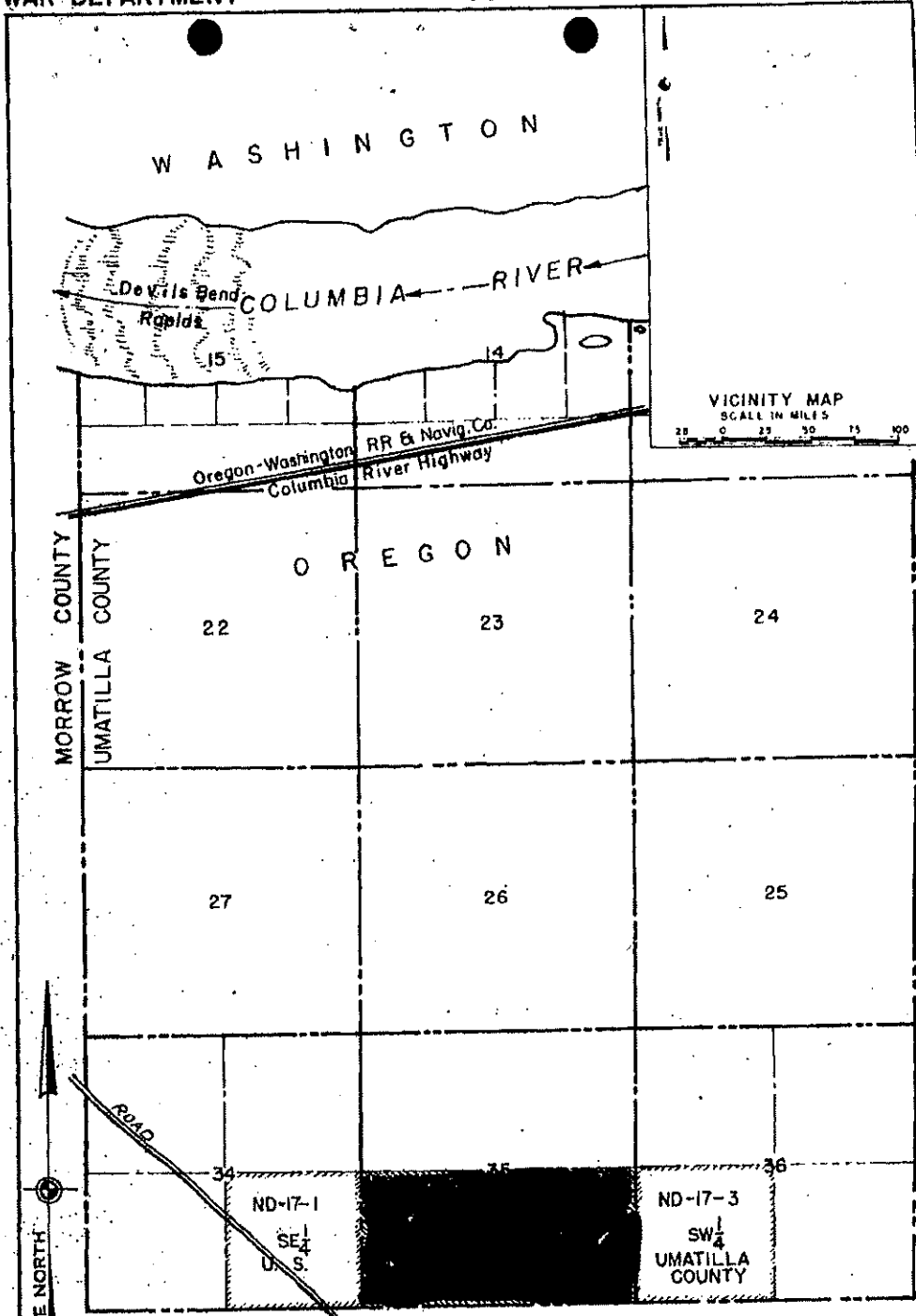
32 U.S. vs. Wasilla County, et al., - Final Judgment and Order of Distribution

2.

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To accompany letter dated JUL 29 1941

TRACT MAP
 PARCEL No. ND-17-2
 UMATILLA MUNITION DEPOT
 LANDS
 T. 5 N., R. 27 E., W. M.
 UMATILLA COUNTY, OREGON

LEGEND
 LANDS TO BE ACQUIRED [shaded box]

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DWRD

SCHEDULE "B"

BEARINGS
 U. S. C. & G. S. DATUM
 U. S. ENGINEER OFFICE, PORTLAND OREGON, DISTRICT
 Submitted [Signature] Approved [Signature]
 Head of Land Section Lt. Col., Corps of Engineers
 Recommended [Signature] July 29, 1941.
 Major, Corps of Engineers Drawn by C. A. Traced by F. A. Checked by [Signature]

Det #6

SCHEDULE "A"

The land which is the subject matter of this Declaration of Taking and of this condemnation aggregates 480 acres, more or less, situate and being in the County of Umatilla, State of Oregon. A description of the lands taken, together with a list of the purported owners thereof and a statement of the sum estimated to be just compensation therefor is as follows:

TRACT NO. 1

DESCRIPTION:

The South Half of Section 35, Township 5 North, Range 27 East of the Willamette Meridian, in Umatilla County, Oregon, containing 320 acres, more or less.

Name of purported owner: The Northern Pacific Railway Company, a corporation.

Estimated Compensation: \$ 400.00.

TRACT NO. 2

DESCRIPTION:

The Southwest Quarter of Section 36, Township 5 North, Range 27 East of the Willamette Meridian, Umatilla County, Oregon, containing 160 acres, more or less.

Name of purported owner: Umatilla County.

Estimated Compensation: \$ 200.00.

The gross sum estimated to be just compensation for the lands hereby taken is \$600.00.

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MAR 02 2023

OWRD

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,
Petitioner,

vs.

480 ACRES OF LAND, MORE OR
LESS, SITUATE IN UMATILLA
COUNTY, STATE OF OREGON, AND
THE NORTHERN PACIFIC RAILWAY
COMPANY, ET AL,
Defendants.

DECLARATION
OF
TAKING

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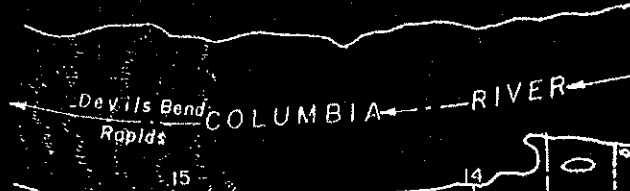
TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

I, Harry L. Stinson Secretary of War of the
United States, do hereby declare that:

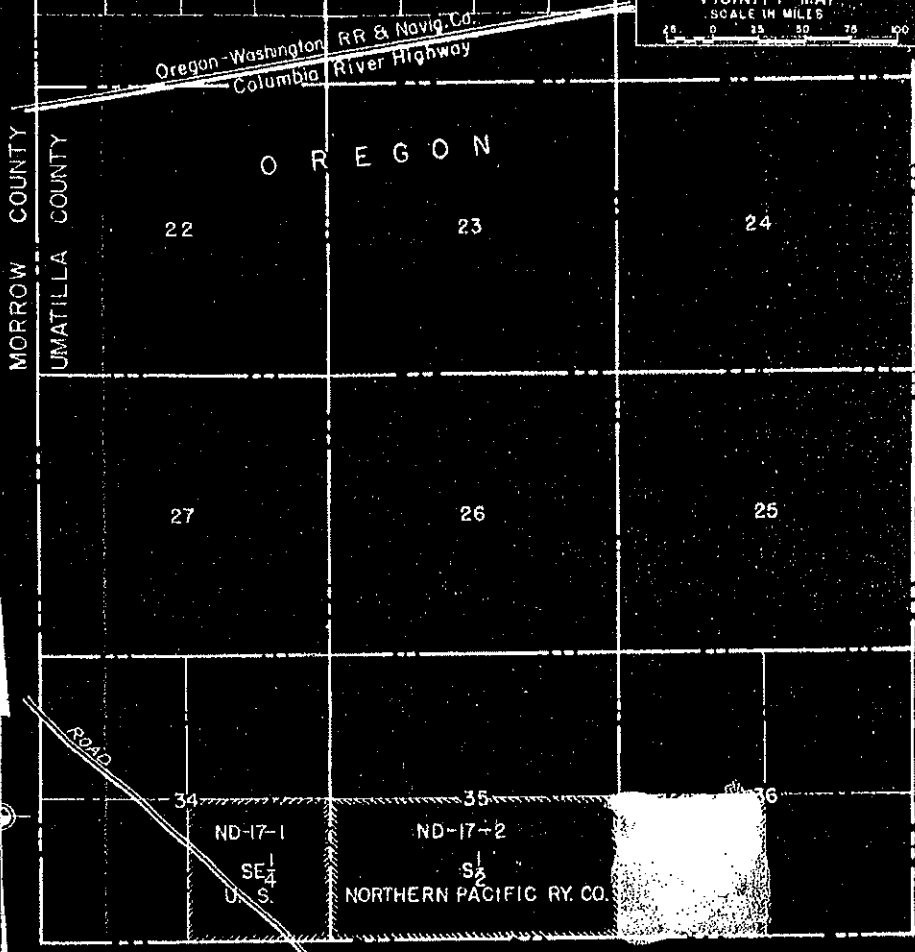
1. (a) The lands hereinafter described are taken under and in accordance with the Act of Congress approved February 26, 1931 (46 Stat. 1421, 40 U.S.C. sec. 258a), and under the further authority of the Act of Congress approved August 18, 1890 (26 Stat. 316), as amended by the Acts of Congress approved July 2, 1917 (40 Stat. 241) and April 11, 1918 (40 Stat. 518, 50 U.S.C. sec. 171), which acts authorize the acquisition of land for military purposes, the Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) and the Act of Congress approved April 5, 1941 (Public Law 29 - 77th Congress) which appropriated funds for such purposes.

(b) The public uses for which said lands are taken are as follows:
The said lands are necessary adequately to provide for a munitions storage depot and related military purposes. The said lands have been selected by me for acquisition by the United States for use in connection with the establishment of the Umatilla Ordnance Depot, and for such other uses as may be authorized by Congress or by Executive Order, and are required for immediate use.

WASHINGTON



VICINITY MAP
SCALE IN MILES
0 25 50 75 100



TRUE NORTH

To accompany letter dated JUL 29 1941

TRACT MAP
PARCEL No. ND-17-3
UMATILLA MUNITION DEPOT
LANDS
T. 5 N., R. 27 E., WM.
UMATILLA COUNTY, OREGON

LEGEND
LANDS TO BE ACQUIRED

BEARINGS
U.S.C. & G.S. DATUM
U.S. ENGINEER OFFICE, PORTLAND OREGON, DISTRICT
Submitted *[Signature]* Approved *[Signature]*
Recommended *[Signature]* Head of Land Service
Major, Corps of Engineers
Scale: 1 in. = 2640 ft.
L1 Col., Corps of Engineers
July 28, 1941
Drawn by P.A.S., Traced by C.A. Checked by A.

SCHEDULE 8-B-9

Incl # 3

O-1-6 OU

MAR 02 2023

OWRD

2. A general description of the lands being taken is set forth in Schedule "A" attached hereto and made a part hereof and is a description of the same lands described in the petition in the above entitled cause.

3. The estate taken for said public uses is the full fee simple title thereto.

4. A plan showing the lands taken is annexed hereto as Schedule "B" and made a part hereof.

5. The sum estimated by me as just compensation for said land, with all buildings and improvements thereon and all appurtenances thereto, and including any and all interests hereby taken in said lands, is set forth in Schedule "A" herein, which sum I cause to be deposited herewith in the Registry of said Court for the use and benefit of the persons entitled thereto. I am of the opinion that the ultimate award for said lands will probably be within any limits prescribed by law as the price to be paid therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War, thereunto authorized, has caused this declaration to be signed in its name by said Henry L. Stimson, Secretary of War, this the 6th day of October, A. D. 1941, in the City of Washington, District of Columbia.

Henry L. Stimson
Secretary of War of the
United States.

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MAR 02 2023

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RJL-JEC

33-38-222-3

May 27, 1942

BY MESSENGER

GLS

Track #3

Honorable Henry L. Stimson
Secretary of War
Washington, D. C.

My dear Mr. Secretary:

I have examined the enclosed certificates of title and transcript of record in the condemnation proceeding entitled United States v. Western Irrigation Company, et al., Civil No. 569, in the District Court of the United States for the District of Oregon, instituted in accordance with the request of your Department to acquire certain land for the Umatilla Ordnance Depot.

Subsequent to the filing of the declaration of taking, an order fixing value was entered by the court on December 17, 1941, in which it was determined that the just compensation for the taking of the land was the amount on deposit, \$800.00.

From my examination of the enclosed papers and those previously forwarded to your Department I am of the opinion that the condemnation proceeding has been regularly conducted and brought to a satisfactory conclusion. A valid title to the land, more particularly described in the final judgment entered in this proceeding on April 27, 1942, is now vested in the United States of America in fee simple.

Respectfully,

Attorney General

Enclosure No. 500346

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OWRD

11-11-11

1 described for acquisition by the United States for use in connection
2 with the Umatilla Ordnance Depot, such lands being necessary in his
3 opinion and sought to be appropriated to provide for storage of ordnance
4 material for the War Department; determined and was of the opinion that
5 it was necessary and advantageous to acquire such lands for the United
6 States by condemnation and requested the Attorney General to cause these
7 proceedings to be commenced, in pursuance of which request these pro-
8 ceedings were instituted; AND IT FURTHER APPEARING TO THE COURT that on
9 January 10, 1941, pursuant to the provisions of 40 U.S.C. 256(a) a dec-
10 laration of taking was filed in the above-entitled case with the clerk
11 of this Court simultaneously with the filing of the petition for condem-
12 nation herein, and that simultaneously therewith the sum of \$800.00, es-
13 timated by the Secretary of War to be just compensation for the taking of
14 the full fee title to the lands hereinafter described, was deposited in
15 the Registry of this Court for the use and benefit of the persons entitled
16 thereto; AND IT FURTHER APPEARING TO THE COURT that at the time of the
17 filing of the declaration of taking herein, the defendant Western Irriga-
18 tion Company, a corporation, was the owner of the full fee simple title
19 to the lands hereinafter described, and that said lands were and now are
20 free and clear of all liens and charges of any kind or character whatso-
21 ever; AND IT FURTHER APPEARING TO THE COURT that the defendant Western
22 Irrigation Company, a corporation, is entitled to receive the full amount
23 of compensation to be paid by the United States of America for the taking
24 of the full fee simple title to the lands hereinafter described, and that
25 the amount of said compensation has heretofore been fixed by this Court
26 at the sum of \$800.00, and that said sum of \$800.00 is now on deposit in
27 the Registry of this Court as the estimated just compensation for the
28 taking of the full fee simple title to said lands. NOW, THEREFORE, it
29 is by the Court at this time ORDERED, ADJUDGED and DECREED that the full
30 fee simple title to the following-described lands situate in Umatilla
31 County, Oregon, to-wit:

32 U.S. v. Western Irrigation Company, et al - Final Judgment, etc. - 2.

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of this condemnation consists of a total area of land aggregating 160 acres, more or less, situate and being in the County of Umatilla, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 3

NW 1/4 of Section 25, in Township 4N, R27E, Willamette meridian, lying North of the Oregon-Washington Railroad and Navigation Company's Coyote Cut-off, consisting of 160 acres, more or less - Purported Owner, Western Irrigation Company - Estimated Value \$800.00.

135.06
acres

The total area involved in this taking aggregates 160 acres, more or less. The purported owner and party in interest of the parcel herein described is the Western Irrigation Company. The total estimated value of the entire area is \$800.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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- 3 -

MAR 02 2023

OWRD

IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

UNITED STATES OF AMERICA,
Petitioner,

Vs.

160 ACRES OF LAND, MORE OR
LESS, SITUATE IN UMATILLA
COUNTY, STATE OF OREGON, AND
WESTERN IRRIGATION COMPANY ET AL.,
Defendants.

Civil 569
DECLARATION
OF
TAKING

Tract #3
Filed 10 Jan '41
Tract #3

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry J. Stimson
Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the

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1 1917 (40 Stat. 211), and April 11, 1918 (40 Stat. 518, 50 U.S.C. Sec.
2 171), and the Act of Congress approved September 9, 1910 (Public 781 -
3 76th Congress), the Secretary of War (1) selected the lands hereinafter
4 described for acquisition by the United States for use in connection
5 with the Astoria Ordnance Depot, such lands being necessary in his
6 opinion, and are sought to be appropriated to provide for the storage
7 of ordnance material for the War Department; (2) determined and is of
8 the opinion that it is necessary and advantageous to acquire for the
9 United States by condemnation under judicial process the lands herein-
10 after described for the construction and maintenance of an ordnance
11 depot for the storage of ordnance materials for the War Department;
12 (3) made application to The Attorney General to cause such proceedings
13 to be commenced, in pursuance of which application The Attorney General
14 has directed this proceeding to be filed; AND IT FURTHER APPEARING TO
15 THE COURT that funds for the acquisition of such lands were appropriated
16 by the Act of Congress approved September 9, 1910 (Public 781 - 76th
17 Congress), and such funds are available for the payment of any award
18 made in this proceeding; AND IT FURTHER APPEARING TO THE COURT that the
19 petitioner has done and performed every act and thing required by law
20 to be done by such petitioner as a condition precedent to the beginning
21 and maintaining of this action; AND IT FURTHER APPEARING TO THE COURT
22 that the defendant Astoria County, an Oregon municipal corporation,
23 was at the time of the filing of the declaration of taking herein the
24 owner of the fee title to the lands hereinafter described and that said
25 real property is free and clear of all liens, encumbrances, equities or
26 interests of any kind whatsoever, and that the defendant Astoria County,
27 an Oregon municipal corporation, is entitled to receive the whole of the
28 sum fixed as just compensation herein; that the Court finds from the
29 evidence presented herein that the reasonable and just compensation to
30 be paid for the taking of the hereinafter described lands was at the
31 time of the filing of the declaration of taking herein and now is the
32 sum of \$900,00. NOW, THEREFORE, it is by the Court at this time

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SCHEDULE "A"

The land which is the subject matter of this declaration of taking and of their condemnation consists of a total area of land aggregating 320 acres, more or less, situate and being in the County of Umatilla, State of Oregon, hereinafter more particularly described and shown on the map attached hereto and made a part hereof, and outlined in red thereon. A description of the parcel of land hereby taken by Township, Range and Section, the name of the purported owner and the estimated value of said parcel and estimated total value of all property involved in this proceeding follows:

Parcel No. 2

W 1/2 of Section 13, in Township 4N, R27E, Willamette meridian, consisting of 320 acres, more or less -
Purported Owner, County of Umatilla - Estimated Value
\$400.00.

The total area involved in this taking aggregates 320 acres, more or less. The purported owner and party in interest of the parcel herein described is the County of Umatilla. The total estimated value of the entire area is \$400.00, which is the gross sum of money ascertained by the acquiring authority to be just compensation for the aforesaid land in this proceeding and hereby taken.

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IN THE
UNITED STATES DISTRICT COURT
IN AND FOR THE STATE OF OREGON

Tract # 2
Filed 10 Jan 41

UNITED STATES OF AMERICA,
Petitioner,

Vs.

320 ACRES OF LAND, MORE OR
LESS, SITUATE IN UMATILLA
COUNTY, STATE OF OREGON, AND
COUNTY OF UMATILLA ET AL.,
Defendants.

Civil 570

DECLARATION

OF
TAKING

Tract # 2

TO THE HONORABLE,
THE UNITED STATES DISTRICT COURT:

WHEREAS, it has become necessary that the land which is the subject of condemnation in the above-entitled proceeding be taken for immediate public use by the United States of America, and that the title thereto and all appurtenances shall vest absolutely and in fee simple in the United States of America upon the filing of this declaration in said proceeding:

NOW, THEREFORE, I Henry S. Simpson
Secretary of War of the United States, under and by virtue of the provisions of the Act of Congress approved July 2, 1917, as amended by the Act of April 11, 1918 (U.S.C. 50:171) which authorizes the acquisition of land for military purposes, Act of Congress approved September 9, 1940 (Public No. 781 - 76th Congress) which Act appropriated funds for such purposes, and the Act of Congress approved February 26, 1931 (46 Stat., 1421), do hereby make and file this declaration of taking pursuant to said Acts of Congress and by virtue and authority thereof do declare that the land described in the petition filed in this proceeding, and also shown on that certain plan

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hereto attached and made a part of this declaration and the fee simple title thereto and all appurtenances are hereby taken under the authority of said Acts of Congress, and that the use for which the same is acquired is for the purpose described in said acts, and that the estate hereby taken in said land for the public use aforesaid is in fee simple absolute.

AND I, Henry L. Stimson, Secretary of War, acting in the capacity aforesaid, hereby state that the sum of money ascertained by me as just compensation for the land is set forth in Schedule "A" annexed to and made a part of this declaration. And I hereby deposit in the registry of this Honorable Court, to the use of the persons in title entitled thereto, the amount of the estimated compensation set forth in said Schedule "A" and am of the opinion that the ultimate award of damages for the taking of said property will be within the limits prescribed by Congress to be paid as a price therefor.

IN WITNESS WHEREOF, the petitioner, by its Secretary of War thereunto authorized, has caused this declaration to be signed in its name by said Henry L. Stimson, Secretary of War, this 31st day of December, A. D. 1940, in the City of Washington, District of Columbia.

Henry L. Stimson
Secretary of War of the
United States.

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OR 9159
2350 (SAS.1)

Your Ref: HSCDE-MD
APR 7 1972
Hawville Army
Depot, Oregon

Chief, Real Estate Division
Corps of Engineers
Department of the Army
1519 Alaskan Way
Seattle, Washington 98134

Dear Sir:

We have received your notice of intention to relinquish
withdrawn or reserved lands, serialized OR 9159, dated March ²¹/₂₉, 1972.

You will be advised when the formal revocation order issues.

Sincerely yours,

Virgil O. Seiser

Acting Chief, Branch of Lands and
Minerals Operations

cc: D.M. - Baker

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PUBLIC LAND ORDER 1789

(Oregon 05261)

O R E G O N

RESERVING LANDS FOR USE OF THE DEPARTMENT OF THE ARMY FOR
MILITARY PURPOSES

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following described public lands in Oregon are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, but not disposals of materials under the act of July 31, 1947 (61 Stat. 601; 30 U.S.C. 601-604) as amended, and reserved for use of the Department of the Army, as a safety area in connection with the Umatilla Ordnance Depot:

WILLAMETTE MERIDIAN

Twp. 4 North, Range 27 East.;
Sec. 12 N $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 24; E $\frac{1}{2}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ only (remainder privately owned)
Twp. 5 North; Range 27 East,
Sec. 32;
Sec. 34, N $\frac{1}{2}$ and SW $\frac{1}{4}$

The areas described aggregate 1,280 acres.

The lands may be used for grazing purposes under the provisions of the Taylor Grazing Act of June 28, 1934 (43 Stat. 1269), as amended, but only at such times and in such manner as may be agreed upon between the Bureau of Land Management and the Department of the Army consistent with the primary purposes of this withdrawal.

ROGER ERNST

Assistant Secretary of the Interior

FEBRUARY 10, 1959

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Incl 1



DEPARTMENT OF THE ARMY
 SEATTLE DISTRICT OFFICE OF ENGINEERING
 1519 ALASKAN WAY SOUTH
 SEATTLE, WASHINGTON 98134

9150

NPSRE-MD *150582*
 Umatilla Army Depot, Oregon

21 March 1972

Bureau of Land Management
 Baker District Office
 P. O. Box 589
 Baker, Oregon 97814

Res. Dist.	2			
Oper.				
Lands	3			
Minerals				
RECEIVED USDI-BLM		MAR 24 1972		BAKER DISTRICT
Prof.			5	
Rgn. Tech.			GR Area	
Admin.				
1				
2			3	

2/24/72 may proceed with report

Gentlemen:

The Department of the Army has no further requirement and has approved as excess, 120 acres of land, which is a portion of Tract C comprising 1,280 acres acquired under PLO 1789 Oregon (Oregon 05261) on Umatilla Army Depot, Oregon.

The following report is submitted in accordance with the provisions of Title 43, CFR Subpart 2372.1, Notice of Intention to Relinquish Lands for determination whether or not the land is suitable for return to the Public Domain.

1. The Department of the Army is the holding agency with this office the reporting agency.

2. Citation of Order for Withdrawal or Reservation:

The lands proposed for relinquishment are 120 acres of Tract C which constitute only a portion of the total 1,280 acres of Tract C withdrawn under Public Land Order No. 1789 Oregon (Oregon 05261) dated 10 Feb 1959, copy inclosed.

3. ~~Legal description of land to be relinquished:~~

$N\frac{1}{2}$ NE $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 12, T. 4 N., R. 27E., W.M., in Umatilla County, Oregon.

4. There are no improvements on the land.

5. The land has not been contaminated, as it was acquired for a safety area, buffer zone.

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NPSRE-MD

1 December 1971

Mr. Virgil O. Seiser

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24, Township 4 North, Range 27 East, Willamette Meridian, in Umatilla County, Oregon.

We have not received any information concerning excessing of other lands on the Depot, however, if and when we do, a draft of a restrictive clause, if required, will be furnished when our notice of intention to relinquish is submitted.

Sincerely,

BRYAN L. TURNER, Acting
Chief, Management & Disposal Branch
Real Estate Division

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United States Department of the Interior

IN REPLY REFER TO:

OR 8564
2360 (943.1)

BUREAU OF LAND MANAGEMENT

Oregon State Office
P. O. Box 2965 (729 NE Oregon Street)
Portland, Oregon 97208

Your Reference:
NPSRE-MD
Umatilla Army Depot, Oregon

Chief, Real Estate Division
Corps of Engineers
Department of the Army
1519 Alaskan Way South
Seattle, Washington 98134

NOV 16 1971

Dear Sir:

We hereby accept accountability and responsibility for the lands described in your Notice of Intention to Relinquish Withdrawn or Reserved Lands, OR 8564, dated August 19, 1971.

We acknowledge that as a condition of your relinquishment of the land, you require some action be taken by us to prohibit future human habitation, in order to maintain the integrity of a safety buffer for your installation.

An order revoking the withdrawal which reserved the lands for your use will be issued in due course.

We would appreciate a statement whether your agency has acquired any legislative jurisdiction over the lands or whether your interest in the lands has been merely proprietorial. If any legislative jurisdiction has been acquired, please give us the details.

Sincerely yours,

Virgil O Seiser
Virgil O Seiser
Acting Chief, Branch of Lands and
Minerals Operations

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*Historical File
Exhibit "B" MA*



DEPARTMENT OF THE ARMY
 SEATTLE DISTRICT OFFICE OF ENGINEERING
 1519 ALASKAN WAY SOUTH
 SEATTLE, WASHINGTON 98134

NPSRE-MD
 Umatilla Army Depot, Oregon

19 August 1971

Bureau of Land Management
 Baker District Office
 P. O. Box 589
 Baker, Oregon 97814

1. M			
2. Rpt	1		
3. Oper		2	
4. Lynch	3		3
5. Minerals			4
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USDI-BLLI		BAKER DISTRICT	

Gentlemen:

The Department of the Army has no further requirement and has approved as excess, 40 acres of land, which is a portion of Tract C comprising 1,280 acres acquired under PLO 1789 Oregon (Oregon 05261) on Umatilla Army Depot, Oregon.

The following report is submitted in accordance with the provisions of Title 43, CFR Subpart 2372.1, Notice of Intention to Relinquish Lands for determination whether or not the land is suitable for return to the Public Domain.

1. The Department of the Army is the holding agency with this office the reporting agency.

2. Citation of Order for Withdrawal or Reservation:

The lands proposed for relinquishment are 40 acres of Tract C which constitute only a portion of the total 1,280 acres of Tract C withdrawn under Public Land Order No. 1789 Oregon (Oregon 05261) dated 10 Feb 1959, copy inclosed.

3. Legal description of land to be relinquished:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24, T. 4 N., R. 27E., W.M., in Umatilla County, Oregon.

4. There are no improvements on the land.

5. The land has not been contaminated, as it was acquired for a safety area, buffer zone.

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MAX USE... OFFICE... 7-12-71
 SW



Published daily, except Sundays, Mondays, and days following legal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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NOTICE

Book 1 of the 1943 Supplement to the Code of Federal Regulations may be obtained from the Superintendent of Documents, Government Printing Office, at \$3.00 per copy. This book contains the material in Titles 1-31, including Presidential documents, issued during the period from June 2, 1943, through December 31, 1943.

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WHEREAS it is appropriate that, in future determinations of the public purposes for which such lands shall be used, reserved, or administered after the emer-

gency, those departments and agencies of the Federal Government which had prior jurisdiction over, interests in, or administration of such lands should have restored to them such jurisdiction over, interests in, or administration of the lands as existed prior to the withdrawal and reservation of the lands for purposes incident to the national emergency and the prosecution of the war:

NOW, THEREFORE, by virtue of the authority vested in me as the President of the United States as set forth in the orders hereinafter enumerated, it is ordered as follows:

The Executive orders and Public Land orders hereinafter enumerated, withdrawing and reserving public lands for uses incident to the national emergency and the prosecution of the war, are hereby amended by adding to each of the said orders the following paragraph:

"The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered."

Executive Order Numbers: 8101, 8102, 8305, 8325, 8343, 8450, 8507, 8508, 8577, 8578, 8579, 8636, 8651, 8652, 8725, 8755, 8788, 8789, 8792, 8793, 8794, 8830, 8831, 8847, 8865, 8872, 8874, 8877, 8884, 8892, 8915, 8923, 8927, 8932, 8954, 8957, 8992, 8999, 9000, 9014, 9019, 9020, 9026, 9029, 9042, 9053, 9061, 9066, 9104, 9107, 9109, 9114, 9143, 9215.

Public Land Order Numbers: 1, 3, 4, 6, 7, 9, 10, 11, 13, 15, 16, 18, 21, 22, 24, 25, 26, 27, 28, 31, 33, 34, 35, 37, 39, 40, 43, 44, 50, 51, 55, 56, 57, 58, 59, 60, 62, 63, 64, 66, 72, 74, 75, 76, 80, 81, 83, 85, 87, 88, 89, 90, 93, 94, 97, 98, 105, 109, 110.

Any provision in any of the orders hereinabove enumerated which is in conflict with this order is hereby superseded to the extent of such conflict: Provided, however, That any provision for the earlier return of jurisdiction over the public lands in any of said orders shall remain operative.

FRANKLIN D. ROOSEVELT

THE WHITE HOUSE,
February 28, 1945.

[F. R. Doc. 45-3314; Filed, Mar. 1, 1945; 11:17 a. m.]

EXECUTIVE ORDER 9527

RELINQUISHING POSSESSION OF THE PLANTS OF YORK SAFE AND LOCK COMPANY, YORK COUNTY, PENNSYLVANIA

WHEREAS by Executive Order No. 9416, dated January 21, 1944, the Secretary of the Navy was authorized and directed to take possession of and operate the plants and facilities of York Safe

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This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D ROOSEVELT
 THE WHITE HOUSE,
 December 26, 1941.
 [No. 8999]

[F. R. Doc. 41-9767; Filed, December 27, 1941; 9:45 a. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LAND FOR USE OF THE WAR DEPARTMENT FOR MILITARY PURPOSES

OREGON

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights, the following-described public land, in the State of Oregon, be, and it is hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MENDIAN

T. 4 N., R. 24 E., sec. 22; containing 640 acres.

This order shall be subject to the order of December 18, 1936, of the Secretary of the Interior, establishing Oregon Grazing District No. 7. After the present national emergency has been officially terminated, this order shall be without effect upon notice to the War Department by the Secretary of the Interior that the above-described land is needed for grazing or other uses by the Department of the Interior.

FRANKLIN D ROOSEVELT
 THE WHITE HOUSE,
 December 26, 1941.
 [No. 9000]

[F. R. Doc. 41-9769; Filed, December 27, 1941; 9:45 a. m.]

EXECUTIVE ORDER

AUTHORIZING THE WAR DEPARTMENT, THE NAVY DEPARTMENT, AND THE UNITED STATES MARITIME COMMISSION TO PERFORM THE FUNCTIONS AND EXERCISE THE POWERS DESCRIBED IN TITLE II OF AN ACT APPROVED DECEMBER 18, 1941, ENTITLED "AN ACT TO EXPEDITE THE PROSECUTION OF THE WAR EFFORT", AND PRESCRIBING REGULATIONS FOR THE EXERCISE OF SUCH FUNCTIONS AND POWERS

The successful prosecution of the war requires an all-out industrial mobilization of the United States in order that the materials necessary to win the war

may be produced in the shortest possible time. To accomplish this objective it is necessary that the Departments of War and the Navy and the United States Maritime Commission cooperate to the fullest possible degree with the Office of Production Management in the endeavor to make available for the production of war material all the industrial resources of the Country. It is expected that in the exercise of the powers hereinafter granted, these Agencies and the Office of Production Management will work together to bring about the conversion of manufacturing industries to war production, including the surveying of the war potential of industries, plant by plant; the spreading of war orders; the conversion of facilities; the assurance of efficient and speedy production; the development and use of subcontracting to the fullest extent and the conservation of strategic materials.

TITLE I

1. By virtue of the authority in me vested by the Act of Congress, entitled "An Act to expedite the prosecution of the War effort", approved December 18, 1941, (hereinafter called "the Act") and as President of the United States and Commander-in-Chief of the Army and Navy of the United States, and deeming that such action will facilitate the prosecution of the war, I do hereby order that the War Department, the Navy Department, and the United States Maritime Commission be and they hereby respectively are authorized within the limits of the amounts appropriated therefor to enter into contracts and into amendments or modifications of contracts heretofore or hereafter made, and to make advance, progress, and other payments thereon, without regard to the provisions of law relating to the making, performance, amendment, or modification of contracts. The authority herein conferred may be exercised by the Secretary of War, the Secretary of the Navy, or the United States Maritime Commission respectively or in their discretion and by their direction respectively may also be exercised through any other officer or officers or civilian officials of the War or the Navy Departments or the United States Maritime Commission. The Secretary of War, the Secretary of the Navy, or the United States Maritime Commission may confer upon any officer or officers of their respective departments, or civilian officials thereof, the power to make further delegations of such powers within the War and the Navy Departments, and the United States Maritime Commission.

2. The contracts hereby authorized to be made include agreements of all kinds (whether in the form of letters of intent, purchase orders, or otherwise) for all types and kinds of things and services necessary, appropriate or convenient for the prosecution of war, or for the invention, development, or production of, or research concerning any such things, including but not limited to, aircraft,

buildings, vessels, arms, armament equipment, or supplies of any kind, or any portion thereof, including plans, spare parts and equipment therefor, materials, supplies, facilities, utilities, machinery, machine tools, and any other equipment, without any restriction of any kind, either as to type, character, location or form.

3. The War Department, the Navy Department, and the United States Maritime Commission may by agreement modify or amend or settle claims under contracts heretofore or hereafter made may make advance, progress, and other payments upon such contracts of an percentage of the contract price, and may enter into agreements with contractors and/or obligors, modifying or releasing accrued obligations of any sort including accrued liquidated damages or liability under surety or other bonds whenever, in the judgment of the War Department, the Navy Department, or the United States Maritime Commission respectively the prosecution of the war is thereby facilitated. Amendments or modifications of contracts may be with or without consideration and may be utilized to accomplish the same thing as any original contract could have accomplished hereunder, irrespective of the time or circumstances of the making of or the form of the contract amended or modified, or of the amending or modifying contract, and irrespective of rights which may have accrued under the contract, or the amendments or modifications thereof.

4. Advertising, competitive bidding and bid, payment, performance or other bonds or other forms of security, need not be required.

TITLE II

Pursuant to Title II of the Act and for the protection of the interests of the United States, I do hereby prescribe the following regulations for the exercise of the authority herein conferred upon the War Department, the Navy Department and the United States Maritime Commission.

1. All contracts and all purchases made pursuant to the Act and this Executive Order shall be reported to the President of the United States. Such reports shall be made at least quarter-annually, provided, however, that purchases or contracts of less than \$100,000 may be consolidated in such reports with other such purchases and need not be separately set forth. In case the War Department, the Navy Department, or the United States Maritime Commission shall deem a purchase or contract to be restricted, confidential, or secret in its nature for reason of its subject matter, or for other reasons affecting the public interest, such purchases or contracts shall not be included with those described in the report just mentioned, but shall be included in a separate report containing such restricted, confidential, or secret purchases or contracts. The Secretary of War, the Secretary of the Navy, and the United

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

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1885831 "K"

SPECIAL LAND-USE PERMIT

Permission is hereby granted to the War Department of the United States to use the SE $\frac{1}{4}$ sec. 34, T. 5 N., R. 27 E., W. M., Oregon, for military purposes.

This permit is subject to the following provisions and conditions:

(1) This permit is issued for the period from November 30, 1941 to November 30, 1946, and is revocable for any breach of the conditions hereof. It is also revocable at the discretion of the Commissioner of the General Land Office, at any time, upon notice, if in his judgment the lands should be devoted to another use. The permit is subject to valid adverse claims heretofore or hereafter acquired.

(2) The permittee shall observe all Federal, State, and local laws and regulations applicable to the premises, including the regulations for the protection of game birds and game animals.

(3) The permittee shall keep the premises in a neat, orderly, and sanitary condition, and upon vacating the lands, shall leave them in substantially as good condition as when originally occupied.

(4) The permittee shall take all reasonable precautions to prevent and suppress forest, brush and grass fires, and to prevent the pollution of waters on or in the vicinity of the lands.

(5) Authorized representatives of the Department of the Interior and other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

(6) The permittee shall not enclose roads or trails commonly in public use.

(7) This permit is subject to the following provisions and conditions contained in the regulations (43 CFR 258.1-258.16, Circ. 1483, Nov. 19, 1940):

(a) Applications and selections may be made under non-mineral laws subject to the revocation of the permit.

(b) The mineral contents in the land shall at all time be subject to prospecting, location, developing, mining, entering, leasing or patenting under the provisions of the applicable general mining laws or mineral leasing laws.

(c) The special land-use permit shall be subject to any permit issued under the act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431-433); to explore for objects of antiquity on the public lands.

(d) The special land-use permit shall not restrict the acquisition by grant or permit of rights of way under existing laws.

(8) Special stipulations:

(a) The grazing privileges on the land shall remain under the control and administration of the Grazing Service, Department of the Interior.

(b) That grazing permittee, L. D. Neill, be permitted to use the land for grazing until the expiration of his grazing license on May 14, 1942.

THE UNITED STATES OF AMERICA

By Fred W. Johnson
Commissioner of the General Land Office.

DEC 2 - 1941

(Date)

Amel

Wm. H. M. ...

UNITED STATES
DEPARTMENT OF THE INTERIOR
General Land Office

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1885831 "K"

SPECIAL LAND-USE PERMIT

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This permit is subject to the following provisions and conditions:

(1) This permit is issued for the period from November 30, 1941 to November 30, 1946, and is revocable for any breach of the conditions hereof. It is also revocable at the discretion of the Commissioner of the General Land Office, at any time, upon notice, if in his judgment the lands should be devoted to another use. The permit is subject to valid adverse claims heretofore or hereafter acquired.

(2) The permittee shall observe all Federal, State, and local laws and regulations applicable to the premises, including the regulations for the protection of game birds and game animals.

(3) The permittee shall keep the premises in a neat, orderly, and sanitary condition, and upon vacating the lands, shall leave them in substantially as good condition as when originally occupied.

(4) The permittee shall take all reasonable precautions to prevent and suppress forest, brush and grass fires, and to prevent the pollution of waters on or in the vicinity of the lands.

(5) Authorized representatives of the Department of the Interior and other Federal agencies, and game wardens shall at all times have the right to enter the premises on official business.

(6) The permittee shall not enclose roads or trails commonly in public use.

(7) This permit is subject to the following provisions and conditions contained in the regulations (43 CFR 258.1-258.16, Circ. 1483, Nov. 19, 1940):

(a) Applications and selections may be made under non-mineral laws subject to the revocation of the permit.

(b) The mineral contents in the land shall at all time be subject to prospecting, location, developing, mining, entering, leasing or patenting under the provisions of the applicable general mining laws or mineral leasing laws.

(c) The special land-use permit shall be subject to any permit issued under the act of June 8, 1906 (34 Stat. 225; 16 U.S.C. 431-433); to explore for objects of antiquity on the public lands.

(d) The special land-use permit shall not restrict the acquisition by grant or permit of rights of way under existing laws.

(8) Special stipulations:

(a) The grazing privileges on the land shall remain under the control and administration of the Grazing Service, Department of the Interior.

(b) That grazing permittee, L. D. Neill, be permitted to use the land for grazing until the expiration of his grazing license on May 14, 1942.

THE UNITED STATES OF AMERICA

By Fred W. Johnson
Commissioner of the General Land Office.

DEC 2 - 1941

(Date)

Paul L.

*Mrs. H. H. Johnson
Order of the Department of the Interior*

DO NOT DETACH THIS SLIP

Return accompanying papers to

ROOM 5158 WAR DEPARTMENT BUILDING

OFFICE OF THE UNDER SECRETARY OF WAR

Date December 13, 1941

Subject: Letter from Secretary of the Interior,
12/11/41, re: proposed withdrawal of land in
Oregon for the use of the War Dept. for military
purposes.

To: THE QUARTERMASTER GENERAL

- 1. ~~XX~~ Necessary action.
- 2. Necessary action and direct reply.
- 3. Nec. action and prep. of reply for sig. of the Under Secy. of War.
- 4. Nec. action and prep. of reply for sig. of the Executive.
- 5. Preparation of memo. to enclose with reply.
- 6. Preparation of memo. on which to base personal reply.
- 7. Remark and recommendation.
- 8. Notation and filing or return.
- 9. Notation and return through B. & L. P. Branch.

By direction of the Under Secretary of War:

H. E. RUTHERFORD
 Brigadier General, U.S.A.
 Executive, Office of Under Secretary of War

Form No. 1
(Ed. Apr. 23, 1926)

U. S. GOVERNMENT PRINTING OFFICE 16-21085

601.1 (Quartermaster General)

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ADDRESS REPLY TO
CHIEF OF ENGINEERS, U. S. ARMY
WASHINGTON, D. C.

WAR DEPARTMENT
OFFICE OF THE CHIEF OF ENGINEERS
WASHINGTON

REFER TO FILE NO. CE 601.1 CRD
Umatilla Ordnance Depot, Oregon

January 17, 1942

SUBJECT: Special Use Permit

TO: THE JUDGE ADVOCATE GENERAL

Transmitted herewith for the permanent files of your office are the following papers relating to the acquisition of land for a protective area at Umatilla Ordnance Depot, Oregon:

- (a) Letter from Department of Interior dated December 11, 1941.
- (b) Special Land-use Permit.

For the Chief of Engineers:

John J. O'Brien
JOHN J. O'BRIEN
Colonel, Corps of Engineers
Chief, Real Estate Branch

2 Inclosures
(as listed)

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Executive number for
JUDGE ADVOCATE GENERAL

REC'D

MAR 3 1942

J.A.G.O.

MARTHA GRIMMAGE DEBOT, OREGON

James H. ...

UNITED STATES
DEPARTMENT OF THE INTERIOR
OFFICE OF THE SECRETARY
WASHINGTON

FEB - 9 1942

D 614

The Honorable
The Secretary of War.

Sir:

Reference is made to your letter of September 19, 1941 and to Secretary Ickes' letter of December 11, 1941, relating to the proposed withdrawal of the SW $\frac{1}{4}$ sec. 34, T. 5 N., R. 27 E., W. M., Oregon, for the use of the War Department.

A special land-use permit was enclosed with the letter of December 11, 1941, granting to the War Department permission to use the land in question, pending approval of the proposed Executive order. The President, on December 26, 1941, signed Executive Order No. 8999 withdrawing the land. That Order appears in the Federal Register, Volume 6, No. 252, pages 6786-6787.

Enclosed is the revocation of the special land-use permit.

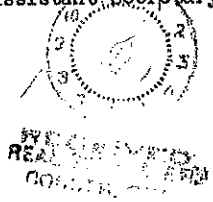
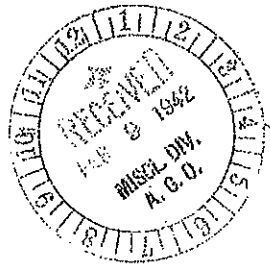
Very truly yours,

Archie L. Chapman
Acting Assistant Secretary

(2-2-42)

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Enclosure 2892612.



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TITLE XXVIII—GENERAL PROVISIONS**Subtitle A—Military Construction Program and Military Family Housing Changes**

- Sec. 2801. Modification of approval and notice requirements for facility repair projects.
- Sec. 2802. Reporting requirements regarding military family housing requirements for general officers and flag officers.
- Sec. 2803. Congressional notification of deviations from authorized cost variations for military construction projects and military family housing projects.
- Sec. 2804. Assessment of vulnerability of military installations to terrorist attack and annual report on military construction requirements related to antiterrorism and force protection.
- Sec. 2805. Repeal of limitations on use of alternative authority for acquisition and improvement of military housing.
- Sec. 2806. Additional reporting requirements relating to alternative authority for acquisition and improvement of military housing.
- Sec. 2807. Temporary authority to accelerate design efforts for military construction projects carried out using design-build selection procedures.
- Sec. 2808. Notification thresholds and requirements for expenditures or contributions for acquisition of facilities for reserve components.
- Sec. 2809. Authority to exchange reserve component facilities to acquire replacement facilities.
- Sec. 2810. One-year extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.
- Sec. 2811. Consideration of combination of military medical treatment facilities and health care facilities of Department of Veterans Affairs.

Subtitle B—Real Property and Facilities Administration

- Sec. 2821. Reorganization of existing administrative provisions relating to real property transactions.
- Sec. 2822. Development of Heritage Center for the National Museum of the United States Army.
- Sec. 2823. Elimination of reversionary interests clouding United States title to property used as Navy homeports.

Subtitle C—Base Closure and Realignment

- Sec. 2831. Establishment of specific deadline for submission of revisions to force-structure plan and infrastructure inventory.
- Sec. 2832. Specification of final selection criteria for 2005 base closure round.
- Sec. 2833. Repeal of authority of Secretary of Defense to recommend that installations be placed in inactive status.
- Sec. 2834. Voting requirements for Defense Base Closure and Realignment Commission to add to or otherwise expand closure and realignment recommendations made by Secretary of Defense.

Subtitle D—Land Conveyances**PART I—ARMY CONVEYANCES**

- Sec. 2841. Land conveyance, Sunflower Army Ammunition Plant, Kansas.
- Sec. 2842. Land exchange, Fort Campbell, Kentucky and Tennessee.
- Sec. 2843. Land conveyance, Louisiana Army Ammunition Plant, Doyline, Louisiana.
- Sec. 2844. Land conveyance, Fort Leonard Wood, Missouri.
- Sec. 2845. Transfer of administrative jurisdiction, Defense Supply Center, Columbus, Ohio.
- Sec. 2846. Jurisdiction and utilization of former public domain lands, Umatilla Chemical Depot, Oregon.
- Sec. 2847. Modification of authority for land conveyance, equipment and storage yard, Charleston, South Carolina.
- Sec. 2848. Land conveyance, Fort Hood, Texas.
- Sec. 2849. Land conveyance, local training area for Browning Army Reserve Center, Utah.
- Sec. 2850. Land conveyance, Army Reserve Center, Hampton, Virginia.
- Sec. 2851. Land conveyance, Army National Guard Facility, Seattle, Washington.
- Sec. 2852. Modification of land exchange and consolidation, Fort Lewis, Washington.

PART II—NAVY CONVEYANCES

- Sec. 2861. Land exchange, former Richmond Naval Air Station, Florida.

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sec. 32, NW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 33, E $\frac{1}{2}$, W $\frac{1}{2}$ W $\frac{1}{2}$;
 T. 15 S., R. 1 W.
 sec. 4, lots 4, 5, 10;
 sec. 5, lots 1, 2, 9, 5, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 6, lots 1, 6, 7, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
 sec. 7, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, lot 1;

The areas described, including both public and non-public lands, aggregate 2395.82 acres.

This order supersedes, as to any of the above-described lands affected thereby, the withdrawal made by Executive Order No. 6910 of November 26, 1934, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 14, 1941.
 [No. 8790]

[F. R. Doc. 41-4322; Filed, June 16, 1941; 2:00 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE DEPARTMENT OF THE NAVY

CALIFORNIA

By virtue of the authority vested in me as President of the United States, it is ordered that, subject to valid existing rights and withdrawals, the following-described public lands be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the Department of the Navy in connection with a Marine Corps combat and training area:

SAN BERNARDINO MERIDIAN

T. 15 S., R. 2 W.,
 sec. 11, lot 1, NE $\frac{1}{4}$ SW $\frac{1}{4}$,
 sec. 12, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$,
 containing 199.04 acres.

This order supersedes, as to any of the above-described lands affected thereby, the temporary withdrawal for classification and other purposes, made by Executive Order No. 6910 of November 26, 1934, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 14, 1941.
 [No. 8791]

[F. R. Doc. 41-4327; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

FLORIDA

By virtue of the authority vested in me as President of the United States, and subject to all valid existing rights, it is ordered that the following-described public lands be, and they are hereby,

withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

TALLAHASSEE MERIDIAN

T. 6 S., R. 23 E., sec. 2, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$;
 T. 7 S., R. 23 E.,
 sec. 10, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
 sec. 20, NW $\frac{1}{4}$ SE $\frac{1}{4}$,
 containing 199.66 acres.

This order supersedes as to any of the above-described lands affected thereby the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 14, 1941.
 [No. 8792]

[F. R. Doc. 41-4324; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR THE USE OF THE WAR DEPARTMENT

OKLAHOMA

By virtue of the authority vested in me as President of the United States it is ordered that, subject to valid existing rights, the following-described lands be, and they are hereby, withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

GOLDEN PASS TOWN SITE, OKLAHOMA

All of Blocks 15, 24, 25 and 26, containing 10.32 acres.

This order supersedes as to any of the above-described lands affected thereby, the withdrawal made by Executive Order No. 6964 of February 5, 1935, as amended.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 14, 1941.
 [No. 8793]

[F. R. Doc. 41-4326; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

WITHDRAWING PUBLIC LANDS FOR USE OF THE WAR DEPARTMENT

OREGON

By virtue of the authority vested in me as President of the United States, and subject to all valid existing rights, it is ordered that the public lands within the following-described areas, be, and they are hereby, withdrawn from all forms of appropriation under the public-land laws, including the mining laws, and reserved for the use of the War Department for military purposes:

WILLAMETTE MERIDIAN

T. 4 N., R. 26 E.,
 sec. 1, E $\frac{1}{2}$;
 sec. 12, E $\frac{1}{2}$;
 sec. 13, E $\frac{1}{2}$;
 sec. 24, that part of the E $\frac{1}{2}$ lying north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off.

T. 4 N., R. 27 E.,
 sec. 1, W $\frac{1}{2}$;
 secs. 2 to 11, inclusive;
 sec. 12, W $\frac{1}{2}$;
 sec. 13, W $\frac{1}{2}$;
 secs. 14 to 18, inclusive;
 secs. 19, 20, and 21, those parts north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off;
 secs. 22 and 23, all;
 sec. 24, W $\frac{1}{2}$;
 sec. 25, that part of W $\frac{1}{2}$ lying north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off;
 secs. 26, 27, and 28, those parts north of the Oregon-Washington Railroad and Navigation Company Coyote cut-off.

The areas described, including both public and non-public lands, aggregate 15,387 acres.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 14, 1941.
 [No. 8794]

[F. R. Doc. 41-4325; Filed, June 16, 1941; 2:01 p. m.]

EXECUTIVE ORDER

MODIFYING EXECUTIVE ORDER OF DECEMBER 12, 1917, CREATING POWER SITE RESERVE NO. 661, WILLAMETTE RIVER TRIBUTARIES, OREGON

MODIFICATION NO. 418

By virtue of the authority vested in me by the act of June 25, 1910, c. 421 36 Stat. 347, as amended by the act of August 24, 1912, c. 369, 37 Stat. 497, it is ordered that the Executive order of December 12, 1917, creating Power Site Reserve No. 661, be, and it is hereby modified to the extent necessary to permit the County of Lane, Oregon, to construct a road over lot 5, sec. 35, T. 16 S., R. 2 E., Willamette meridian, Oregon, as shown on a map on file in the General Land Office, Department of the Interior and bearing the title

COUNTY ROAD LOCATION IN SECTION 35, T. 16 S., R. 2 E., W. M. LANE COUNTY, OREGON

on condition that the use of the road on any part of it shall be discontinued without liability or expense to the United States or its licensees when found by the Secretary of the Interior to be in conflict with project works authorized by the United States.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,
 June 16, 1941.
 [No. 8795]

[F. R. Doc. 41-4348; Filed, June 17, 1941; 11:34 a. m.]

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(e) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2845. TRANSFER OF ADMINISTRATIVE JURISDICTION, DEFENSE SUPPLY CENTER, COLUMBUS, OHIO.

(a) **TRANSFER AUTHORIZED.**—The Secretary of the Army may transfer, without reimbursement, to the administrative jurisdiction of the Secretary of Veterans Affairs a parcel of real property consisting of approximately 20 acres and comprising a portion of the Defense Supply Center in Columbus, Ohio.

(b) **USE OF PROPERTY.**—The Secretary of Veterans Affairs may only use the property transferred under subsection (a) as the site for the construction of a new outpatient clinic for the provision of medical services to veterans.

(c) **COSTS.**—Any administrative costs in connection with the transfer of property under subsection (a), including the costs of the survey required by subsection (e), shall be borne by the Secretary of Veterans Affairs.

(d) **RETURN OF JURISDICTION TO ARMY.**—If construction of the outpatient clinic described in subsection (b) has not commenced on the property transferred under subsection (a) by the end of the three-year period beginning on the date on which the property is transferred, the Secretary of Veterans Affairs shall return, at the request of the Secretary of the Army, administrative jurisdiction over the property to the Secretary of the Army.

(e) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Army.

SEC. 2846. JURISDICTION AND UTILIZATION OF FORMER PUBLIC DOMAIN LANDS, UMATILLA CHEMICAL DEPOT, OREGON.

(a) **RETENTION OF JURISDICTION.**—The various parcels of real property consisting of approximately 8,300 acres within the boundaries of Umatilla Chemical Depot, Oregon, that were previously withdrawn from the public domain are no longer suitable for return to the public domain and shall remain under the administrative jurisdiction of the Secretary of the Army.

(b) **UTILIZATION.**—The Secretary shall combine the real property described in subsection (a) with other real property comprising the Umatilla Chemical Depot for purposes of their management and disposal pursuant to title II of the Defense Authorization Amendments and Base Closure and Realignment Act of 1988 (Public Law 100-526; 10 U.S.C. 2687 note) and other applicable law.

SEC. 2847. MODIFICATION OF AUTHORITY FOR LAND CONVEYANCE, EQUIPMENT AND STORAGE YARD, CHARLESTON, SOUTH CAROLINA.

Subsection (h) of section 563 of the Water Resources Development Act of 1999 (Public Law 106-53; 113 Stat. 360) is amended to read as follows:

“(h) **CHARLESTON, SOUTH CAROLINA.**—

“(1) **CONVEYANCE AUTHORIZED.**—The Secretary may convey to the City of Charleston, South Carolina (in this subsection referred to as the ‘City’), all right, title, and interest of the United States in and to a parcel of real property of the Corps

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Order No.

Certificate No.-23430-

SCHEDULE B

Being all of the estates, interests, equities, lawful claims, or demands, defects, or objections whatsoever to title, and all easements, restrictions, liens, charges, taxes (general, special, or inheritance or assessments of whatever nature), or encumbrances; and all other matters whatsoever affecting said premises, or the estate, right, title or interest of the record owners, which now do exist of record.

NOTE: Immediately prior to the filing of the judgment of the United States District Court for the District of Oregon on the declaration of taking, covering the real estate described herein, certified copy of which was recorded on December 2, 1941, in Book 160, Page 349 of the Deed Records of Umatilla County, Oregon, the record title to said real estate was indefeasibly vested in fee simple in Umatilla County, subject to the following exceptions:

1. Right of Way Easement from County of Umatilla, State of Oregon, to Umatilla Electric Cooperative Association, a Corporation, dated April 4, 1938, filed April 15, 1938, and recorded in Book 120, Page 532 of the said Deed Records, for an electric transmission line upon the lands owned by said County in Township 5 North, Range 27, E.W.M., and other land immaterial.

2. Agreement for Easement and Right of Way from Umatilla County, of Pendleton, State of Oregon, to United States of America, dated May ____, 1939, filed July 22, 1940, and recorded in Book 160, Page 85 of the said Deed Records, for Wind Erosion Control Treatment on all lands owned by Umatilla County lying within the exterior boundaries of Oregon Grazing District No. 7.

3. County Court Order made and dated June 17, 1938, entered in County Court Journal "Q", Page 355, being declaration of intention of Umatilla County to exchange the above land with the United States for other land in this county.

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HARTMAN ABSTRACT COMPANY
PENDLETON, OREGON

OWNER -United States of America-

File No. -Civ-⁹⁰²~~903~~-

Section-36,- Township -5 N.,- Range-27, E.W.M.-

-- Umatilla-County, Oregon

F I N A L
CERTIFICATE OF TITLE

Premium \$15.00--

Order No.

Certificate No.-23430--

To THE UNITED STATES OF AMERICA:

HARTMAN ABSTRACT COMPANY, a Corporation organized and existing under the laws of the State of Oregon, with its principal office in the City of Pendleton, hereby certifies that from its examination of the title to the real estate described in SCHEDULE A hereof, as of the 18th day of March, 1942, at 5:00 o'clock P.M., the title to the said described real estate was indefeasibly vested in fee simple of record in:

UNITED STATES OF AMERICA,

subject only to the objections, liens, charges, encumbrances and other matters shown under SCHEDULE B hereof.

The maximum liability of the undersigned under this certificate is limited to the sum of TWO HUNDRED & 00/100 (\$200.00) DOLLARS.

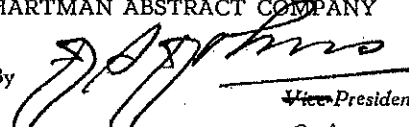
The certificate of title is made in consideration of the payment of the premium by the applicant and for its use and that of

Umatilla County, Immediate vendor.

IN WITNESS WHEREOF the said Company has caused its corporate seal to be hereto affixed and these presents to be duly signed in accordance with its by-laws.

HARTMAN ABSTRACT COMPANY

By


Vice President.

Attest:


Assistant Secretary.

Page 1 of Certificate No.-23430--

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Oregon, care of the County Clerk, Astoria, Oregon, the said sum of
\$200.00 now on deposit as estimated just compensation herein, without
charging commission or postage fees thereon, and that he take the re-
ceipt of the County Clerk of the defendant Multnomah County, Oregon
therefor.

Dated at Portland, Oregon, this 14th day of May, 1942.

District Judge

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Tract #20

IN THE DISTRICT COURT OF THE UNITED STATES

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Petitioner,

vs.

NO. CIVIL 902

OSATILLA COUNTY, OREGON, a municipal corporation and political and geographical subdivision of the State of Oregon; and OSATILLA ELECTRIC COOPERATIVE ASSOCIATION, an Oregon corporation,

Defendants,

FINAL JUDGMENT AND ORDER OF DISTRIBUTION

DIV. FILED 2-19
PLACEMENT FILED 2-20
FINAL OPINION FILED 2-20

This matter coming on upon the application of the petitioner, United States of America, for a Final Judgment and Decree and the defendants appearing not, and an Order of Default having heretofore been made and entered herein against the defendants and each and all of them for want of an appearance herein, and IT APPEARING TO THE COURT that prior to the filing of the Declaration of Taking herein and pursuant to the provisions of 40 USC 257 and 50 USC 171, the Secretary of War selected the lands hereinafter described for acquisition by the United States for use in connection with the Osatilla Ordnance Depot, such lands being necessary in his opinion and sought to be appropriated to provide for storage of ordnance material for the War Department; determined and was of the opinion that it was necessary and advantageous to acquire such lands for the United States by condemnation and requested the Attorney General to cause these proceedings to be commenced, in pursuance of which request these proceedings were instituted; and IT FURTHER APPEARING TO THE COURT that on October 24, 1941, pursuant to the provisions of 40 USC 258 (a) a Declaration of Taking was filed in the above entitled case with the Clerk of this Court simultaneously with the filing of the Petition in condemnation herein, and that simultaneously therewith the sum of \$200.00, estimated by the Secretary of War to be just compensation for the taking of the full fee title to the lands hereinafter described, was deposited in the Registry of this Court for the use and benefit of the persons entitled

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