

NOTICE OF HEARING ON PETITION TO FORM DRAINAGE DISTRICT.

In the County Court of the State of Oregon for the County of Columbia.

Notice is hereby given that hearing on the following petition will be held at the Court House in the City of St. Helens, County of Columbia, Oregon, on Wednesday, the 23rd day of August, 1922, at the hour of 10:00 o'clock a. m., for the purpose of determining whether the prayer of said petition shall be granted.

All persons owning or claiming an interest in lands described in said petition are hereby notified to appear at said place on said date and show cause, if any there be, why the prayer in said petition should not be granted.

Dated at St. Helens, Oregon, this 8th day of August, 1922.

(County Court Seal)

J. W. HUNT, Clerk of Columbia County.

PETITION

In the County Court of the State of Oregon for the County of Columbia.

In the Matter of the Organization of the Scappoose Drainage District. To the Honorable County Court of Columbia County, Oregon, the undersigned, your petitioners, respectfully petition and show;

I. That they desire to organize a drainage district under and in accordance with Section 7247 of Oregon's compilation of Oregon Laws and subsequent sections relating thereto, (being Chapter 340 Laws of 1915 and laws supplemental thereto and amendatory thereof.)

II. The name proposed for such district is Scappoose Drainage District.

III. The boundary line of the said district and a description of all the lands included therein are as follows:

Beginning at a government meander corner on the left bank of Willamette Slough, said corner being on the south line of Section 19-T 3 N-R 1 W, W. M. and 547.8 feet east of the S. E. corner of said section; thence following in a northerly direction the government meander line on the left bank of Willamette Slough to a point on the north line of T 3 N-R 1 W, which is 3311.9 feet east of the N. W. corner of Section 4-T 3 N-R 1 W, W. M.; thence continuing on the government meander line along the left bank of the Willamette Slough to the intersection with Santosh Slough in the N. W. 1/4 of Section 25-T 4 N-R 1 W, W. M.; thence following up the center of Santosh Slough to a point where it intersects the section line between sections 28 and 29, T. 4 N. R. 1 W, said point being 1670' more or less from the S. W. Corner of Section 28, and approximately at the confluence of Santosh and Evans Slough; thence due west to a point 199' distant from the right bank of Santosh Slough; thence in a south-westerly direction on a line parallel with and 199' from the right bank of Santosh Slough to a point on the North line of Section 32, T. 4 N. R. 1 W, said point being 3990' more or less from the N. W. corner of said section 32; thence southwesterly to the center of the N. E. 1/4 of Section 32; thence south to the 1-16 corner on the South side of the N. W. 1/4 section 32; thence Southwesterly to the 1-16 corner on the East side of the S. E. 1/4 section 31; thence West 660'; thence South to the township line common to sections 31 and 6; thence west to the 1-16 corner on the North side of the N. E. 1/4 Section 6 T. 3 N. R. 1 W.; thence South to the center of the N. E. 1/4 section 6; thence West 660'; thence South to East and West 1/4 line through Section 6; thence Southwesterly to the 1-16 corner, on the North side of the N. W. 1/4 Section 7; thence South to the center of the N. W. 1/4 section 7; thence West 660'; thence South to the North line of Section 13, T. 3 N. R. 2 W, W. M.; thence Southwesterly to a point 660' South of the 1-16 corner on the North side of the N. E. 1/4 of Section 13; thence in a Southerly direction to the center of the N. E. 1/4 Section 13; thence West to the East right-of-way line of the S. P. & S. Ry.; thence in a southerly direction along said right-of-way line to the South line of Section 24; thence East along said Section line to the point of beginning containing 5229.64 acres, more or less.

All of the above described lands constitute a contiguous body of swamp, wet or overflowed lands, or irrigated lands, the waters from which contribute to the swamp, wet or overflowed condition of said lands or any other lands.

IV. The total acreage included in the said district is 5329.64 acres, approximate and the said land lies wholly within the County of Columbia, State of Oregon.

V. The names of the owners of land to be included in said district as shown by the records of Columbia County, and the acreage owned by each of said owners respectively within the boundaries of the district are as follows, the description of the acreage in all cases being by reference to the book and page of the deed records of Columbia County, Oregon, where the same is recorded, and refers to the acreage within the boundaries of the proposed drainage district.

1. Christine Saline owns acres more or less, as recorded in Book F, page 326; Book L, page 376; Book Q, page 34; and Book R, page 111, Deed Records of Columbia County.

2. G. P. Clarin owns 160 acres more or less as recorded in Book

5, page 594, Deed Records of Columbia County.

3. O. A. Peterson owns 3 acres more or less as recorded in Book 19, page 447; Book 21, page 589; and Book 19, page 445; Deed Records of Columbia County.

4. Melchior and Alfonso Tanner own 5 acres more or less as recorded in Book 17, page 139; Book 23, page 192; and Book 24, page 215, Deed Records of Columbia County.

5. Minnie M. Lee owns 160 acres more or less, as recorded in Book 28, page 346, Deed Records of Columbia County.

6. David E. Freeman owns 204 acres more or less, as recorded in Book 17, page 282, Deed Records of Columbia County.

7. Frank L. and Nellie K. Smith own 209 acres, more or less, as recorded in Book 31, page 348; Book 17, page 169; and Book 27, page 168, Deed Records of Columbia County.

8. M. B. and Susan Beaver own 83 acres, more or less, as recorded in Book 15, page 89; and Book 5, page 443, Deed Records of Columbia County.

9. Antone Barber owns 860 acres more or less, as recorded in Book V, page 412; Book W, page 170; Book 14, page 541; Book J, page 321; Book L, page 298, and Book L, page 186, Deed Records of Columbia County.

10. Rebecca J. Frakes owns acres, more or less, as recorded in Book E, page 289, and Book D, page 229, Deed Records of Columbia County.

11. P. A. Frakes owns acres, more or less, as recorded in Book 3, page 367; and Book 1, page 258, Deed Records of Columbia County.

12. Honeyman Trust Company owns 468 acres, more or less, as recorded in Book 2, page 482, Deed Records of Columbia County.

13. J. D. Honeyman owns acres, more or less, as recorded in Book L, page 186, Deed Records of Columbia County.

14. Burt H. West owns acres, more or less, as recorded in Book 3, page 167; Book 3, page 168; Book X, page 283; Book X, page 405; and Book Y, page 109; Deed Records of Columbia County.

15. Hazel M. West owns 474 acres, more or less, as recorded in Book 23, page 364; Deed Records of Columbia County.

16. E. M. Watts owns 394 acres, more or less, as recorded in Book U, page 276; Book F, page 108; Book 25, page 96; Book 26, page 97; Book F, page 689; Book 13, page 474; and Book 16, page 474, Deed Records of Columbia County.

17. Albert E. and O. M. Johnson own 329 acres, more or less, as recorded in Book page Deed Records of Columbia County.

18. P. A. and R. J. Frakes own acres, more or less, as recorded in Book 1, page 258, Deed Records of Columbia County.

19. A. J. and L. L. Browning own 90 acres, more or less, as recorded in Book 15, page 500; Book 17, page 254, and Book 28, page 577, Deed Records of Columbia County.

20. John Havlik owns 235 acres, more or less, as recorded in Book 4, page 460; Book 9, page 41; Book 9, page 533, Book 5, page 267; Book 5, page 519; Book 14, page 74, and Book 14, page 607, Deed Records of Columbia County.

21. Ernest Johnson owns 281 acres, more or less, as recorded in Book 27, page 44, Deed Records of Columbia County.

22. Ernest and P. Johnson own acres, more or less, as recorded in Book 16, page 169, Deed Records of Columbia County.

23. Fred and Bertha Uhlman own 57 acres, more or less, as recorded in Book 22, page 32; and Book V, page 59; Deed Records of Columbia County.

24. F. Zalud owns 5 acres, more or less, as recorded in Book 22, page 28, Deed Records of Columbia County.

25. J. P. Leonard owns 80 acres more or less, as recorded in Book Y, page 285; Book Y, page 505; Book Y, page 508; Book 15, page 295, and Book 17, page 121; Deed Records of Columbia County.

26. L. A. Johnson owns 75 acres, more or less, as recorded in Book 31, page 404, Deed Records of Columbia County.

27. Amelia Zalud owns acres, more or less, as recorded in Book 23, page 103, Deed Records of Columbia County.

28. W. G. and Mary Pomeroy own 45 acres, more or less, as recorded in Book 2, page 364, and Book 2, page 365, Deed Records of Columbia County.

29. E. R. Bird owns 2 acres, more or less, as recorded in Book 23, page 354; Book 3, page 294; and Book 16, page 65, Deed Records of Columbia County.

30. Portland and Southwestern R. R. owns acres, more or less, as recorded in Book 6, page 466; Book 6, page 463; Book 6, page 447; and Book 6, page 449, Deed Records of Columbia County.

31. Andrew Oshman owns acres, more or less, as recorded in Book 25, page 253, Deed Records of Columbia County.

VI. The said district is to be organized for the construction, operation and maintenance of a drainage system and the reclamation of the said lands and the protection thereof from overflow of the Willamette Slough caused by either high water in the Willamette River or back water from the Columbia River when in flood, and to divert the waters of Jackson Creek and Scappoose Creek, and all other waters from the west around the proposed district, except so much thereof as may be needed for irrigation purposes, and all or which work is for sanitary or agricultural purposes, or both, and that such proposed reclamation or protection will be conducive to the public health or welfare, or of public utility or benefit.

VII. All of the lands above described and to be included in the said proposed district are properly included therein and will be beneficially affected by the operations of the proposed district.

VIII. The benefits of such proposed reclamation or protection will exceed the damage to be done and the best interests of the lands included and of the owners of such land as a whole, and of the public at large, will be promoted by the formation and proposed operation of such district.

IX. The formation of a drainage district under the provisions of the aforesaid act is a proper and advantageous method of accomplishing the reclamation and protection of the lands included therein.

X. The proposed plan of reclamation and protection is to provide where necessary, proper and suitable dikes or embankments to protect the above described lands from overflow from the Willamette Slough at periods of high water, and to divert the streams which flow into said Willamette Slough from the West, around the proposed district, and to drain the land by ditches or otherwise, supplementing said works by pumping plants or other methods of affording drainage and protection as may be best suited to accomplish the purpose. The said lands in general are bottom lands lying between the Willamette Slough and the main

Name of Owner Address No. of Tract and Acres Owned

Table listing names of owners, addresses, and acreage for various tracts in the Scappoose Drainage District.

STATE OF OREGON, County of Columbia, ss.

I, Albert E. Johnson, being duly sworn, say that I am one of the petitioners in the above petition; that I have read the said petition, and believe the allegations thereof to be true.

ALBERT E. JOHNSON, Subscribed and sworn to before me this 2nd day of December, 1921.

(Notarial Seal) E. E. WIST, Notary Public for Oregon. My commission expires December 29, 1923.

STATE OF OREGON, County of Columbia, ss.

I, L. A. Johnson, being duly sworn, say that I am one of the petitioners in the above petition; that I have read the said petition and believe the allegations thereof to be true.

L. A. JOHNSON, Subscribed and sworn to before me this 2nd day of December, 1921.

(Notarial Seal) E. E. WIST, Notary Public for Oregon. My commission expires December 29, 1923.

STATE OF OREGON, County of Columbia, ss.

I, John Havlik being duly sworn, say that I am one of the petitioners in the above petition; that I have read the said petition, and believe the allegations thereof to be true.

JOHN HAVLIK, Subscribed and sworn to before me this 6th day of December, 1921.

(Notarial Seal) E. E. WIST, Notary Public for Oregon. My commission expires December 29, 1923.

STATE OF OREGON, County of Columbia, ss.

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land which are of little value due to their annual overflow, or liability thereto, and from excess water entering from main land drainage to the West, and which lands would be very greatly benefited with much increase in value by virtue of the construction of the proposed works. The land in the proposed district is fairly smooth, but lower in the center than along the Willamette Slough, and contains a number of so-called lakes at low water which will require drainage, with suitable outlet gates through the dikes to discharge excess water when there is no flood in the said Willamette Slough, or necessary pumping equipment when the water outside the dike is higher than the water inside the dike.

All the undersigned petitioners have agreed and do hereby agree that they will pay any and all expenses incurred and any tax or taxes that may be levied against their lands for the purpose of paying the expense of organizing or attempting to organize, the proposed district.

XII. WHEREFORE, your petitioners pray that the lands herein described or such of them as may be found by the Court to be properly included in the proposed district, either permanently or until further investigation and surveys may permit elimination shall be declared organized into a drainage district, and that such and further order and proceedings be had as may be necessary and proper.

My commission expires December 29, 1923.

STATE OF OREGON, County of Columbia, ss.

On this 14th day of April, 1922, before me appeared T. J. D. Honeyman to me personally known, who, being duly sworn, did say that he, the said T. J. D. Honeyman is the President of Honeyman Investment Company formerly Honeyman Trust Co., the corporation named and described in the within and foregoing petition to the County Court of Columbia County, Oregon, for the organization of the proposed Scappoose Drainage District, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation, by authority of its Board of Directors, and the said T. J. D. Honeyman, president as aforesaid, acknowledged to me that said Honeyman Investment Company is the record owner of the total acreage within the proposed district as set opposite the name of said corporation and as above described, and acknowledged said instrument to be the free act and deed of said corporation for the purpose therein indicated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal on this the day and year first in this my certificate written.

(Notarial Seal) E. E. WIST, Notary Public for Oregon. My commission expires December 29, 1923.

STATE OF OREGON, County of Columbia, ss.

On this 5th day of August, 1922, before me appeared H. C. Kendall and C. O. Schram both to me personally known, who, being duly sworn, did say that he, the said H. C. Kendall is the President, and he, the said C. O. Schram is the Secretary of Scappoose Improvement Company the corporation named and described in the within and foregoing petition to the County Court of Columbia County, Oregon, for the organization of the proposed Scappoose Drainage District, and that the seal affixed to said instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors, and the said H. C. Kendall, President, as aforesaid, and the said C. O. Schram, Secretary as aforesaid, acknowledged to me that said Scappoose Improvement Co. is the record owner of the total acreage within the proposed district as set opposite the name of said corporation and as above described, and acknowledged said instrument to be the free act and deed of said corporation for the purpose therein indicated.

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