

Obituary

Opal B. Pettyjohn

Opal B. Pettyjohn, 86, of St. George, Utah, formerly of Heppner, died Sunday, Sept. 12, 1993 at St. George Care Center.

The funeral was held Saturday, Sept. 18 at the Nazarene Church in Heppner with concluding service and burial at Heppner Masonic Cemetery.

Mrs. Pettyjohn was born July 28, 1907, at Girdner, Mo. to William and Margaret Brown Irby. She grew up in Missouri and attended schools there.

On May 18, 1924 she married Raymond Pettyjohn at Girdner. The couple moved to Heppner where they raised their family.

Mrs. Pettyjohn was an active member of the Nazarene Church.

She helped with the family service station business as secretary and bookkeeper.

She spent her retirement years in Arlington and had been residing with her daughter in St. George for the past few years.

Survivors include daughters Virginia Kline of Ava, Mo., and Betty Gregerson of St. George; son William of The Dalles, 19 grandchildren and 16 great-grandchildren. Her husband Raymond; daughter Maxine Ayers; sons, Havel Pettyjohn and Howard Pettyjohn all died earlier.

Sweeney Mortuary, Heppner, was in charge of arrangements.

UNION PACIFIC RAILROAD COMPANY

DOCKET NO. AB-33 (SUB-NO.83)
NOTICE OF INTENT TO
ABANDON AND DISCONTINUE SERVICE

Union Pacific Railroad Company gives notice that on or about October 16, 1993, it intends to file with the Interstate Commerce Commission, Washington, D.C. 20423, an application for a certificate permitting the abandonment of and discontinuance of service on a line of railroad known as the Heppner Branch extending from railroad milepost 0.0 near Heppner Jct. to the end of the line at railroad milepost 45.4 near Heppner, a distance of 45.4 miles in Gilliam and Morrow Counties, Oregon. The line for which the abandonment and discontinuance application will be filed includes the stations of Heppner Jct. (milepost 0.0), Morgan (milepost 19.8), McNab (milepost 25.2), Lone (milepost 28.3), Jordan (milepost 31.0), Lexington (milepost 36.3), and Heppner (milepost 45.2).

The reasons for the proposed abandonment and discontinuance are (1) freight traffic revenues do not justify the costs of operation and maintenance, and (2) there are no reasonable prospects that traffic and revenues would increase sufficiently in the foreseeable future to justify continued operation of the line.

Based on information in our possession, the line does contain federally granted rights-of-way. Any documentation in the railroad's possession will be made available promptly to those requesting it.

This line of railroad has appeared on the system diagram map in category 1 since August 22, 1988.

The interest of railroad employees will be protected by Oregon Short Line Railroad Co. — Abandonment — Goshen, 360 I.C.C. 91 (1979).

Any interested person, after the application is filed on October 16, 1993, is entitled to file with the Interstate Commerce Commission written comments concerning the proposed abandonment and discontinuance or protests to it. Protests must contain the following:

- (1) Protestant's name, address and business.
- (2) A statement describing protestant's interest in the proceeding including:
 - (i) A description of protestant's use of the line;
 - (ii) If protestant does not use the line, information concerning the group or public interest it represents; and
 - (iii) If protestant's interest is limited to the retention of service over a portion of the line, a description of the portion of the line subject to protestant's interest (with milepost designations if available).
- (3) Specific reasons why protestant opposes the application including information regarding protestant's reliance on the involved service [this information must be supported by affidavits of persons with personal knowledge of the fact(s)].
- (4) Any rebuttal of material submitted by applicant.
- (5) If an oral hearing is desired, a request for and reasons why an oral hearing is necessary.

In addition, a commenting party or protestant may provide a statement of position and a summary of evidence regarding:

- (i) Intent to offer financial assistance;
- (ii) Environmental impact;
- (iii) Impact on rural and community development;
- (iv) Suitability of the properties for other public purposes;
- (v) Recommended provisions for protection of the interests of employees; and
- (vi) Prospective use of the right-of-way for interim trail use and rail banking under 16 U.S.C. 1247(d) and 49 C.F.R. 1152.29.

Written comments and protests will be considered by the Commission in determining whether an investigation is needed to assist in determining what disposition to make of the application. The Commission will automatically direct investigation if a protest is filed which demonstrates: (1) The protestant filed a feeder line application under 49 U.S.C. 10910; (2) the feeder line application involves any portion of the rail line involved in the abandonment or discontinuance application; (3) the feeder line application was filed prior to the date the abandonment or discontinuance application was filed; and (4) the feeder line application is pending before the Commission. If an investigation is needed, the commenting party or protestant may participate in the proceeding as its interests may appear.

Those parties filing protests to the proposed abandonment and discontinuance should be prepared to participate actively in either oral hearing or through the submission of additional material in the form of verified statements. Parties seeking information concerning the filing of protests should refer to 49 C.F.R. 1152.25.

Written comments and protests should indicate the proceeding designation No. AB-33 (Sub-No.83) and should be filed with the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, no later than November 15, 1993. Interested persons may file a written comment or protest with the Commission to become a party to this abandonment and discontinuance proceeding. A copy of each written comment or protest shall be served upon the representative of the applicant, Joseph D. Anthofer, General Attorney, 1416 Dodge Street, Omaha, Nebraska 68179. The original and 2 copies of all comments or protests shall be filed with the Commission with a certificate of service.

If no protests are received within 30 days after the application is filed, the Commission will grant the abandonment and discontinuance request and issue a certificate which permits the abandonment and discontinuance to occur within 75 days after the application is filed.

The line sought to be abandoned and discontinued will be available for subsidy or sale for continued rail use, if the Commission decides to permit the abandonment and discontinuance, in accordance with applicable laws and regulations (49 U.S.C. 10905 and 49 C.F.R. 1152.27). Applicant will promptly provide upon request to each interested party an estimate of the subsidy and minimum purchase price required to keep the line in operation. The carrier's representative to whom inquiries may be made concerning sale or subsidy terms is Joseph D. Anthofer, General Attorney, 1416 Dodge Street, Omaha, Nebraska 68179.

Persons seeking further information concerning abandonment procedures may contact the Interstate Commerce Commission's Office of Proceedings or refer to the full abandonment or discontinuance regulations at 49 C.F.R. Part 1152. Questions concerning environmental issues may be directed to the Commission's Section of Energy and Environment.

A copy of the application will be available for public inspection on or after October 16, 1993, at each agency station or terminal on the line proposed to be abandoned or discontinued. If there is no agency station on the line, the application shall be deposited at any agency station through which business for the line is received or forwarded which is Union Pacific's National Customer Service Center, 210 N. 13th Street, St. Louis, MO 63103. The toll free telephone number is 1-800-272-8777, 24 hours a day, seven days a week. The carrier shall furnish a copy of the application to any interested person proposing to file a protest or comment, upon request.

An environmental assessment (or environmental impact statement, if necessary) prepared by the Section of Energy and Environment will be served upon all parties of record and upon any agencies or other persons who commented during its preparation. Any other persons who would like to obtain a copy of the EA (or EIS) may contact the Section of Energy and Environment. EAs in these abandonment proceedings normally will be made available within 33 days of the filing of the application. The deadline for submission of comments on the EA will generally be within 30 days of its service. The comments received will be addressed in the Commission's decision. A supplemental EA may be issued where appropriate.

UNION PACIFIC RAILROAD COMPANY

September 17, 1993

Lady Cards start season with two wins, one loss

By Anne Morter

The lone lady Cardinals started out their busy week of volleyball with wins against Arlington on Tuesday and Wasco County on Friday but hit hard times at the Wahtonka Tournament.

The lady Cards stormed past the improved Arlington team, 15-2, 15-8. Melissa McElligott was deadly at the net, hitting nine for nine with six kills. Heidi Orem scored eight points on 10 of 11 serving and had one ace. Kim Bedortha had four aces and seven points on nine for 10 serving. As a team, the Cards served 81 percent and hit 87 percent.

Against the Wasco County Redsides on Friday in Maupin.

Chamber Chatter

By Claudia Hughes, Chamber Manager

Take a minute to listen to the sound of fall. It's a breeze fanning the leaves, or a leaf crackling loose and ruffling others as it passes by. It's an apple bouncing to the ground, Canadian geese overhead, or a deer breaking through the underbrush. It's therapeutic after Cycle Oregon.

Heppner survived Cycle Oregon VI, thanks to many community-minded people...friends, teachers, forest service employees, volunteers who stuffed pita pockets...a super set-up and clean-up crew, elementary students who labeled lunch sacks, Central Market staff willing to open up at 11 p.m., student council members who transported 2,200 lunches, greeters, servers and "Bootleg Productions". All combined encouraged cyclists to stay and play awhile before moving on to a terrific evening in Lone. After handling clean-up details and determining where the excess food was to be distributed, Heppner, Day Care, pre-school, elementary and high school, Morrow County Senior Centers, and the Neighborhood Center, Cara Osmin and I breathed a sigh of relief and headed for Lone for a glimpse of tent city. Lone had gone all out, reinforcing the fact that rural is where it's at.

Speaking of "where it's at", our missing St. Patrick's leprechaun is currently residing in Umatilla County. Those who took in the Pendleton Round-Up may have been welcomed by him at the Main Street Cowboy's booth. He's lost interest in his Country Clogger and will be returning, they said. (Pretty wild company he's keeping. Had I been keeping more rowdy company, a kidnapping on Main Street Pendleton might have occurred.)

Moving on, next week the chamber program will be Chuck Starr, superintendent of Morrow County Schools.

Yocom to speak at Life Center

A men's meeting will be held at the Christian Life Center Sept. 28 at 7 p.m. The special guest speaker will be Joe Yocom who will share his adventures on the Oregon Trail.

Rails to Trails project nixed

Around 50 people attended the "Rails to Trails" meeting Monday evening Sept. 21, including a large contingent of the adjacent property owners. The owners were unified and very emphatic about their opposition to the proposal to convert the soon to be abandoned Heppner Branch railroad line to a jogging, biking and equestrian trail. Upon hearing the testimony south Morrow County Park District board decided not to do anything further with the "Rails To Trails" project.

Fiddlers to perform

The Blue Mountain Fiddlers will be at the Lexington Grange on Saturday, October 16.

State officers were nominated at the September 20 meeting.

Pomona Grange will meet in Boardman in October. An election of officers will be held.

Refreshments were served by Dorris Graves and Mildred Wright.

the lady Cardinals were a little flat but got out of town with a win. They won the first game 15-10 and were up 10-0 in the second before a major lapse almost cost them the game. "We forgot to play," said coach Greg Likens, on his team's troubles. He felt lucky that the Cardinals squeaked out a 15-13 second game to

PUBLIC NOTICE

Request for Proposals

The St. Patrick's Senior Center and Dollaride organizations, in Heppner, Oregon intend on building a bus shed to house their vehicles that are used to provide transportation to individuals who are elderly/disabled.

Morrow County invites any interested public or private individuals who may have property to offer to present a oral and written proposal to the Special Transportation Committee on October 4, 1993 at 2:00 p.m. at the St. Patrick's Senior Center, 182 North Main, Heppner, Oregon. Property must be large enough to accommodate a building to shelter two or three 16 passenger buses. This proposal should include size of property, zoning, cost, and any other pertinent information that might be needed to help determine if the property will meet the need. Purchase price will be based on appraisal/current market value.

For further information, please contact Carrie Legg at 276-0406 or 1-800-752-1139. All interested parties are welcome to attend. Published: September 22, 1993

PUBLIC NOTICE

The Morrow County Planning Commission will hold a public hearing on Monday, September 27, 1993, at 7:30 p.m. at the Public Works Building in Lexington, Oregon. A public hearing will be held on the following:

1. Application for Conditional Use Permit - N-65 - by Walter & Judi Reid for a Land Partitioning - LPN-136 - of a 16.56 acre lot of non-conforming size, in Township 3 North, Range 26, Section 8 and 9 in an EFU Zone according to Article 3.010(5)(C) of the Morrow County Zoning Ordinance. Potato Storage Sheds are Located on the Property.

2. Land Partitioning Application - LPN-135 - Arnold & Mary Lou Braat - Located in Township 4 North, Range 25, Section 20B, Tax Lot 100 in a Suburban Residential One Acre Zone.

Interested persons are invited to the hearing to express their view. Written, signed statements will be considered. Reasons for approval or disapproval should be included in oral or written statements.

Kent Goodyear, Chairman
Morrow County Planning Commission
Published: September 8 and 15, 1993

PUBLIC NOTICE

OREGON CIRCUIT COURT FOR MORROW COUNTY

Probate Department

In the Matter of

BETTY BUNCH,

Deceased.

No. 93-PR-017

NOTICE TO

INTERESTED PERSONS

Notice is given that the undersigned has been appointed and has qualified as the personal representative of the estate. All persons having claims against the estate are required to present it, with proper vouchers, within four months after the date of first publication of this notice, as stated below, to the personal representative at the offices of Kuhn, Spicer & Mills, 269A N. Main Street, P.O. Box 428, Heppner, Oregon 97836, or they may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the court, the personal representative or the attorney for the personal representative.

DATED and first published Sept. 8, 1993.

Sherron Woodside,
Personal Representative
Rt 1 Box 4007
Lexington OR 97839
Published: September 8, 15 and 22, 1993

take the match. The lady Cardinals served 85 percent but their hitting percentage dropped to 75.

April Taylor led the team with eight points and one ace on 12 for 12 serving. Mary Jane McCarty added four points on seven for eight serving. Jamie Lovett led the attack at the net with eight of 10 hitting and five kills.

PUBLIC NOTICE

1993 BROWN CREEK RIPARIAN HARDWOODS SPECIES EVALUATION PLANTATION

USDA Forest Service Umatilla National Forest Heppner Ranger District Morrow County, Oregon

On September 21, 1993 Heppner District Ranger, Delanne Ferguson, made a decision to implement the 1993 Brown Creek Riparian Hardwoods Species Evaluation Plantation on the Heppner Ranger District. This project will plant a variety of hardwoods within Unit 3 of the Porter Timber Sale on 5 acres adjacent to Brown Creek in order to lower the water table so that the unit can be successfully replanted. Planting will occur over several years. Approximately 1/2 mile of wire fence would protect plantings from livestock and big game. Hardwood species will be evaluated for effectiveness for use in future rehabilitation projects. No road construction or reconstruction will occur.

The Decision Memo and associated project file are available upon request from the Heppner Ranger District, P.O. Box 7, Heppner, OR 97836.

This decision is subject to appeal pursuant to Forest Service regulations at 36 CFR part 217. Appeals must be filed no later than 45 days after the legal notice of this decision was first published in the East Oregonian newspaper. Notices of Appeals must meet the requirements of 36 CFR 217.9.

Published: September 22, 1993

PUBLIC NOTICE PUBLIC HEARING

The Morrow County Planning Commission will hold a public hearing on Monday, September 27, 1993, at 7:30 p.m. at the Morrow County Public Works Building in Lexington, Oregon. A public hearing will be held on the following:

1. Application for a Conditional Use Permit - N-65 - Walter & Judi Reid - For a Land Partitioning for Tax Lot 509, Township 3 North, Range 26, Section 8 and 9 located in an EFU Zone.

Interested persons are invited to the hearing to express their view. Written, signed statements will be considered. Reasons for approval or disapproval should be included in oral or written statements.

Kent Goodyear, Chairman
Morrow County Planning Commission
Published: September 22, 1993

PUBLIC NOTICE

INVITATION TO BID

Morrow County invites bids for the drilling and blasting of 25,000 solid cubic yards of rock, specifications for which may be obtained at the Morrow County Public Works Department Office, PO Box 453, Lexington, Oregon, 97839, (503) 676-9061 ext. 17.

Sealed bids will be received by the Morrow County Public Works Department at its office located in Lexington, Oregon until 2:00 p.m. Pacific Daylight Time on September 29, 1993, and then publicly opened and read aloud. No bid will be considered unless it contains a statement by the bidder that ORS 279.350 (prevailing wage law and prevailing wage rates) will be complied with. Each sealed bid must be plainly marked on the outside of the envelope as "Bid for Drilling and Blasting."

Morrow County does not discriminate on the basis of race, color, national origin, sex, religion, age and handicapped status in employment or the provision of services. Morrow County reserves the right to reject any or all bids.

For further information, contact Duck Lusher, (503) 676-9061 ext. 17. Published: September 22, 1993

PUBLIC NOTICE

IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR MORROW COUNTY

In the Matter of the Estate

of

PATRICK ROSS CUTSFORTH,

Deceased.

No. 93 PR 021

NOTICE TO

INTERESTED PERSONS

Notice is hereby given that the undersigned has been appointed and has qualified as the personal representative of this estate. All persons having claims against the estate are hereby required to present the same, with proper vouchers, within four months after the date of first publication of this Notice as stated below, to the personal representative c/o Robert E. O'Rourke, Kottkamp & O'Rourke, 331 S.E. 2nd P.O. Box 490, Pendleton, Oregon 97801, or they may be barred.

All persons whose rights may be affected by the proceedings in this estate may obtain additional information from the records of the court, the personal representative or the attorneys for the personal representative.

Dated and first published this 15th day of September, 1993.

Jeffrey Cutsforth

Personal Representative

Route 1, Box 253

Lexington, Oregon 97839

Published: September 15, 22 and 29, 1993

1 CARD OF THANKS

Thanks to Julie and Alvin Ashbeck for a great year. Glad to see that you are not retiring and will be there for the 1994 Morrow County Fair and Oregon Trail Pro Rodeo Court.

Love,

Liz, Rondi and Sara

1993 Morrow County Fair & Oregon Trail Pro Rodeo Court

9-22-1c

To the ambulance crew, Fred, Denny and Penny, who came in quick response last Saturday evening, and to Dr. Ed and the emergency staff at Pioneer Memorial Hospital, a heartfelt thank you. We didn't have to shoot him after all.

Shirley A. Adams

9-22-1c

Thanks so much to everyone who helped make our cobbler sale for Cycle Oregon such a great success. We're rich.

Freshmen Class

Ione High

9-22-1c

We would like to thank all who sent cards and flowers, all those who inquired of my health and all those who watched and cared for our home and took care of our personal business in our absence. We appreciate the thoughtfulness and caring of everyone.

Fred Toombs

9-22-1c

2 NOTICES

Plant sale, 260 N. Gilmore, Friday and Saturday, 9-4. 9-22-1c

WRIGHT CHEV. INC.

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9 BUSINESS OPPORTUNITIES

JUST SEW located behind the Shoe Box and Fabrics Etc. doing custom tailoring, sewing and alterations. Open Mon-Fri, 9-6, 676-9654. 7-21-tfc