

Salem, Oregon  
January 27, 1965

The Oregon State Highway Commission met in regular session at 9:00 a.m., in Room 419, State Highway Building, Salem. Present were:

Glenn L. Jackson, Chairman  
Kenneth N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
P. M. Stephenson, Assistant State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
George E. Rohde, Chief Counsel  
Frank C. McKinney, Acting Assistant Counsel  
Walter T. Wright, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Mr. Victor D. Wolfe, Administrative Assistant, was excused.

Among other persons present were A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary; L. H. Young, Office Engineer; David Moehring, Assistant Right of Way Engineer; and Carl Plog, Information Officer.

Chairman Jackson remarked that he had received a letter from Governor Hatfield highly commending employees of the Highway Department for their efforts during the December and January floods.

The Right of Way Engineer presented for consideration options, pages 1 through 34, secured for acquisition of real property needed for state highway use or for other purposes. He stated that the prices offered for the properties are based upon careful appraisals and to the best of his knowledge the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein, and thereupon adopted "Right of Way Resolution No. 20", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report covering sales of miscellaneous properties and rental receipts was presented by the Right of Way Engineer. Miscellaneous sales from December 4, 1964, to January 15, 1965, he said, amounted to \$30,552. Land sales totaled \$7,300; timber sales \$10,317.56; and rental receipts for the month of December were \$24,087.90. The Commission accepted the report.

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Authority to offer at public sale four parcels of property no longer needed for highway purposes was requested by the Right of Way Engineer. Minimum prices for these parcels, he said, are based upon appraised values or on offers in excess of appraisals. Access and other conditions are consistent with those existing in the vicinity of each property. In instances where federal funds have been involved in either right of way or construction, approval of the U. S. Bureau of Public Roads has been secured. The Commission authorized sale of the following properties and thereupon adopted "Real Property Resolution No. 431", which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 0.95 acre, File No. 21467, on the east side of the frontage road, approximately 1,500 feet south of the Taylor Street Underpass in the southerly part of Cottage Grove (Goshen-Divide Section) on the Pacific Highway in Lane County, for not less than \$800. No access is to be allowed to the freeway, but access will be granted to the frontage road. A sign restriction clause is to be included in the deed. Approval of the Bureau of Public Roads was given in their letter of December 15, 1964.
- (2) 31.42 acres, File No. 22590, on the Salem-Stout Creek Section of the North Santiam Highway in Marion County, approximately one mile west of the North Santiam Golf Course, for not less than \$8,300. No access is to be allowed to the North Santiam Highway. A 30-foot strip of land is to be retained along the easterly side of the parcel on the northerly side of the new highway for use by Marion County for improvement of their County Road No. 871. (See "Real Property Resolution No. 431").
- (3) 0.96 acre, File No. 22235, on the Lancaster Drive-Sublimity Gun Club Section on the north side of the North Santiam Highway, about 3,300 feet west of the Silver Creek Falls Interchange in Marion County, for not less than \$175. No access is to be allowed to the North Santiam Highway. The Bureau of Public Roads did not participate in the acquisition of this property.
- (4) 0.29 acre, File No. 7954, about one mile west of Silverton on the Bethany Corner Section of the Hillsboro-Silverton Highway in Marion County, for not less than \$720. This property is an old stockpile site no longer required or practical to retain. No federal funds are involved in this transaction.

Several "Indentures of Access" were presented by the Right of Way Engineer who explained that the "Indentures" provide for changes in location and widening of points of access for protection of the traveling public, and for the benefit of the property owners. The Commission approved the following "Indentures":

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- (1) Riggs Property (Joseph McKeown, Trustee), File No. 17743, on the Winchester Bay-Clear Lake Section of the Oregon Coast Highway in Douglas County, for a change in location of one point of access on the west side of the highway, and an increase in width to 40 feet restricted to residential sub-division use. The Bureau of Public Roads approved this change on October 28, 1964.
- (2) Riley Property, File No. 6579, on the Corvallis-Monroe Section on the west side of the Pacific Highway West, approximately nine miles south of Corvallis in Benton County, for a change in location and widening to 35 feet of one point of access. No federal funds are involved in this transaction.
- (3) Barker Willamette Lumber Company, Inc. and Huling Bros. Properties, File No. 8862, on the Seventh Avenue connection of the Pacific Highway West, north of Eugene, for a change of location and widening to 35 feet of three points of access. Approval by the Bureau of Public Roads is not required.
- (4) Shoemaker and Wiegner Properties, File No. 4244, on the Siletz Bay-Miner Creek Section of the Oregon Coast Highway in Lincoln County, for a change in location of one point of access, 35 feet in width, and restricted to residential use. This change was approved by the Bureau of Public Roads August 20, 1964.
- (5) Woodroffe Property, File No. 13881-A, on the Hayesville-Lana Avenue Section near the intersection of Donald Avenue and the Pacific Highway East, north of Salem in Marion County, canceling two points of access 16 feet and 30 feet in width unrestricted as to use, and granting two points of access 35 feet in width and unrestricted as to use. The matter has been discussed with the Bureau of Public Roads and no objection was offered to the proposed changes.
- (6) Radal Western Corporation Property, File Nos. 22813 and 22814, on the Beaverton-Forest Grove Section of the Tualatin Valley Highway in Washington County, for a change in location of two points of access and an increase to 50 feet in width unrestricted as to use, on the northerly side of the highway, immediately west of the City of Beaverton. The approaches are to connect to a frontage road to be constructed by Radal Western Corporation. Approval has been received from the Bureau of Public Roads.
- (7) Rosboro Lumber Company Property, File No. 25449, on the Finn Rock-Elk Creek Section of the McKenzie Highway in Lane County, for a change in location of two

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points of access on the easterly side of the highway, and cancellation of one point of access. The two points of access to be retained will remain 35 feet in width, and unrestricted as to use. The Bureau of Public Roads was not involved in this transaction.

- (8) Barr Property, File No. 10460, on the Crooked River-Terrebonne Section of The Dalles-California Highway in Deschutes County, for a change in location of two points of access on the east side of the highway between "A" and "B" Avenues in the City of Terrebonne. The change will also provide for widening to 35 feet in width, and provide for commercial access. The Bureau of Public Roads approved this Indenture December 15, 1964.
- (9) Blum Property, File No. 19689, on the Onion Flat-Middleton Unit (Tigard-Newberg Section) of the Pacific Highway West in Washington County, for a change in location and widening to 35 feet of one point of access on the easterly side of the highway approximately  $3\frac{1}{2}$  miles west of Tigard. The change also involves removal of the use restriction so that the property can be developed for commercial manufacturing. This matter was approved by the Bureau of Public Roads November 30, 1964.
- (10) Doran Investment, Inc. Property, File No. 13859, on the Hayesville-Lana Avenue Section of the Pacific Highway East in Marion County, for a change in location and widening to 35 feet of two points of access on the west side of the highway in northeast Salem. Use of the access is to remain unrestricted. This matter was approved by the Bureau of Public Roads on December 14, 1964.
- (11) Fisher Property, File No. 34145, on the North Unit, Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County, for a change in location of one point of access, 35 feet in width, and unrestricted as to use. Approval of the Bureau of Public Roads is not required.

A "Grant of Access" to the United States Bonneville Power Administrator was presented by the Right of Way Engineer on the Onion Flat-Middleton Unit (Tigard-Newberg Section) of the Pacific Highway West in Washington County. He explained that the access is needed by Bonneville to service their power line as there is no other road within a reasonable distance. The access provides for a 35-foot approach located on the easterly side of the highway, which will be restricted in use for power line maintenance only. The Bureau of Public Roads on December 23, 1964, approved this access. Following the Right of Way Engineer's favorable recommendation, the Commission approved the access.

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The Commission also considered the granting of a permit to Robert W. Davis to use a haul road on which the State has an easement on the Burns-Buchanan Section of the Central Oregon Highway in Harney County. The Right of Way Engineer explained that the Commission owns a material source two miles east of Burns. The owner of the abutting property has for several years utilized the State's haul road easement as a means of access to his property. In selling his property, he has found that a formal access arrangement is necessary and has requested the permit. The permit has been approved by Division and Staff Engineers and he recommended that it be approved by the Commission. The Commission accepted his recommendation.

Relinquishment of Title and conveyance of a one-acre parcel of land to the City of Hood River on the Mitchell Point-Hood River Section of the Columbia River Highway in Hood River County was discussed. The Right of Way Engineer commented that under the terms of an agreement with the City of Hood River on December 8, 1961, a frontage road was to be placed under the jurisdiction of the City after a period of five years. The City has requested that the roadway be conveyed at this time, and that a portion of the right of way occupied by the roadway be conveyed in fee. The appraised value of the one-acre parcel, he said, is \$500, and the Relinquishment of Title will carry a public use clause. The Bureau of Public Roads has approved this transaction, and he recommended that it be approved by the Commission. The Commission accepted his recommendation.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2008 through 2021", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter entitled "Recommendations for Condemnation", dated January 26, 1965, in the Secretary's Office).

A tabulation was presented by the Chief Counsel showing results obtained in cases tried in court since the last Commission meeting. The Commission approved the report which is summarized as follows:

#### REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4627 Edward Wilson Freeman, et al.	Curry	Oregon Coast	Winchuck River	\$ 6,500.00	\$17,500.00	\$14,000.00

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## (Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4629 Floyd V. Swearingen, et al.	Curry	Oregon Coast	Winchuck River	\$10,250.00	\$14,250.00	\$16,000.00
L-4630 Howard Wallace, et al.	Curry	Oregon Coast	Winchuck River	2,140.00	8,000.00	4,800.00
L-4337 John Zumstein, et al.	Deschutes	McKenzie	Deschutes River-Redmond	3,500.00	5,500.00	2,750.00
L-4653 Eva M. Stehle, et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	75.00	None	75.00
L-4552 Erskine B. Wood, et al.	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	19,000.00	22,500.00	23,500.00
L-4646 J. R. Farries, et ux.	Tillamook	Nehalem Bay	State Park	200.00	750.00	800.00
L-4601 Waive D. Bell, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	4,865.00	12,000.00	6,000.00

REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4467 Verna Esme Deskin	State	Hood River	Inverse Condemnation	\$3,000.00	\$1,200.00

(Our testimony (and answer) was \$500)

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## (Report of Trial of Other Cases - Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4657 Merle Trachsel	James A. Maddox, Polk State of Oregon, by and through its State Highway Commission		Automobile collision involving state truck (See letter to the Commission dated October 5, 1964, for further explanation)	\$1,388.79	
(Order entered by Court dismissing State of Oregon, by and through its State Highway Commission, as a defendant pursuant to Motions supported by briefs entered by Staff Attorneys. Case will continue as to individual employees named as defendants. Insurance company will represent the employees.)					
L-4658 Ivan D. Warthen	Marvin L. Mross, Lane Harry H. Diehl and State of Oregon, by and through its State Highway Commission		Automobile collision involving snow plow (See letter to the Commission dated October 5, 1964 for further explanation)	5,210.20	
(Order entered by Court dismissing State of Oregon, by and through its State Highway Commission, as a defendant pursuant to Motions supported by briefs entered by Staff Attorneys. Case will continue as to individual employees named as defendants. Insurance company will represent the employees.)					

(For additional details see the Chief Counsel's letter dated January 21, 1965, entitled "Report of Cases Tried", and his letter dated January 26, 1965, entitled "Supplemental Report of Cases Tried", in the General Files in the Salem Office).

A tabulation was also presented by the Chief Counsel showing tentative settlements of condemnation cases since the last Commission meeting. The proposed settlements, he said, do not represent substantial increases above appraised values, or the amounts are not enough to warrant trial in court. The Commission approved the "Report of Cases Settled", which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4506 A. S. Teller, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	\$113,000.00 (before fire loss)	\$106,000.00

(Appraisals of \$107,000 and \$111,000 after fire, \$113,000 before fire.)

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4551 Lee Whitehead, et ux.  (Appraised value of entire property was \$15,500. This was taken because of slide.)	Curry	Oregon Coast	Hunters Creek-Myers Creek (0.17 acre)	\$ 730.00	\$ 16,000.00
L-4568 H. R. Watchie & Associates, et al. (13th Cause of Action)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	3,875.00	4,500.00
L-4597 Esther Wyckoff, et al.	Josephine	Pacific	Coyote Creek- Sexton Mountain	50.00	200.00
L-4652 Lawrence A. Paukner, et ux.	Multnomah	Mt. Hood	Gully Route	1,100.00	1,600.00
L-4710 David Palmer, et ux. (This property lies directly across street from Fairies (L-4646) in which jury awarded verdict of \$400 for lot.)	Tillamook	Nehalem Bay State Park		100.00	300.00
L-4714 W. A. Leach, et al.	Linn	Corvallis-Lebanon	Orleans-Lake Creek	1,650.00	2,000.00
L-4724 Lottie Oosting, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	41,000.00	42,650.00
R-37259 Milton O. Brown, et al.	Multnomah	Stadium Freeway	Fremont Inter- change-Marquam Bridge	9,550.00	10,000.00
L-4721 Verne Redmon, et al.	Clackamas	Mt. Hood	Duncan Road-Sandy	11,200.00	11,250.00

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4736 Alan A. Paget, et al.	Clackamas	Mt. Hood	Duncan Road-Sandy	\$ 2,950.00	\$ 2,950.00
L-4688 Henry J. McClusky, et ux.	Josephine	Pacific	Douglas County Line-Coyote Creek	200.00	400.00
L-4606 Vida Green, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street		197.50
L-4681 Allen W. Kraxberger, et al.	Multnomah	Mt. Hood	Gully Route Connection	525.00 (for Parcels 1 and 2)	200.00 (for parcel 1 only)
L-4626 Robert P. Browne, et al.	Curry	Oregon Coast	Winchuck River	175.00	300.00
L-4703 Clyde Marriott, et al.  (State's high appraisal was \$88,380.)	Douglas	Pacific	Canyonville-Josephine County Line	86,000.00	95,000.00
L-4608 Dussin Investment Co., et al.  (State's high appraisal was \$99,000.)	Multnomah	Stadium Freeway	Fremont Inter- change-Marquam Bridge	82,400.00	90,000.00
L-4706 Erma Holland, et vir.  (This is a correction of our Report of Cases Settled, dated January 22, 1965, in which the settlement figure was stated as \$9,175.)	Josephine	Pacific	Douglas County Line-Coyote Creek	7,860.00	8,900.00 (plus \$275 cost of moving of scion of new variety of apple tree)

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(Report of Condemnation Cases Settled - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
R-32349 Archdiocese of Portland in Oregon	Multnomah	Stadium Freeway	Pacific	None	\$ 406.73
(Compromise settlement of outstanding claim by owner against State for unpaid moving costs.)					

REPORT OF OTHER CASES SETTLED

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Amount of Settlement</u>
L-4424 State	Virginia Joyce Howard	Clackamas	Damage to masonry wall caused by vehicle	\$1,010.00	\$750.00 (Compromise settlement per Resolution No. 13)
(Order of Dismissal filed.)					
L-4659 Avery W. Thompson	State	Douglas			157.88
(The Highway Commission's damages done by these youths was \$244.68. Its pro-rate share of the fund, \$726.00, was \$157.88. By stipulation of parties and prior telephonic approval of Mr. Simpson the case has been settled for this amount.)					

(For additional details, see the Chief Counsel's letters dated January 22, 26 and 27, 1965, entitled "Report of Cases Settled and"Supplemental Report of Cases Settled", in the General Files in the Salem Office). In presenting these settlements, the Chief Counsel commented that on original offers totaling \$404,900, settlements had been reached totaling \$419,000.

At 9:15 a.m., the Chairman called a recess, and the meeting was reconvened at 9:25 a.m.

The Commission confirmed prior telephonic approval of offers for acquisition made to the owners of real property prior to the institution of condemnation proceedings as follows:

ANDERSON ROAD-DUNCAN ROAD SECTION OF THE MT. HOOD HIGHWAY

R-37245 - Alfred D. Stojanik, et ux. 0.06 acre for right of way purposes. Offer of \$275.00 approved by Mr. Simpson January 4, 1965.

R-37246 - Clifford R. Coffey, et ux. 0.13 acre for right of way purposes. Offer of \$650.00 approved by Mr. Simpson January 5, 1965.

R-37247 - E. H. Burghardt, et ux. 0.03 acre for right of way purposes. Offer of \$25.00 approved by Mr. Simpson January 4, 1965.

R-37248 - Michio Sakauye, et ux. 0.24 acre for right of way purposes. Offer of \$3,500.00 approved by Mr. Simpson January 5, 1965.

R-37249 - Florence Lekberg, et vir. 0.09 acre for right of way purposes. Offer of \$450.00 approved by Mr. Simpson January 4, 1965.

R-37250 - Robert N. Salathe, et al. 0.17 acre for right of way purposes. Offer of \$325.00 approved by Mr. Simpson January 6, 1965.

R-37253 - Alfred C. Munson, et ux. 0.10 acre for right of way purposes. Offer of \$6,250.00 approved by Mr. Simpson January 5, 1965.

R-37254 - T. Okino, et ux. 0.51 acre for right of way purposes. Offer of \$3,000.00 approved by Mr. Simpson December 31, 1964.

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY

R-36961 - Clyde Crissman, et al. 0.09 acre for right of way purposes. Offer of \$4,500.00 approved by Mr. Jackson December 28, 1964.

R-36975 - The Douglas Forest Protective Ass'n. 1.5 acres for right of way purposes. Offer of \$30,000.00 approved by Mr. Jackson January 4, 1965.

R-36981 - Leta McCollum. Parcel No. 1: 7.9 acres for right of way purposes; Parcel No. 2: 0.03 acre for permanent easement. Offer of \$4,930.00 approved by Mr. Jackson December 29, 1964.

R-36986 - William G. Bare, et al. Parcel No. 1: 9.0 acres for right of way purposes; Parcel No. 2: 0.03 acre for permanent easement. Offer of \$8,500.00 approved by Mr. Jackson January 22, 1965.

R-36992 - Pirley Winkleman, et ux. Parcel No. 1: 7.3 acres for right of way purposes; Parcel No. 2: 1.1 acres for right of way purposes; Parcel No. 3: 0.36 acre for permanent easement. Offer of \$15,000.00 approved by Mr. Jackson December 24, 1964.

R-37001 - Clyde Marriott, et ux. Parcel No. 1: 9.8 acres for right of way purposes; Parcel No. 2: 0.4 acre for right of way purposes. Offer of \$86,000.00 approved by Mr. Jackson December 10, 1964.

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY - CONT.

R-37062 - E. L. Johns, et al. Parcel No. 1: 1.14 acres for right of way purposes; Parcel No. 2: 3.4 acres for right of way purposes; Parcel No. 3: 4.8 acres for right of way purposes; Parcel No. 4: 0.04 acre for right of way purposes; Parcel No. 5: 3,500 square feet for permanent easement; Parcel No. 6: 0.98 acre for permanent easement. Offer of \$7,100.00 approved by Mr. Jackson January 15, 1965.

R-37064 - E. L. Johns, et ux. 0.09 acre for right of way purposes. Offer of \$750.00 approved by Mr. Jackson December 21, 1964.

R-37069 - Leland Stanford Johns, et al. Parcel No. 1: 9.6 acres for right of way purposes; Parcel No. 2: 1.25 acres for right of way purposes; Parcel No. 3: 1.5 acres for right of way purposes; Parcel No. 4: 1.65 acres for permanent easement. Offer of \$27,800.00 approved by Mr. Jackson December 22, 1964.

R-37072 - Theodore Alvin Miller, et al. 0.11 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson January 18, 1965.

R-37118 - Jess Blake, et ux. Parcel No. 1: 0.11 acre for right of way purposes; Parcel No. 2: 0.15 acre for permanent easement. Offer of \$5,720.00 approved by Mr. Jackson January 22, 1965.

R-37119 - Homer A. Blakely, et al. Parcel No. 1: 0.30 acre for right of way purposes; Parcel No. 2: 0.15 acre for permanent easement. Offer of \$1,990.00 approved by Mr. Jackson January 21, 1965.

R-37125 - Rollin C. Johns, et al. 0.07 acre for right of way purposes. Offer of \$50.00 approved by Mr. Jackson January 22, 1965.

R-37184 - Leland Stanford Johns, et al. Parcel No. 1: 1.54 acres for right of way purposes; Parcel No. 2: 0.12 acre for right of way purposes; Parcel No. 3: 0.03 acre for right of way purposes; Parcel No. 4: 0.76 acre for permanent easement; Parcel No. 5: 0.09 acre for permanent easement. Offer of \$1,480.00 approved by Mr. Jackson January 8, 1965.

CLARNO STATE PARK

R-35080 - Catherine Maurer, et al. 38 acres for park purposes. Offer of \$760.00 approved by Mr. Fridley January 21, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-35110 - Marvin E. Collins, General Contractor, Ore. Ltd. 16,785 square feet for right of way purposes. Offer of \$160,000.00 approved by Mr. Jackson December 24, 1964.

R-36115 - Dick W. Hodgson, et ux. 15,825 square feet for right of way purposes. Offer of \$94,000.00 approved by Mr. Jackson December 28, 1964.

R-36144 - Caroline C. Hoffman. 783 square feet for right of way purposes. Offer of \$6,100.00 approved by Mr. Jackson December 28, 1964.

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DUNCAN ROAD-SANDY SECTION OF THE MT. HOOD HIGHWAY

R-34584 - Willie Nielsen. 2.1 acres for right of way purposes. Offer of \$7,500.00 approved by Mr. Simpson January 10, 1965.

R-34585 - Reuben E. Hoffman, et al. 1.12 acres for right of way purposes. Offer of \$2,000.00 approved by Mr. Simpson December 22, 1964.

R-34587 - Arthur V. Lundeen, et al. 2.2 acres for right of way purposes. Offer of \$4,150.00 approved by Mr. Simpson January 5, 1965.

R-34590 - Adolph J. Amstad. 0.23 acre for right of way purposes. Offer of \$400.00 approved by Mr. Simpson January 6, 1965.

R-34591 - Olaf M. Oja, et al. 0.26 acre for right of way purposes. Offer of \$22,000.00 approved by Mr. Simpson January 19, 1965.

R-34595 - Sandy Market, Inc. 1.74 acres for right of way purposes. Offer of \$3,600.00 approved by Mr. Simpson January 5, 1965.

R-34596 - Gresham Berry Growers, et al. Parcel No. 1: 0.35 acre for right of way purposes; Parcel No. 2: 0.08 acre for right of way purposes. Offer of \$4,050.00 approved by Mr. Simpson December 22, 1964.

R-34599 - John David Christensen, et ux. 0.1 acre for right of way purposes. Offer of \$1,350.00 approved by Mr. Simpson November 16, 1964.

R-34601 - Alan A. Paget, et ux. 0.12 acre for right of way purposes. Offer of \$2,950.00 approved by Mr. Jackson January 4, 1965.

R-34603 - Verne Redmon, et ux. 0.1 acre for right of way purposes. Offer of \$11,000.00 approved by Mr. Simpson December 16, 1964.

R-37084 - Scandinavian Cemetery Association of Sandy, Oregon. 0.01 acre for right of way purposes. Offer of \$75.00 approved by Mr. Simpson November 16, 1964.

R-37132 - Arlan J. Berglund, et ux. Acquisition of access. Offer of \$25.00 approved by Mr. Simpson January 5, 1965.

R-37212 - Mabel I. Pullen, et vir. 320 square feet for right of way purposes. Offer of \$2,250.00 approved by Mr. Simpson December 23, 1964.

GULLY ROUTE CONNECTION SECTION OF THE MT. HOOD HIGHWAY

R-36272 - James Gordon, et ux. 5.05 acres for right of way purposes. Offer of \$14,850.00 approved by Mr. Simpson December 17, 1964. Offer of \$15,705.00 previously approved by Mr. Jackson November 16, 1964. This revised amount due to decrease in taking.

MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY

R-35192 - Hans W. Klopfer, et ux. 4.17 acres for right of way purposes. Offer of \$3,025.00 approved by Mr. Jackson December 22, 1964.

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MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY - CONT.

R-36604 - Lewis Wyman, et al. 0.35 acre for right of way purposes. Offer of \$2,600.00 approved by Mr. Jackson December 22, 1964.

R-36605 - Vernon L. Iverson, et ux. 0.10 acre for right of way purposes. Offer of \$500.00 approved by Mr. Jackson December 23, 1964.

R-36616 - Earl Lau. 0.04 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson January 5, 1965.

R-36617 - Nelson W. Garoutte, et al. 0.03 acre for right of way purposes. Offer of \$1,500.00 approved by Mr. Fridley January 22, 1965.

R-36640 - Laura E. Newlands. 0.46 acre for right of way purposes. Offer of \$2,850.00 approved by Mr. Jackson January 11, 1965.

NEHALEM BAY STATE PARK

R-35241 - E. J. Windle, et ux. Parcel No. 1: 119,200 square feet for park purposes; Parcel No. 2: 6,800 square feet for mineral rights; Parcel No. 3: 6,800 square feet for mineral rights; and four other lots for mineral rights. Offer of \$17,500.00 approved by Mr. Jackson December 17, 1964.

NORTH PORTLAND HARBOR-NORTH RUSSELL STREET SECTION OF THE PACIFIC HIGHWAY

R-36440 - William W. Burton, et ux. 2,800 square feet for right of way purposes. Offer of \$7,200.00 approved by Mr. Jackson January 18, 1965.

A written report concerning orders received from the Public Utilities Commissioner regarding highway crossing matters was presented by the Chief Counsel. The Commission approved the report which is summarized as follows:

PUX 555: Application of the State of Oregon through its Highway Commission to revise the Oxman Overcrossing structure over the Union Pacific Railroad on the Old Oregon Trail (I-80N) in Baker County was granted. The project consists of extending and widening the present railroad overcrossing.

PUX 550: Application of the State of Oregon through its Highway Commission to construct a crossing at grade with two tracks and right of way of Southern Pacific Company, known as the West Salem Service Road Grade Crossing project on the Willamina-Salem Highway in Polk County. The PUC order was issued December 11, 1964, but distribution has been held up by the Public Utility Commissioner because of an error.

A quarterly report of property damage claims collected by the Legal Department from September 30 through December 31, 1964, was presented by the Chief Counsel. During this period \$18,343.02 was collected, and seven claims totaling \$1,223.59 were abandoned because of judgments and bankruptcy. The Commission accepted the report.

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An oral report was made by the Chief Counsel concerning legal proceedings recently filed which involved the Highway Commission. The Commission accepted the report as follows:

- (1) Herman Steeck, dba Steeck Electric Company vs. Oregon State Highway Department, by and through its State Highway Commission, L-4720. This case was filed in the Jackson County Circuit Court for additional compensation under State Highway Contract No. 6090.
- (2) John Zupan vs. the State Highway Commission and B. J. Sage (D. J. Sage), L-4718. This case was filed in the Multnomah County Circuit Court to recover personal injuries to the plaintiff in the amount of \$17,672.50. The plaintiff drove his truck into a trench dug by the State Highway Oakridge maintenance crew across the Willamette Highway near Dexter Dam.
- (3) Alan L. Perkins vs. Jack Neff (Neth) and William Morris Craig, L-4739. This case was filed in the Klamath County Circuit Court for general and special damages totaling \$50,096.81. The plaintiff alleges that a dust cloud created by Highway Department equipment caused him to drive his car off the road.
- (4) R. O. Scharen, et al. vs. Marvin L. Mross, et al., L-4746, in the Lane County Circuit Court. The plaintiff seeks damages in the amount of \$381.90 plus \$500 attorney's fees because of an accident which took place while the plaintiff's car was being towed by Mr. Mross, a State Highway Department employee. The Chief Counsel stated that proper legal action is being taken in each case.

Consideration was given to an agreement with R. L. Oldright and Thelma L. Oldright, authorizing encroachment of an overhead sign over the right of way of the Pacific Highway (I-5) near Albany. The Chief Counsel recalled that this matter was considered by the Commission at its meeting August 27, 1964, at which time objection was raised to the termination language used in the permit. The permit, as it is now written, provides that the permit for the T & R sign is terminated, and the owner must remove the encroachment of 1.06 feet sixty days after notice to do so by the Engineer. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a request from West Slope Sanitary District for annexation into the district of four parcels of property, one of which lies within the right of way of Sunset Highway near the Washington-Multnomah County Line. The Chief Counsel commented that the request has been investigated and that no harm or damage will be done to the Highway Department if it is granted. He recommended that the Commission approve a "Consent" form and the Secretary be authorized to sign it in behalf of the Commission. His recommendation was accepted.

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An agreement between Merritt Equipment Company, Peninsula Drainage District No. 2 and the State Highway Commission concerning installation and maintenance of drainage facilities at the Union and Swift Avenues Interchange of the Pacific Highway in Portland, was presented by the Chief Counsel. Cost of the State's responsibility in the matter, he estimated at \$1,000. The agreement has been approved by the Engineer, and he recommended that it be approved by the Commission and that the Secretary be authorized to sign it for the Commission. The Commission accepted his recommendation.

The attendance of right of way agents and trial attorneys at an appraisal course offered by the American Institute of Real Estate Appraisers was recommended by the Chief Counsel. He recalled that for the past five years selected employees have attended a similar course which has proved very beneficial. It is anticipated that nine legal and right of way employees will attend a course to be held at Portland State College between January 31 and February 13, 1965, at a cost of \$130 for each participant. The Commission approved attendance as recommended.

Concerning the hiring of independent appraisers, the Chairman inquired if it is the practice in any area to use the same appraiser, or if the appraisal jobs are passed around among those available. He commented that the Department has been accused of using the same person to the exclusion of others with the effect that the person hired may feel that in order to continue to receive assignments he must keep his appraisals in line with appraisals made by the Highway Department. Commissioner Simpson inquired if the same appraisers in the Portland area are used quite often. Commissioner Fridley commented that the objective of appraisals should be to determine a fair value, not a high or low one.

The Chief Counsel stated that they do have a list of qualified appraisers over the state, and as required by the Bureau of Public Roads, each appraiser must sign a contract satisfactory to the BPR. He pointed out that in many sparsely populated areas there may be only one qualified appraiser available. The Right of Way Engineer remarked that this accusation is not new and is a problem which has to be met all over the United States. The independent appraiser has his reputation to maintain, and to do so in his own community it would not be normal to submit appraisals that are too low. He also pointed out that approximately 80% of the appraising is done by State Highway personnel.

The Chief Counsel commented that no independent appraiser has ever been instructed, nor any suggestion made to him, that he should find a high or low value on any piece of property. The only instructions given are those which pertain to points of law. He added that less than 5% of negotiations for acquisition of property are taken to court under condemnation proceedings. The Chairman stated that the Commission would be concerned if there is any attempt made to get independent appraisals in support of appraisals made by Highway Department employees.

Consideration was given to a request from the City of Salem for "Consent to Annexation" into the city limits of two areas which include portions of the Salem By-Pass and the Santiam Interchange on the Pacific Highway at the easterly edge of Salem. The Chief Counsel commented that

the annexation consists of two parcels of land, one of approximately 678 acres and the other of approximately 45 acres. Mr. Parsons, Division Engineer for the Bureau of Public Roads, stated that the Bureau has an interest in the matter and he inquired if any rights would accrue to the City by virtue of the annexation. It was his feeling that if any such rights might accrue to the City, that language should be inserted in the "Consent" outlining the rights of the State. Chairman Jackson inquired if the City, by reason of the annexation, might fall heir to the same rights enjoyed as when a state highway is routed over a city street. He pointed out that within a few years time many sections of freeway which are now outside of the city limits will be within the cities. Commissioner Fridley commented that if there is a problem in this area, the cure should be through the State Legislature. The Chief Counsel replied that where the State Highway Commission has complete jurisdiction, as they do in instances where the highway was acquired under fee title, that no rights would accrue to the city. The Commission approved the annexation and authorized the Secretary to sign a "Consent" form in their behalf.

A resolution was presented by the Chief Counsel granting to the Engineer or the Deputy Engineer, together with the Chief Counsel, authority to bring suit on and to compromise and settle claims not exceeding \$150. These claims, he said, pertain to claims for damage to highway structures, vehicles and equipment. Approximately 75% of claims presented are collected without recourse to legal action but of the remaining 25% it is sometimes found, after proceedings have been started, that the facts are different than in the original presentation and collection may not be possible or feasible. He also commented that if the resolution is approved, it will facilitate the processing of the claims and reduce the amount of work involved. He recommended that the resolution be adopted and that "Authorization Resolution No. 13", adopted December 20, 1951, be rescinded. The Commission accepted his recommendation and thereupon adopted "Authorization Resolution No. 13a", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a request in the form of a resolution from Mr. William H. Holmstrom, Chairman of the Legislative Highway Interim Committee, that the Highway Commission use unrefunded marine fuel taxes for construction and maintenance of water-oriented park facilities in State Parks and along State Highways. The Engineer stated that the resolution is reasonable and not contrary to the Commission's existing policy, and he recommended that the request be carried out, insofar as is practicable. The Commission accepted the recommendation.

Request for approval of a negotiated sale contract for approximately 518 MFBM consisting of spruce and hemlock in Cape Lookout State Park in Tillamook County was made by the Engineer. He explained that a contract for right of way clearing is now underway, and adjacent to the right of way being cleared is a considerable amount of wind-damaged timber. He estimated the stumpage value at \$8.65 per thousand or a total of approximately \$4,480 and recommended that the negotiated sale at cruised valuation be made with the logging contractor who is now clearing the right of way. The Commission

accepted the recommendation. The Chairman commented that a complaint had come to his attention concerning a messy condition left by a logger who had removed timber from state property on the coast. He inquired if there would be adequate supervision on the Cape Lookout project. The Engineer replied affirmatively and pointed out that the logger will be required to post a bond to assure proper clean-up.

The Commission accepted a gift from Mr. and Mrs. Maytor H. McKinley consisting of approximately 26 acres of land located north of the mouth of Pistol River between the Oregon Coast Highway and the ocean shore in Curry County. The Engineer commented that the property is being donated for park purposes and it can be used to good advantage as an addition to the state parks system. The Commission instructed the Secretary to express their thanks and appreciation to Mr. and Mrs. McKinley. The Commission also adopted "State Parks Resolution No. 24", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

To enlarge the Fort Stevens State Park in Clatsop County, the Engineer requested authority to negotiate with the U. S. Corps of Engineers to acquire an area of approximately 1,300 acres which is being declared surplus by the Corps. He exhibited a map showing the existing park and areas in which acquisition is contemplated, including property from the State Game Commission and Clatsop County. It was his understanding that the property from the Corps can be obtained without cost. The Commission authorized him to proceed with negotiations.

The Engineer reported that he had made awards of contracts which had been referred to him by the Commission to award when certain conditions had been fulfilled. These conditions, he said, have been met. The Commission confirmed his award of the following contracts:

- (1) Grading and oiling Jordan Valley-Idaho State Line Section of FAS 828 in Malheur County. Bids received December 8, 1964. Contract No. 6528 awarded December 17, 1964, to Don Greene Construction, Inc., Salem, low bidder.
- (2) Structures, grading, and paving on Stayton Bridge Section at Stayton in Linn and Marion Counties. Bids received December 8, 1964. Contract No. 6529 awarded December 21, 1964, to Lord Bros. Contractors, Inc., Portland, low bidder.

Chairman Jackson inquired as to what progress is being made with the U. S. Bureau of Land Management and others for the acquisition of parks land. Mr. P. M. Stephenson, Assistant State Highway Engineer, replied that several properties are being acquired and some of them are nearly complete.

Increases in project authorizations were requested by the Engineer and granted by the Commission as follows:

- (1) Contract No. 6359, for grading and paving the Thirtymile Creek-Dyer Creek Section on the

John Day Highway in Gilliam County, for an increase of \$41,585.54 (5.1%). The excavation was not in solid rock as anticipated and additional excavation quantities caused a change in the cut slopes. There was also an increase in engineering costs caused partly by an overrun in time required to complete the contract.

- (2) Contract No. 6220, for grading and paving on the Whiskey Creek-Hood River Section of the Mt. Hood Highway in Hood River County, for an increase of \$41,027.24 (6.05%). Extra engineering work required on a large embankment slide was the principal cause of the overrun. The use of heavy drill equipment to obtain subsurface data also contributed to the overrun.

Surveys for the reconstruction or relocation of several sections of state highways were presented by the Engineer. The Commission approved the following surveys and thereupon adopted "Survey Resolution Nos. 292 through 295", which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Lakeview-California Line Section of the Fremont Highway in Lake County. This project, the Engineer commented, is intermittent through 12.71 miles. He estimated the cost of the contract portion of the work at \$195,000 and the cost of right of way at \$17,000. The Commission approved the survey and authorized purchase of right of way with construction to be undertaken when funds are available. (See "Survey Resolution No. 292").
- (2) 28th Street Connection (Springfield) Section of the McKenzie Highway in Lane County. This project, the Engineer stated, covers .32 mile of widening and the revision of the 28th Street Connection with the installation of traffic signals. He estimated the cost of the project at \$128,000 with the City of Springfield to pay approximately \$37,000. The Commission approved the survey and authorized the purchase of necessary rights of way. (See "Survey Resolution No. 293").
- (3) Biddle Road-Camp White Section of the Crater Lake Highway in Jackson County. Public hearing on this section of 7.08 miles was held on December 17, 1964, the Engineer said, and all testimony at the hearing favored the project. He estimated cost of construction at \$1,750,000 and cost of right of way at \$50,000. The Commission approved the survey and authorized purchase of necessary rights of way. (See "Survey Resolution No. 295").



- (4) St. Helens Road-N. W. 21st Avenue Section (Upshur-Thurman Couplet) of the Columbia River Highway in Portland, Multnomah County. The Engineer recalled that a public hearing was held January 7, 1964, having the same termini but differing slightly between those two points. Destruction of the old Forestry Building by fire made possible revisions which removed many objections to the original routing. He estimated cost of the construction of the 1.27 mile section at \$1,400,000 and cost of right of way at \$1,700,000. The Commission approved the survey and authorized purchase of necessary rights of way as funds will permit. (See "Survey Resolution No. 294".)

- (5) Pacific Highway East-Cascade Highway Section of the Clackamas Highway in Clackamas County. A public hearing, the Engineer said, was held in Milwaukie on November 25, 1964, and requests were made for interchanges at several places. Present plans contemplate interchanges at the terminal points of the 3.95 miles section. He estimated cost of construction at \$2,535,000 and cost of right of way at \$1,465,000. The Commission approved the survey and authorized purchase of necessary rights of way as funds are available. (See "Survey Resolution No. 295").

A report was made by the Engineer recommending projects in the 1965 Special City Allotment Program for street work in cities having a population of less than 5,000 under the \$250,000 fund appropriated by ORS 366.805. Applications from 59 cities were considered and 14 are being recommended which is all that can be covered by funds available. All projects, he continued, were carefully investigated and these 14 appear to be the most deserving. The Commission approved city projects as follows and authorized the Secretary to sign agreements pertaining thereto when they are prepared:

City	Division	State	City	Total
Cascade Locks	I	\$ 20,000	\$ 2,000	\$22,000
Culver	IV	18,500	--	18,500
**Empire	III	(20,000)	--	(20,000)
Estacada	I	20,000	10,000	30,000
Garibaldi	II	20,000	3,000	23,000
Harrisburg	II	20,000	8,000	28,000
Junction City	III	20,000	5,000	25,000
Mosier	IV	20,000	--	20,000
North Plains	I	20,000	--	20,000
Nyssa	V	20,000	7,500	27,500
Oakridge	III	20,000	7,000	27,000
Port Orford	III	20,000	2,000	22,000

(Tabulation continued on following page)

City	Division	State	City	Total
Rogue River	III	\$ 17,500	--	\$ 17,500
**Yoncalla	III	(18,000)	--	(18,000)
*Central Point	III	7,214	--	7,214
Recommended for approval (14 cities)		\$243,214	\$44,500	\$287,714

\* Special expenditure for city share of railroad signals on Pine Street as approved by State Highway Commission on October 9, 1964.

\*\* Yoncalla and Empire have been included for approval should high estimates and/or low bids permit construction of one (Yoncalla) or both within the \$250,000 authorized by law. Estimated costs of these projects not included in totals.

Chairman Jackson inquired as to the length of time that a City would have to wait for a project. The Engineer replied that considering the number approved with requests received, that the interval would be about four or five years. He also pointed out that in a considerable number of the projects the total cost exceeds \$20,000. In such cases the City pays the amount in excess of \$20,000.

The Engineer reported that State Route ORE39 at present is routed over the Klamath Falls-Malin and Hatfield Highways from a junction with ORE66 east of Klamath Falls to the California border. Motorists from the Willamette Valley driving to points in Nevada have difficulty following the proper route from US 97. To overcome this, he recommended that the description of ORE39 be revised. The Commission approved the rerouting as follows:

Over US97 Business from its junctions with US97 both north and south of Klamath Falls; thence easterly over the Klamath Falls-Lakeview Highway, ORE66, to its junction with the Klamath Falls-Malin Highway; thence southeasterly over the Klamath Falls-Malin Highway via Merrill to its junction with the Hatfield Highway; thence southeasterly over the Hatfield Highway to the California State Line. (Note: does not run through Malin).

Attention was given to a request from the La Grande Chamber of Commerce for the establishment of a State Route Number on the Ukiah-Hilgard Secondary Highway. The Engineer recommended that ORE244 be routed over the Ukiah-Hilgard Highway from its junction with the Pendleton-John Day Highway (US395) northeasterly to its junction with the Old Oregon Trail (I-80N). The Commission accepted his recommendation.

Requests were considered from Coos, Jackson, Klamath, Multnomah, and Polk Counties for 1966 and 1967 County Federal-aid Secondary Projects totaling \$759,000. These projects, the Engineer stated, have been investigated and are eligible for construction. The Commission approved the



following projects and authorized the Secretary to sign in behalf of the Commission construction agreements pertaining to the projects:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Coos	914	Lone Pine (Middle Creek) Bridge, Structure only.	\$ 70,000	1966
Jackson	273	Modoc Road-Bybee Bridge Section. Paving only, 0.5 mile.	15,000	1966
	287	Medco Pond-Camp 4 & Butte Falls Section. Paving & shoulders, 5.0 miles.	160,000	1966
Klamath	420	Crystal Springs-Malone Springs. Grade & base, 3.0 miles.	200,000	1966
Multnomah	654	SE Powell-SE Ellis Street. Grade & pave, 1.0 mile.	275,000	1966
Polk	748	Fir Villa (Rickreall Creek) Bridge. Structure only.	39,000	1966
TOTAL. . . . .			\$ 759,000	

SUMMARY BY FISCAL YEARS	1966	Estimated 1967	Total
Allocated Funds	\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (Corrected to Date)	810,000	--	810,000
Unprogrammed Balance	\$3,142,000	\$3,952,000	\$7,094,000
Projects Proposed 1/27/65	759,000	--	759,000
Unprogrammed Balance	\$2,383,000	\$3,952,000	\$6,335,000

A resolution was presented by the Engineer apportioning to the cities motor vehicle revenues for the last half of the 1964 calendar year. After deducting one-half of the \$250,000 Special City Allotment Fund, there remains the sum of \$3,797,920.84 for distribution among the cities. The allocation has been made according to law and he recommended that it be approved by the Commission. The Commission approved the allocation and thereupon adopted a resolution entitled "City Allocations of State Gas Tax Funds", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests for extension of time, or increases in the number of working days, within which to complete highway contracts without assessment of liquidated damages were presented by the Engineer. He outlined briefly the pertinent facts pertaining to each contract and made his recommendation as to action to be taken. After considering the Engineer's recommendation and other available information, the Commission took action as follows:

- (1) Warren Northwest, a Division of Warren Brothers Company, Contract No. 6442, for grading, paving, and signals on the Cedar Hills-Walker Road Section of FAS 838 in Washington County, requested an extension of time from September 15 to September 25, 1964, within which to complete the contract without assessment of liquidated damages. The Commission denied the request.
- (2) Madson and Stokes Electrical Contractors, Contract No. 6468, for traffic signal installation at Second and Fourth Streets in Corvallis on the Corvallis-Lebanon Highway in Benton County, requested an increase from 70 to 90 workdays without assessment of liquidated damages. The Commission approved three days increase without damages.
- (3) Inter-City Construction Company, Contract No. 6353, for grading, paving and structures on the "Q" Street-McKenzie Highway Section of the Springfield Highway in Lane County, requested an increase from 100 to 120 workdays without assessment of liquidated damages. The Commission approved an increase of four days without damages. A letter from the Bureau of Public Roads was submitted concurring in the increase.
- (4) Pacific Concrete Company and Otis P. Jordan, Jr., Contract No. 6384, for paving, structures, signing, and illumination on the South Unit, Minnesota Freeway of the Pacific Highway in Portland, Multnomah County, requested that the completion date be advanced from October 31, 1964, to November 20, 1964, without assessment of liquidated damages. The Commission approved the extension of time as requested. A letter from the Bureau of Public Roads was presented concurring in the extension of time.
- (5) Babler Brothers, Inc., Contract No. 6430, for grading and paving on the Silver Creek-Finn Rock Section of the McKenzie Highway in Lane County, requested an extension of the completion date from October 31, 1964, to November 20, 1964, without assessment of liquidated damages. The Commission approved an extension of time to November 6, 1964, the completion date of the project, without assessment of damages.
- (6) Access Construction Company, Contract No. 6446, for grading and paving on the Mile Point 2 Slide Section of the Corvallis-Newport Highway in Lincoln County, requested that the completion date be advanced from September 1 to September 12, 1964. The Commission approved an extension of time to September 3, 1964, without assessment of liquidated damages.

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- (7) Peter Kiewit Sons' Company, Contract No. 6393, for grading, paving, structures, signing and illumination on the North Unit of the Minnesota Freeway Section of the Pacific Highway in Portland, Multnomah County, requested that the completion date be advanced from November 1, 1964, to January 27, 1965, without assessment of liquidated damages. The Commission approved an extension of time to November 20, 1964, without damages. A letter from the Bureau of Public Roads was presented concurring in the time extension.
- (8) Rogers Construction Company, Contract No. 6359, for grading and paving on the Thirtymile Creek-Dyer Creek Section of the John Day Highway in Gilliam County, requested an increase from 120 to 165 workdays without assessment of liquidated damages. The Commission approved an extension of 33 workdays without assessment of damages. A letter from the Bureau of Public Roads was presented concurring in the increase of workdays.
- (9) Rogers Construction Company, Contract No. 6327, for grading, paving and structures on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County, requested an increase from 180 to 225 workdays without assessment of liquidated damages. The Commission approved an increase of 35 workdays without assessment of damages. A letter from the Bureau of Public Roads was presented concurring in the increase.
- (10) Madson and Stokes Electrical Contractors, Contract No. 6515, for grading, paving, signing and signals on the 12th Avenue Intersection on Sandy Boulevard in Portland, Multnomah County, requested that the completion date be advanced from February 1, 1965, to March 1, 1965, without assessment of liquidated damages. The Commission approved the request and also noted a letter from the Bureau of Public Roads approving the extension of time.

The Engineer reported that Contract Nos. 6136, 6156, 6168, 6201, 6211, 6272, 6292, 6318, 6359, 6370, 6392, 6397, 6423, 6429, 6430, 6457, 6466, 6472, 6478, and 6484 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 138", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported that recent establishment of a school crossing at Irvington Drive on the Junction City-Eugene Highway north of Santa Clara in Lane County makes it necessary that a school crossing exception be added to the existing 45 miles-per-hour speed zone. He recommended that "Speed Zone Resolution No. 300", dated July 2, 1959, be rescinded and that a 45 mile-per-hour speed zone be established from a point 0.16 mile south of Spring Creek Drive (M. P. 8.40) and Ferndale Drive (M. P. 9.35), except that between a point of 150 feet north of Irvington Drive (M. P. 8.84) and a point 200 feet south of Irvington Drive (M. P. 8.91), the designated speed shall be 20 miles per hour during the hours of school crossings. The Commission approved the recommendation and thereupon adopted "Speed Zone Resolution No. 481", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

As a result of a speed zone investigation on the Mapleton-Eugene Highway in the community of Elmira west of Eugene in Lane County, the Engineer recommended the establishment of a 45 mile-per-hour speed zone from a point 50 feet west of Horn Road (M. P. 31.88) to the Territorial Highway (M.P. 32.47). The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 482", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Amendment of "No Parking Resolution No. 30a" established in front of the Gardiner Post Office on the Oregon Coast Highway in Douglas County was brought up by the Engineer. The existing provision, he said, reads "No Parking - Mail Cars Excepted". This wording has not produced the desired effect and has been unenforceable by the State Police. He recommended that the resolution be amended to read "10 Minute Parking 6 A.M. - 6 P.M. Except Sundays and Holidays". The Commission approved his recommendation and thereupon adopted "No Parking Resolution No. 30b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed action of the Assistant State Highway Engineer in placing a 10-ton load limit December 28, 1964, and restricting traffic to one lane at a speed of 10 miles per hour on the Matlock Bridge No. 2033 on the Halsey-Sweet Home Highway in Linn County, until further notice.

The Commission also confirmed action of the Assistant State Highway Engineer in placing a 35-ton load limit December 29, 1964, on a temporary bridge over Marks Creek on the Ochoco Highway in Crook County. This action is to be effective until the original structure is repaired.

Attention was given to a request from the City of Monmouth for installation of a school crossing sign and warning light at the intersection of North Craven Street and East Main Street on the Monmouth-Independence Highway in Polk County. The Engineer stated that an investigation reveals that the installation is warranted, and he recommended that the installation be made by the State at an estimated cost of \$250 with the understanding that the City will maintain the installation and provide all electrical energy. The Commission accepted his recommendation and authorized the Secretary to sign an agreement pertaining thereto in behalf of the Commission.

The Commission also considered installation of traffic signals at the intersection of 22nd Street and Winchester Avenue (Oregon Coast Highway) in Reedsport in Douglas County. The Engineer reported that traffic congestion at this intersection is such that the installation is warranted, and he recommended that it be done at an estimated cost of \$8,000. The City is to pay half the cost of installation and assume all costs for maintenance and electricity. The Commission approved the installation and authorized the Secretary to sign an agreement pertaining to it in behalf of the Commission.

An agreement with the City of Portland for installation of traffic signals at the intersection of S. W. 6th Avenue and S. W. Grant Street (Stadium Freeway Highway) was presented by the Engineer. He estimated the installation would cost \$6,000 to be paid for from Interstate funds. The City is to maintain the signals after installation and pay for all electrical energy. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Springfield for installation of pre-timed traffic signals at the intersection of Main and Second Street on the McKenzie Highway in Lane County. The Engineer commented that the agreement provides for installation at an estimated cost of \$6,000 with the City to pay half the cost of installation and pay for all future maintenance and power needs. The Commission approved the installation and authorized the Secretary to sign the agreement for them.

Consideration was given to an agreement with the City of Coos Bay providing for installation of pre-timed traffic signals at the intersection of Broadway and Commercial Avenue on the Oregon Coast Highway in Coos County. The agreement, the Engineer said, anticipates an installation cost of \$6,500, of which the City is to pay half. After installation the City is to pay for all maintenance and power needs. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to an agreement with Oregon City for installation of pre-timed traffic signals at the intersection of Washington Street and 14th Street on the Cascade Highway in Clackamas County. Estimated cost of the project, the Engineer said, is \$5,500 of which the City is to pay half and provide for all maintenance and power needs after the installation has been completed. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A construction-throughway agreement with the City of Portland concerning the N. W. St. Helens Road-N. W. 21st Avenue Section of the Lower Columbia River Highway in Portland, Multnomah County, was presented by the Engineer. This project often called the Upshur-Thurman Couplet, he said, will provide connections from the westerly ramps of the proposed Fremont Bridge to N. W. St. Helens Road. It is proposed that N. W. Upshur Street be opened between N. W. 22nd Avenue and N. W. 25th Avenue, thereby providing surface streets for a couplet between N. W. 21st and N. W. 26th. The agreement, among other things, provides for a partial interchange at the intersection of N. W. St. Helens Road with connections to and from N. W. Nicolai. The State is to design, construct and finance the project

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and reconstruct or reimburse the City for relocation of City-owned utilities on city streets or in City-owned properties. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a throughway agreement with the Multnomah County Board of Commissioners pertaining to the Powell Valley Road-Duncan Road Section of the Mt. Hood Highway in Multnomah County. This agreement, among other things the Engineer said, provides for the construction of the highway and various connections and frontage roads. Several road closures are also provided. The County is to assume maintenance and control of reconstructed county road connections and frontage roads when the project is complete. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to extension of an agreement with Tulana Farms, Inc. concerning an overhead gallery across The Dalles-California Highway near Worden in Klamath County. The original agreement, the Engineer commented, was executed on September 23, 1954, and provides for an inter-connection between grain storage facilities along the railroad and similar facilities on the Tulana Farms property. He recommended that the agreement be extended for a 10-year period beginning September 23, 1964. The Commission approved the renewal agreement and authorized the Secretary to sign it in their behalf.

The Commission confirmed the next regular meeting date for March 9, 1965, in the Conference room of the State Highway Building in Salem. A tentative date for the following meeting was set for April 20, 1965.

The Commission approved the minutes of the meeting held on December 15, 1964.

An agreement with the City of Portland pertaining to installation of luminaire units on the S. W. Broadway-Ross Island Bridge Section of the Stadium Freeway (I-405) in Portland was presented by the Engineer. He recommended that the installation be made at an estimated cost of \$45,000 with the State to pay for installation and provide maintenance, and the City to pay for all power costs after installation. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The matter of prohibiting parking along the Pacific Highway West at the intersection of Elliott Drive east of Newberg in Yamhill County was brought up by the Engineer. The opening of a new high school in Newberg, he said, has created a traffic problem at this intersection. To provide for traffic safety, it will be necessary to construct a left-turn refuge and to do this will require elimination of parking. Ample off-street parking is available. The Commission accepted his recommendation for prohibition of parking on the Pacific Highway West between M.P. 22.30 and M.P. 22.60, and thereupon adopted "No Parking Resolution No. 250," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer presented to the Commission a Tabulation of Bids for

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highway projects received on January 12, 1965. He mentioned the number of bids for each project, the estimated cost, the name of the low bidder and the amount, the percentage of overrun and the recommendations as to action to be taken. At 10:40 a.m. the Commission took action as follows and authorized the Secretary to sign the contracts in their behalf:

BIDS RECEIVED IN SALEM JANUARY 12, 1965

"Oregon City Traffic Signals on Washington Street (Cascade Highway) at 14th Street in Clackamas County. State Project. Four bids were received. The Commission accepted the low bid of W. R. Grasle Company, Portland, in the sum of \$6,180 and referred it to the State Highway Engineer with authorization to award when approval is received from the City of Oregon City.

"Grading and paving on the Duncan Road-Sandy Section of the Mt. Hood Highway in Sandy in Clackamas County. State Project. Four bids were received. The Commission elected to accept the low bid of Roy L. Houck Sons' Corp., Salem, in the sum of \$603,717.60 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired and the cooperative construction agreement is signed by the City of Sandy.

"Grading, paving, structure and signing on the Powell Valley Road-Duncan Road Section of the Mt. Hood Highway, east of Gresham in Clackamas and Multnomah Counties. FAP No. S-166(4). Six bids were received. The Commission elected to accept the low bid of Roy L. Houck Sons' Corp., Salem, in the sum of \$1,959,874.90 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

"Coos Bay Traffic Signals on Broadway Street (Oregon Coast Highway) at Commercial Avenue in Coos County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Hansen Electric Company, Coos Bay, at \$4,940.00.

"Roadside improvement on the Anlauf-Elkhead Section of the Pacific Highway, south of Cottage Grove in Douglas County. Federal-aid Interstate Highway Project No. I-5-3(66)155. Four bids were received. The Commission awarded the contract to the low bidder, Spragues' Incorporated of Washington, Lynnwood, Washington, at \$48,212.50.

"Reedsport Traffic Signals on the Oregon Coast Highway at 22nd Street in Douglas County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Trowbridge Electric Company, Roseburg, at \$7,278.00.

"Springfield Traffic Signals on S. Main Street (McKenzie Highway) at Second Avenue in Lane County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Trowbridge Electric Company, Roseburg, at \$5,721.00.

"Sweet Home Traffic Signals on the Santiam Highway ("M" Street) at 12th Avenue in Linn County. State Project. Three bids were received. The

Commission awarded the contract to the low bidder, Electric Corporation, Salem, at \$7,587.00.

"Grading and paving on the Independence Jct.-West Salem Section of the Willamina-Salem Highway, near Salem in Polk County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Page Paving Co. & R. A. Heintz Construction Company, Salem, at \$1,273,935.55.

"Roadside seeding and fertilizing on the Rufus-Arlington Section of the Columbia River Highway, east of The Dalles in Sherman and Gilliam Counties. Federal-aid Interstate Highway Project Nos. I-80N-3(45)108 and I-80N-4(17)112. Two bids were received. The Commission elected to accept the low bid of Reforestation Services, Inc., Salem, in the sum of \$13,424.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary concurrence is received from the U. S. Army Corps of Engineers and the Bureau of Public Roads.

"Grading on the Cape Lookout Summit Section of FAS 617, south of Tillamook in Tillamook County. FAP No. S-432(4). Four bids were received. The Commission elected to accept the low bid of Buswell Bros., Roseburg, in the sum of \$135,182.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Tillamook County is received and the sum of \$30,500.00 is deposited by the County.

"Willow Creek Bridge on Courtney Lane County Road, north of La Grande in Union County. Federal-aid Project No. S-523(2). Four bids were received. The Commission elected to accept the low bid of Cumming and Webber, Inc., Portland, in the sum of \$28,845.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Union County is received and the sum of \$6,500.00 is deposited by the County.

"Oiling on two FAS Route Nos. 918 and 919, near Summerville and Imbler, northerly of La Grande in Union County. FAP Nos. S-527(1) and S-523(1). Five bids were received. The Commission elected to accept the low bid of Percy E. Jellum Contractor, Inc., Pendleton, in the sum of \$37,270.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Union County is received and the sum of \$8,500.00 is deposited by the County.

"Stone base and roadside seeding on the Celilo-Biggs Section of the Columbia River Highway, east of The Dalles in Wasco and Sherman Counties. Federal-aid Interstate Highway Project No. I-80N-3(44)95. Six bids were received. The Commission awarded the contract to the low bidder, S. D. Spencer and Son, Vancouver, Washington, at \$119,905.50.

The Engineer also presented a Tabulation of Bids for repair of the John Day River Bridge on the Columbia River Highway received January 26, 1965. He mentioned the number of bids received, the estimated cost, the name of the low bidder and the amount and of recommendation as to action. The Commission took action as follows and authorized the Secretary to sign the contract in behalf of the Commission.

BIDS RECEIVED IN SALEM JANUARY 26, 1965

"John Day River Bridge Repair on the Columbia River Highway, east of The Dalles in Gilliam and Sherman Counties. Project to be constructed under Federal-aid Interstate Regulations. Ten bids were received. The Commission awarded the contract to the low bidder, General Construction Company, Seattle, Washington, at \$765,272.00.

Chairman Jackson inquired if there has been any study made on the restriction of automobiles on the ocean beaches. The Engineer replied that it has been the policy during the last several years to follow the recommendation of the city or county. The Chairman then inquired as to the responsibility of the Highway Commission. The Chief Counsel read a portion of the law which provides that upon recommendation of the city or the county, or upon its own motion, the Highway Commission may take action to control vehicles on the beaches. It was his understanding that a bill has been introduced into the 1965 Legislature to turn control of traffic on beaches over to the cities and counties. The present policy, the Engineer commented, was largely caused by a great deal of controversy as to whether vehicles should be allowed on the beaches or not. If vehicles are not allowed on the beaches, there is a real problem in providing parking areas and access to the ocean shore. The Commission instructed the Engineer to make a study on the cost of providing access to beach areas and for parking space.

Concerning repair of the John Day River Bridge washed out during the December high water, the Chairman inquired as to what percent of the cost the State will have to pay. The Engineer replied that at the present time it appears that the State will pay approximately 37% and the Federal Government approximately 63%. The Deputy Engineer commented that the U. S. Corps of Engineers, one of the parties in construction of the bridge with the State Highway Commission and the U. S. Bureau of Public Roads, has denied responsibility for collapse of the bridge. The Chairman then inquired if all normal procedures are being followed to expedite repairs. The Engineer replied affirmatively.

The Chief Counsel brought up the matter of securing a "Permit of Entry" from Portland General Electric Company to go upon its property needed for the easterly terminus of the Marquam Bridge on the Pacific Highway in Portland (I-5). He explained that in negotiations with the Portland General Electric Company, an agreement has been reached on all points except the compensation to be paid for the easement under the "Permit of Entry." Negotiations can be continued until such time as it is found that no mutually satisfactory figure can be reached, at which time condemnation proceedings can be undertaken. The form of the agreement and easement, he continued, has been submitted to the Bureau of Public Roads who have agreed to its form and content except for certain provisions with respect to the company securing written approval of plans and specifications from the State before commencing any building on the easement area. It was his feeling that this feature could be satisfactorily solved, and he recommended that the "Permit of Entry" be approved under the conditions explained and the Secretary authorized to sign it in behalf of the Commission. The Commission accepted his recommendation.

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Commissioner Simpson inquired about the status of the agreement with Portland Traction Company at the east end of the Marquam Bridge. The Engineer replied that the agreement has been completed except for approval by the Bureau of Public Roads. Mr. A. W. Parsons, Division Engineer for the Bureau of Public Roads, stated that the plan appears to be satisfactory and that he would like to meet with the Engineer some time soon.

A revised version of the Federal-aid ABC Highway Program IX was presented by the Engineer. He mentioned that the Biddle Road-Camp White Section of the Crater Lake Highway had been added as a Federal-aid Secondary project, and that some other adjustments had been made in the program. It was his recommendation that the revised program be approved. The Commission approved the following program.

## Revised Program IX

January 27, 1965

1966-1967 FEDERAL-AID ABC PROGRAM

Cancels All Projects on Previous Programs Not Contracted Prior to January 1, 1964

Highway	Section	Length	Type of R/W Work	Construction	Total
<u>URBAN</u>					
Lower Columbia	St. Helens Road-N. W. 21st Avenue	1.2	R/W	1,355,000	- - 1,355,000
Sunset	Cedar Hills Blvd. Interchange	-	GPS	220,000	1,060,000 1,280,000
Sunset	Highlands Interchange-Stadium Freeway	1.7	1st Veh. Tunnel	--	3,000,000 3,000,000
Beaverton-Tigard	Cedar Hills-Beaverton	2.5	Comp. R/W	2,000,000	-- 2,000,000
Clackamas	Milwaukie-Lake Road	2.7	Urban R/W	600,000	-- 600,000
				4,175,000	4,060,000 8,235,000
<u>PRIMARY</u>					
Pacific West	West Newberg-Dayton Junction	5.1	R/W	130,000	-- 130,000
Lower Columbia	Westport-Clatskanie	8.9	Deficit	--	500,000 500,000

January 27, 1965

## 1966-1967 FEDERAL-AID ABC PROGRAM - Cont.

Highway	Section	Length	Type of Work	R/W	Construction	Total
Oswego and Cascade	West Linn-Parkplace	-	Str., GP	1,500,000	6,000,000	7,500,000
Old Oregon Trail	Oro Dell-La Grande	-	GP	--	490,000	490,000
Central Oregon	Horse Ridge Section	2.5	Pave	--	600,000	600,000
Oregon Coast	Astoria Approach Interstate Bridge	-	GPS	--	1,100,000	1,100,000
Oregon Coast	Wildwood Lodge & Wimer Slides	-	Sl. Corr.	--	220,000	220,000
Wallowa Lake	Minam Section	1.0	GPS	--	455,000	455,000
Santiam	Sweet Home-Foster	2.5	4-Lane	175,000	700,000	875,000
Mount Hood	Gully Connection-Anderson Road	-	R/W	135,000	--	135,000
Mount Hood	Gully Connection-Duncan Road	-	Comp. GPS	--	1,800,000	1,800,000
Mount Hood	Duncan Road-Sandy	1.4	GPS	110,000	560,000	670,000
Mount Hood	Sandy Section	0.7	GP	--	440,000	440,000
Willamina-Salem	Independence Junction-Salem	3.7	4-Lane	--	1,375,000	1,375,000
Coos Bay-Roseburg	N. Unit, Rink Creek-N. Fork Coquille R.	2.4	GPS	150,000	1,130,000	1,280,000
Coos Bay-Roseburg	Powers Junction-Bridge	8.6	Pave	--	500,000	500,000
Coos Bay-Roseburg	Rock Creek Section	0.6	GOS	--	550,000	550,000
Coos Bay-Roseburg	Elbow Point Section	0.8	GOS	--	810,000	810,000

January 27, 1965

## 1966-1967 FEDERAL-AID ABC PROGRAM - Cont.

Highway	Section	Length	Type of Work	R/W	Construction	Total
Sunset	Cornelius Pass Road-Cornell Road	2.5	4-Lane & 2 Inter.	80,000	1,330,000	1,410,000
Cascade	Lake Road Interchange	-	GPS	100,000	--	100,000
Eugene-Springfield	Mohawk Road-Highbanks Road	1.2	GPS	--	520,000	520,000
				2,380,000	19,080,000	21,460,000
<u>SECONDARY</u>						
Crater Lake	Biddle Road-Camp White	7.0	4-Lane	25,000	1,900,000	1,925,000
K. Falls-Lakeview	KID Canal-Patterson Ave.(Part)	1.6	4-Lane	--	425,000	425,000
Mount Hood	Gully Connection	1.7	GPS	50,000	550,000	600,000
Alsea	Alsea Mountain	2.0	Grade	--	1,000,000	1,000,000
Alsea	Alsea Mountain	2.3	GPS	--	1,060,000	1,060,000
Beaverton-Hillsdale	Raleigh Hills Interchange	-	GPS	500,000	--	500,000
Beaverton-Tigard	Beaverton-Interstate 5	4.8	Compl. R/W	800,000	--	800,000
Beaverton-Tigard	Beaverton-Interstate 5	4.8	Part GPS	--	1,500,000	1,500,000
Salem-Dayton	Orchard Hts. Road-Edgewater Street	0.7	4-Lane	135,000	245,000	380,000(2)
Clackamas	Milwaukie-Lake Road	2.7	Rural R/W	600,000	--	600,000
Corvallis-Lebanon	Orleans Road-Lake Creek	2.8	GPS	--	1,150,000	1,150,000
Frenchglen	Diamond Lane-South	-	GO	--	300,000	300,000
				2,110,000	8,130,000	10,240,000

(2) City to pay 25% of unit from Taybin Road to Edgewater Street

January 27, 1965



The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Indenture of Access" to the Elsie B. Riggs and Joseph McKeown property on the Winchester Bay-Clear Lake Section of the Oregon Coast Highway in Douglas County.

"Indenture of Access" to the Wayne and Leah M. Riley property on the Corvallis-Monroe Section of the Pacific Highway West in Benton County.

"Indenture of Access" to the Barker Willamette Lumber Co., Inc. and Huling Bros. Properties, Inc. to a parcel of land on the Seventh Avenue Connection of the Pacific Highway in the Eugene Section, Lane County.

"Indenture of Access" to the Glen W. Shoemaker and Alexander A. Wiegner property on the Siletz Bay-Miner Creek Section of the Oregon Coast Highway in Lincoln County.

"Indenture of Access" to the Paul J. and Helen F. Woodroffe property on the Hayesville-Lana Avenue Section of the Pacific Highway East in Marion County.

"Indenture of Access" to the Radal Western Corporation for a parcel of land on the Beaverton-Reedville Unit, Beaverton-Forest Grove Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to the Rosboro Lumber Company for a parcel of land on the Finn Rock-Elk Creek Section of the McKenzie Highway in Lane County.

"Indenture of Access" to the Lucille Elrod Barr property on the Crooked River-Terrebonne Section of The Dalles-California Highway in Deschutes County.

"Indenture of Access" to the Lawrence J. and Marion S. Blum property on the Onion Flat-Middleton Unit, Tigard-Newberg Section of the Pacific Highway West in Washington County.

"Indenture of Access" to the Doran Investment, Inc. for a parcel of land on the Hayesville-Lana Avenue Section of the Pacific Highway East in Marion County.

"Indenture of Access" to the C. Eldon and Elizabeth M. Fisher and E. Roy Fisher and Jennie L. Fisher property on the North Unit, Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County.

"Grant of Access" to the U. S. Department of Interior's Bonneville Power Administrator covering property on the Onion Flat-Middleton Unit, Tigard-Newberg Section of the Pacific Highway West in Washington County.

"Permit" to Robert W. Davis to use a haul road on the Burns-Buchanan Section of the Central Oregon Highway in Harney County.

"Relinquishment of Title" and "Bargain & Sale Deed" to City of Hood River conveying an additional one-acre parcel on the Mitchell Point-Hood River Section of the Columbia River Highway in Hood River County.

"Quitclaim Deed" to Thurza M. Russell for a parcel of land on the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Quitclaim Deed" to Ben Russell Chevrolet Company for a parcel of land on the North Tillamook Section of the Oregon Coast Highway in Tillamook County.

"Quitclaim Deed" to Builders Supply Company for a parcel of land on the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Bargain & Sale Deed" to Richard A. and Shirley L. Wright for a parcel of land on the Nehalem Bay State Park Section of the Oregon Coast Highway in Tillamook County.

"Bargain & Sale Deed" to Selmar A. and Wilma Hutchins for a parcel of land on the Sutherlin-Winchester Section of the Pacific Highway in Douglas County.

"Quitclaim Deed" to the State Board of Higher Education for a parcel of land on the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Encroachment Agreement" with R. L. Oldright and Thelma L. Oldright authorizing encroachment of overhead encroachment of sign over right of way of Interstate System Highway No. 5 near Albany and removal when notified by Engineer.

"Agreement" with City of Monmouth for installation of a school crossing sign and warning light at intersection of North Craven Street and East Main Street.

"Agreement" with City of Reedsport covering traffic signal installation at intersection of 22nd Street and Winchester Avenue (US 101) in Reedsport.

"Agreement" with City of Portland covering installation of traffic signals at intersection of S. W. 6th Avenue and S. W. Grant Street.

"Agreement" with City of Springfield covering pre-timed traffic signal at intersection of Main and Second Street.

"Agreement" with City of Coos Bay covering installation of pre-timed traffic signal at intersection of Broadway and Commercial Avenue on the Oregon Coast Highway.

"Agreement" with Oregon City covering installation of pre-timed traffic signals at intersection of Washington Street and 14th Street on the Cascade Highway.



"Construction-Throughway Agreement" with City of Portland covering the N. W. St. Helens Road-N. W. 21st Avenue Section of the Lower Columbia River Highway in Multnomah County.

"Throughway Agreement" with Multnomah County pertaining to the Powell Valley Road-Duncan Road Section of the Mt. Hood Highway in Multnomah County.

"Agreement" with Tulana Farms, Inc. permitting the construction of an overhead gallery across The Dalles-California Highway near Worden.

"Agreement" with City of Portland covering installation of luminaire units on S. W. Broadway-Ross Island Bridge Section of the Stadium Freeway (I-405).

"Petition" of West Slope Sanitary District for annexation of a parcel of land lying within Sunset Highway near the Washington County line into the District.

"Consent to Annexation" from the City of Salem to annex into the city limits two areas which include portions of the Salem Bypass and Santiam Interchange.

There being no other business to consider, the meeting was declared adjourned by the Chairman at 11 a.m.

Forrest Cooper  
State Highway Engineer

Glenn L. Jackson  
Chairman

K.N. Fridley  
Commissioner

Floyd Query  
Secretary

David B. Simpson  
Commissioner

January 27, 1965

Salem, Oregon  
March 11, 1965

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K.N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R.L. Porter, Deputy State Highway Engineer  
P.M. Stephenson, Assistant State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
George E. Rohde, Chief Counsel  
Frank C. McKinney, Acting Assistant Counsel  
Walter T. Wright, Right of Way Engineer  
C.H. Maison, Controller  
Floyd Query, Secretary

Mr. Forrest Cooper came in at 9:45 a.m.

Among others present were A.W. Parsons, Division Engineer, U.S. Bureau of Public Roads; C.W. Head, Assistant Secretary to the Commission; L.H. Young, Office Engineer; Dennis Clarke, Travel Information Director; David Moehring, Assistant Right of Way Engineer; Laurence Holt, Administrative Right of Way Agent; and Harrison Brown, Assistant Information Officer.

The Right of Way Engineer presented for consideration options, pages 1 through 43, secured for acquisition of real property needed for state highway use or for other purposes. He stated that the prices offered for the properties are based upon careful appraisals, and are in proper order for federal-aid. To the best of his knowledge, the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 21," which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report covering sales of miscellaneous properties and rental receipts since the last Commission meeting was presented by the Right of Way Engineer. Miscellaneous sales from January 15 to February 26, 1965, amounted to \$19,370; land sales during this period totaled \$3,340; and timber sales \$17,746.92. Total rental receipts for January were \$24,088.40 and for February \$21,573.31. The Commission accepted the report.

March 11, 1965

Authority to offer at public sale four parcels of excess property was requested by the Right of Way Engineer. He commented that the minimum prices for these parcels are based upon appraised values or on offers in excess of appraisals and that the access provisions and other conditions are consistent with those existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution Nos. 432 and 433," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 0.02 acre, File No. 31955, located adjacent to the crossroad in the southeast quadrant of the Clackamas Interchange on the Lake Road-Oregon City Section of the Cascade Highway in Clackamas County, for not less than \$175. No access is to be allowed to the Cascade Highway or the ramp. Approval from the U.S. Bureau of Public Roads was secured February 1, 1965.
- (2) 0.18 acre, File No. 10680, located adjacent to the Southern Pacific Railroad in the northerly part of Klamath Falls on the Klamath Falls Section of The Dalles-California Highway in Klamath County, for not less than \$500. He commented that this property was acquired in 1942 as a storage site for asphalt but the site has not been used for several years. No restrictions are to be imposed on the sale and the Bureau of Public Roads was not involved in this property.
- (3) 10,000 square feet of land, File No. M-7, consisting of Lots 4 and 5 of Block 19, between Second and Main Streets in the City of Rufus on the Columbia River Highway in Sherman County, for not less than \$2,000. The sale is to be subject to the standard sign restriction clause. Federal funds were not used in the acquisition of this property. (See "Real Property Resolution No. 432.")
- (4) 0.66 acre, File No. 15140, outside the normal right of way south of the relocated S.W. Humphrey Boulevard on the Sylvan Section of the Sunset Highway in Multnomah County, for not less than \$14,375. The U.S. Bureau of Public Roads was not involved in the acquisition of this property. (See "Real Property Resolution No. 433.")

Direct sale of three parcels of property no longer required for highway purposes was recommended by the Right of Way Engineer. Need for these properties, he said, has been cleared through the Engineering Division and the price to be paid for each is based upon appraised value. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 434", which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) Forest Property, File No. 19899, consisting of a 420 square-foot strip of land between Barbur Boulevard and the Baldock Freeway on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County, to Title and Trust Company for \$250. The Title and Trust Company, in issuing a title insurance policy, by error included a parcel of land in State ownership. For the Title Company to make a settlement of the claim against them they have asked that the State sell a four-foot strip which will allow the owner to build a driveway to his newly constructed house. The deed is to carry a sign restriction clause and a "save harmless clause" regarding land slides and the failing of cut slopes. No Federal funds were involved in this matter.
- (2) 15,000 square feet of land, File No. 30311, former Quinn Property, located on the southeast side of the Pacific Highway East approximately  $1\frac{1}{2}$  miles south of Oregon City in Clackamas County, to L.D. McFarlane for the sum of \$300. Mr. McFarlane owns the adjacent property. No access is to be allowed to the adjacent state property. No Federal funds were involved in this acquisition.
- (3) 20,469 square feet of land of the former Baird Property, File No. 23329, bounded by Morgan Lane, 6th Street and Vine Street on the Jumpoff Joe Creek- Grants Pass Section of the Pacific Highway in Josephine County, to Josephine County for the sum of \$9,000. The sale is subject to a public use clause and advertising sign restriction, and no access is to be allowed to 6th Street. No Federal funds were used in the acquisition of this property. (See "Real Property Resolution No. 434.")

Several "Indentures of Access" were presented by the Right of Way Engineer. These Indentures, he explained, provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures:"

- (1) Collel Property, File No. 31805, on the north side of the Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County, for a change in location and widening of one point of access, unrestricted as to use. The Bureau of Public Roads approved this matter on June 22, 1964.

- (2) Nash Property, File No. 31177, at the junction of the Green Springs Highway with the Pacific Highway (Interstate 5) in Jackson County, for a change in location and widening to 40 feet of one point of access, unrestricted as to use. The Bureau of Public Roads approved the change on January 8, 1965.
- (3) Herburger Property, File No. 35529, approximately  $11\frac{1}{2}$  miles west of Mt. Vernon on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County, for a change in location for two points of access, 35 feet in width, unrestricted as to use. Approval of the Bureau of Public Roads was received on January 6, 1965.
- (4) Cummings and Clark Properties, File No. 35536, approximately  $10\frac{1}{2}$  miles west of Mt. Vernon on the north side of the Marks Creek-Fields Creek Section of the John Day Highway in Grant County, for a change in location of one point of access, 35 feet in width, unrestricted as to use. Approval by the Bureau of Public Roads was given on January 6, 1965.
- (5) Sproul Property, File No. 35522, approximately 7 miles east of Dayville on the north side of the Marks Creek-Fields Creek Section of the John Day Highway in Grant County, for a change in location of one point of access, 35 feet in width, unrestricted as to use. The Bureau of Public Roads approved this matter on January 6, 1965.
- (6) Junkin Property, File No. 18646, approximately two miles south of Tigard on the southeasterly side of the Tigard-Newberg Section on the relocated Pacific Highway West in Washington County, for relocation of one point of access and the granting of an additional point of access at Milepost 11.65. Each point of access is to be 35 feet in width for commercial use. Construction of the two access points is to be done by and at the expense of the property owners under the requirements of the Commission's "Throughway and Rights of Access Resolution No. 4c." Approval of the U. S. Bureau of Public Roads was given on January 14, 1965.
- (7) Weaver Property, File No. 35524, approximately  $6\frac{1}{2}$  miles east of Dayville on the southerly side of the Marks Creek-Fields Creek Section of the John Day Highway in Grant County, for one point of access, 35 feet in width, unrestricted as to use. Approval of the Bureau of Public Roads was given on January 6, 1965.
- (8) The Terminal Ice & Cold Storage Company and Pioneer Trust Company (Trustee of Estate of Floyd T. Reynolds, deceased), Properties, File No. 13901, approximately  $\frac{1}{2}$  mile north of Salem on the west side of the Hayesville-

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- Salem Section of the Pacific Highway East in Marion County, for widening of one point of access from 30 to 50 feet, and unrestricted as to use. Bureau of Public Roads' approval was given on January 14, 1965.
- (9) Leonard-Pribbeno-Lund-Britsch-Jackson Properties, File No. 27399, on the west side of the Emigrant Reservoir Section of the relocated Green Springs Highway in Jackson County, for a change in location and widening to 35 feet of one point of access. No Federal funds were involved in this property.
  - (10) U. S. Bureau of Land Management Property, File No. 19599, on the LaPine-Bend Section of The Dalles-California Highway in Deschutes County, for a change in location of one point of access, 35 feet in width, unrestricted as to use. This Indenture is designed to change the location of a fire road owned by Bureau of Land Management and has been presented to the Bureau of Public Roads but has not yet been approved by them. The Commission approved the "Indenture" contingent upon approval by the Bureau of Public Roads.
  - (11) Rich Property, File No. 20049, approximately one mile west of John Day on the south side of the relocated Mt. Vernon-John Day Section of the John Day Highway in Grant County, for a change in location of one point of access, restricted to private residential use. Approval of the Bureau of Public Roads was given on December 15, 1964.

The Commission considered a "Grant and Release of Access" to the Crown Zellerbach Corporation covering the Wauna Road on the Bradley Park-Wauna Section of the Lower Columbia River Highway in Clatsop County. The Right of Way Engineer commented that Crown Zellerbach has acquired a large tract of land easterly and westerly of the Wauna County Road and plans to ask the County to vacate the road, but desires to have a right of access at the county road. In order for them to retain such access, it will be necessary for the Highway Commission to execute a "Grant and Release of Access." This matter was approved by the U. S. Bureau of Public Roads November 23, 1964. Following the Right of Way Engineer's favorable recommendation, the Commission approved the "Grant and Release of Access."

Consideration was given to two "Releases of Roadway Easement" to a quarry site on the Burnt Woods-Blodgett Section of the Corvallis-Newport Highway in Benton County. The Right of Way Engineer explained that in 1954 easements of access had been obtained to the proposed quarry site, however, it was discovered later that the quarry material was unsatisfactory and the site was not acquired. He recommended releasing the roadway easement back to the owners, Scheele and Stephens. The Commission accepted his recommendation.

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The Commission also considered a "Grant of Easement" to the U. S. Bureau of Land Management for an access road across Elk Creek Wayside on the Umpqua Highway in Douglas County. The Right of Way Engineer explained that the easement is located east of Elkton and the roadway is needed for a blow-down timber salvage operation. Prior approval was given by Chairman Jackson by telephone. The Commission confirmed the easement covering 3.4 acres, limited to the right to construct a roadway, and involving a consideration in the amount of \$2,250 covering the value of the timber within the easement area.

A "Relinquishment of Title" to the City of Grants Pass of 0.18 acre of land located between the north bound leg of the Pacific Highway and South Park Drive on the Redwood Interchange Section of the Redwood Highway in Josephine County was presented by the Right of Way Engineer. He explained that the parcel was originally acquired to accommodate a cul-de-sac on South Park Drive which was not constructed. The land, however, is being utilized as a turn around at the end of South Park Drive which is a city street. He recommended that the Title be transferred to the City of Grants Pass. The Bureau of Public Roads approved this "Relinquishment" February 23, 1965, with the understanding that there will be no vehicular access between the turn around and the main-traveled highway. The Commission approved the "Relinquishment."

A Relinquishment to the Port of Hood River of a drainage easement across their property easterly of the road from the East Hood River Interchange to the Interstate Bridge at Hood River on the Hood River-Mosier Section of the Columbia River Highway in Hood River County was discussed. The Right of Way Engineer commented that in 1961 an easement had been secured across a portion of the Port of Hood River property for drainage purposes. The Port of Hood River now wishes to sell for industrial development purposes the area encumbered by the drainage easement. As a consideration for relinquishing the original easement, the Port of Hood River will provide an easement to discharge drainage water over their property between the interchange and the Interstate Bridge. This relinquishment was approved by the U. S. Bureau of Public Roads February 24, 1965. Based upon the Right of Way Engineer's favorable recommendation, the Commission approved the request.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put, and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2022 through 2039", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter entitled "Recommendations for Condemnation," dated March 10, 1965, and his letter dated March 11, 1965, entitled "Supplemental Recommendations for Condemnation," in the Secretary's Office).

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A tabulation was presented by the Chief Counsel showing results of cases tried in court since the last Commission meeting. The Commission approved the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-4466 Elmer H. Olson, et ux.	Douglas	Pacific	Sutherlin-Shady	\$5,000.00	\$36,000.00	\$5,000.00
L-4083 Lloyd P. Powell, et al.	Douglas	Pacific	Yoncalla-Rice Hill	2,050.00	8,500.00	6,250.00
L-4460 Lester L. Stamper, et al.	Jackson	Pacific	Wall Creek-California State Line	7,050.00	13,000.00	8,947.50
L-4542 Kathryn Combs, et vir.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	375.00	8,000.00	3,250.00
L-4523 Agnes Keesee, et vir.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	275.00	2,000.00	1,200.00

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-4080 State	Roy W. Simmons	Douglas	Damages for collapse of North span of old Kellogg Bridge	\$44,269.35	For defendant

The Chief Counsel commented that the verdicts averaged 60% above offers made by the State. However, the owners' demands averaged 220% above the offers. Concerning the Roy W. Simmons case in which the State sought to collect damages for collapse of the old Kellogg Bridge, he commented that the

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jury had rendered a verdict in favor of the defendant, probably influenced because of a reversed super at the entrance to the bridge.

Concerning the Western Contracting Corporation case for collection of their 5% bid bond because of failure to enter into a contract for the Siskiyou Summit-California Line job on the Pacific Highway in Jackson County, the Chief Counsel reported that yesterday the judge had ruled that the contractor had made an honest mistake, that the State was aware that he had made a mistake and, in view of the State's estimate of the cost of the job, the State had not lost money by reason of the contractor's default the court would not require forfeiture of the bid bond.

Chairman Jackson inquired as to what revisions might be made in the bid requirements to enforce collection of defaulted bid bonds. The Chief Counsel replied that in this case he doubted if any revisions would have changed the attitude of the court. The contractor claimed that a mistake was made in their survey and the court believed them. The court, he said, also pointed out that the bid submitted by the Western Contracting Corporation was "almost too good to believe." He also mentioned the Rushlight Case in 1952, and the State Construction Case in 1955, in which similar verdicts were rendered under the same law as is now in effect.

Commissioner Simpson inquired if the Commission has authority to blackball a contractor who refuses to perform under the bid bond. The Chief Counsel replied that the Commission does have authority to award a contract to the most responsible bidder, whether he is the low bidder or not. He voiced a question as to the attitude of the Bureau of Public Roads if the blackball procedure is used.

The Chairman then inquired if it would be the responsibility of the Highway Department to prove that the low bidder is not responsible. The Chief Counsel replied that in his opinion that might be true. It was also his opinion that if the matter was taken to court, that the court would uphold the Commission in an award to the most responsible bidder if it could be shown their action was not arbitrary or capricious. Commissioner Fridley commented that many contractors who have submitted bids which appeared to be too low have gone ahead and performed the contracts. It was pointed out by the Deputy Highway Engineer that several contractors who had made bids that were too low had voluntarily forfeited their 5% bid bond. The Chairman requested the Engineer and the Chief Counsel to review the matter carefully to see what could be done.

(For additional details, see the Chief Counsel's letter dated March 5, 1965, entitled "Report of Cases Tried," in the General Files in the Salem Office).

A tabulation was also presented by the Chief Counsel showing proposed settlements of condemnation cases since the last Commission meeting. These settlements, he pointed out, do not represent substantial increases above appraised values, or the increases are not enough to warrant trial in court. The Commission approved the "Report of Cases Settled," which is summarized as follows:

# REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4737 Florence Lekberg, et vir.	Clackamas	Mt. Hood	Anderson Road- Duncan Road	\$ 450.00	\$ 550.00
L-4742 T. Okino, et al.	Clackamas	Mt. Hood	Anderson Road- Duncan Road	3,000.00	3,200.00
L-4748 Reuben E. Hoffman, et al.	Clackamas	Mt. Hood	Duncan Road- Sandy	2,000.00	2,000.00
L-4749 Alfred C. Munson, et al.	Clackamas	Mt. Hood	Anderson Road- Duncan Road	6,250.00	6,500.00
R-36896 Harvey Carey, et al.	Douglas	Pacific	Sutherlin-Shady	100.00	250.00
L-4621 Carl C. Baggerly, et ux.	Josephine	Pacific	Coyote Creek- Sexton Mountain	200.00	300.00
(The area of taking has been revised to a larger area.)					
L-4692 Lester A. Jensen, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	1,950.00	1,950.00
L-4697 Julius B. Schaffer, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	200.00	450.00
L-4696 Julius B. Schaffer, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	50.00	100.00

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4507 W. J. Lambert, et al.	Lane	McKenzie	Hendricks Bridge	\$1,225.00	\$1,700.00
L-4508 W. J. Lambert, et al.	Lane	McKenzie	Hendricks Bridge	300.00	450.00
(This is submitted as a package settlement. Interest and fencing would increase the compensation \$130 and the appraisal has been raised to \$1,725.)					
L-4755 Earl Lau, et al.	Lane	McKenzie	Mill Creek-Belknap Springs	100.00	250.00
L-4639 Grace Converse, et al.	Polk	Willamina-Salem	Independence Junction-Bonneville Station	1,400.00	1,750.00
L-4640 Floyd S. DeLapp, et ux.	Polk	Willamina-Salem	Independence Junction-Bonneville Station	7,100.00	7,500.00
R-35311 George N. Weber, et ux.	Tillamook	Nehalem Bay State Park		5,350.00	6,500.00
(Recommended by Adm. Rev. Bd. on basis of results of trial in Welsensee (L-4564) and Ferries (L-4646) where offer and verdict were - offer \$3,350, verdict \$9,000; and offer \$200, verdict \$800, respectively.					
L-4512 Howard W. Peterson, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	100.00	500.00
(Staff Attorney suggested \$250 and owner demanded \$500. Court was definite in stating that it did not feel it proper to take a day's time for a case involving this amount of money.)					
L-4539 Paul R. Chichester, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	1,000.00 for 0.2 acre 1,450.00 revised taking for 0.28 acre	1,592.50 for 0.28 acre
(After filing complaint description revised for larger taking of 0.28 acre appraised at \$1,450.)					

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4603 Ivan D. Depute, et al.	Klamath	Klamath Falls-K.I.D. Canal-Lakeview	Madison Street	\$ 125.00	\$ 700.00
(Increase justified by verdicts in cases tried recently on same line. Combs, L-4542 R-35935, Offer: \$375; Verdict \$3,250. Keesee, L-4523 R-35930, Offer: \$275; Verdict \$1,200.)					
L-4611 Earl H. DeWitt, et al.	Klamath	Klamath Falls-K.I.D. Canal-Lakeview	Madison Street	1,750.00	3,000.00
(Two appraisers revised value to \$2,500.)					
L-4662 Rollin A. Cantrall, et al.	Klamath	Klamath Falls-K.I.D. Canal-Lakeview	Madison Street	125.00	500.00
(High appraisal was \$415.)					
R-35177 Robert E. Taylor, et ux.	Linn	Corvallis-Lebanon	Corvallis-Orleans	4,000.00	4,350.00
L-4660 Joe Greblo, et al.	Multnomah	Sandy Blvd.	Burnside Street-Sandy Blvd. Intersection	4,400.00	5,000.00
L-4708 Alban Bergstrom, et ux.	Tillamook	Nehalem Bay State Park		300.00	750.00

## REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
L-4413 U. S. A.	State of Oregon	Gilliam Morrow	U.S.A. filed a condemnation action against land required for John Day Dam and pool, including 475 acres of right of way on Columbia River Highway, and other land, owned by State Highway Commission.		\$6,665.00 Stipulated Judgment. This is the figure which State agreed to accept and U.S.A. agreed to pay.

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(For additional details, see the Chief Counsel's letters dated March 5 and March 10, 1965, entitled "Report of Cases Settled," and "Supplemental Report of Cases Settled," in the General Files in the Salem Office).

The Commission confirmed prior telephonic approval of offers for acquisition made to the owners of real property prior to the institution of condemnation proceedings as follows:

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY

R-36967 - Louis F. Brady, et al. 6.35 acres for right of way purposes. Offer of \$2,100.00 approved by Mr. Jackson January 22, 1965.

R-36974 - Harold L. Sheppard and Roy R. Phillips. 0.81 acre for right of way purposes. Offer of \$2,235.00 approved by Mr. Jackson March 1, 1965.

R-36977 - Robert F. Malburg, et ux. 3.7 acres for right of way purposes. Offer of \$2,120.00 approved by Mr. Jackson March 8, 1965.

R-36978 - Blaine G. Johnson, et ux. Parcel No. 1: 16.7 acres for right of way purposes; Parcel No. 3: 0.26 acre for permanent easement; Parcel No. 4: 0.07 acre for permanent easement. Offer of \$7,400.00 approved by Mr. Jackson February 1, 1965.

R-36979 - Fred Seymour, et ux. 2.7 acres for right of way purposes. Offer of \$1,725.00 approved by Mr. Jackson February 1, 1965.

R-37121 - Albert L. Colvert, et ux. Parcel No. 1: 0.06 acre for right of way purposes; Parcel No. 2: 0.23 acre for permanent easement. Offer of \$6,500.00 approved by Mr. Jackson February 1, 1965.

R-37123 - I. N. Gray, et al. Parcel No. 1: 0.6 acre for right of way purposes; Parcel No. 2: 0.1 acre for permanent easement. Offer of \$200.00 approved by Mr. Jackson February 11, 1965.

R-37124 - Hazel Hussey. Parcel No. 1: 1.6 acres for right of way purposes; Parcel No. 2: 5.5 acres for right of way purposes. Offer of \$64,350.00 approved by Mr. Jackson February 3, 1965.

R-37140 - Everett J. Robinson, et al. Parcel No. 1: 10.5 acres for right of way purposes; Parcel No. 2: 0.04 acre for temporary easement. Offer of \$2,700.00 approved by Mr. Jackson February 11, 1965.

R-37141 - H. L. Sheppard and R. R. Phillips. 0.79 acre for right of way purposes. Offer of \$3,750.00 approved by Mr. Jackson March 1, 1965.

R-37202 - Mildred G. Barnett. Parcel No. 1: 1.2 acres for right of way purposes; Parcel No. 2: 1.25 acres for right of way purposes; Parcel No. 3: 0.33 acre for permanent easement. Offer of \$25,750.00 approved by Mr. Jackson February 3, 1965.

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY - CONT.

R-37203 - William Mitchell Dean, et ux. Parcel No. 1: 0.37 acre for right of way purposes; Parcel No. 2: 0.35 acre for right of way purposes; Parcel No. 3: 0.13 acre for permanent easement. Offer of \$1,500.00 approved by Mr. Jackson February 1, 1965.

R-37205 - Marie R. Hurley. Parcel No. 1: 0.18 acre for right of way purposes; Parcel No. 2: 7.0 acres for right of way purposes. Offer of \$91,000.00 approved by Mr. Jackson February 2, 1965.

R-37265 - J. B. Wilson, et ux. 1.4 acres for right of way purposes. Offer of \$2,650.00 approved by Mr. Jackson March 2, 1965.

R-37269 - John Warren Hakanson, et ux. 0.01 acre for right of way purposes. Offer of \$500.00 approved by Mr. Jackson February 1, 1965.

R-37314 - Bernard O. Bordeaux, et ux. 0.01 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson March 2, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-36116 - Robert R. Bailey, et al. 3,600 square feet for right of way purposes. Offer of \$10,820.00 approved by Mr. Jackson February 1, 1965.

GOSHEN INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-37050 - Edwin E. Zietz and Barbara Zietz. Parcel No. 1: 10,500 square feet for right of way purposes; Parcel No. 2: 313 square feet for right of way purposes. Offer of \$1,450.00 approved by Mr. Jackson March 8, 1965.

LAKE CREEK-ALBANY-JUNCTION CITY HIGHWAY SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37587 - Willie D. Dunn, et ux. 1.51 acres for right of way purposes. Offer of \$7,000.00 approved by Mr. Jackson February 9, 1965.

LAKE ROAD-OREGON CITY SECTION OF THE CASCADE HIGHWAY

R-37405 - Jacob Vaetz. 3.6 acres for right of way purposes. Offer of \$19,700.00 approved by Mr. Simpson March 4, 1965.

R-37407 - Leo E. Tarkia, et ux. 0.63 acre for right of way purposes. Offer of \$25,000.00 approved by Mr. Simpson February 1, 1965.

R-37408 - Louis Schnitzer, et al. 0.82 acre for right of way purposes. Offer of \$16,230.00 approved by Mr. Simpson February 5, 1965.

R-37410 - Anton Roskoski, Jr. and Clemens Roskoski. 0.3 acre for right of way purposes. Offer of \$2,700.00 approved by Mr. Simpson March 1, 1965.



LAKE ROAD-OREGON CITY SECTION OF THE CASCADE HIGHWAY - CONT.

R-37412 - Henry J. Bisio, et ux. 0.33 acre for right of way purposes. Offer of \$2,500.00 approved by Mr. Simpson March 1, 1965.

R-37413 - Anton Roskoski, Jr. 1.6 acres for right of way purposes. Offer of \$6,000.00 approved by Mr. Simpson March 8, 1965.

R-37414 - Ernest Affolter, Sr., et ux. 0.3 acre for right of way purposes. Offer of \$1,050.00 approved by Mr. Simpson February 11, 1965.

MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY

R-35197 - Anselmo Giustina, et al. Parcel No. 1: 1.9 acres for right of way purposes; Parcel No. 2: 0.15 acre for right of way purposes; Parcel No. 3: 0.12 acre for right of way purposes; Parcel No. 4: 1.65 acres for right of way purposes. Offer of \$10,000.00 approved by Mr. Jackson March 1, 1965.

R-36591 - Richard A. Ulrich, et ux. 2.03 acres for right of way purposes. Offer of \$1,250.00 approved by Mr. Jackson March 1, 1965.

R-36604 - Lewis Wyman, et al. 0.35 acre for right of way purposes. Offer of \$1,225.00 approved by Mr. Jackson February 22, 1965. Revised amount due to flood damage.

R-36615 - Morton E. Duck and Edwin Duck. 0.08 acre for right of way purposes. Offer of \$200.00 approved by Mr. Jackson March 1, 1965.

R-36636 - James R. Drury, et al. 0.14 acre for right of way purposes. Offer of \$1,000.00 approved by Mr. Jackson February 22, 1965.

R-37417 - Reta Waddell. 0.29 acre for right of way purposes. Offer of \$200.00 approved by Mr. Jackson March 1, 1965.

NEHALEM BAY STATE PARK

R-35246 - Monte J. Ingber. 70,000 square feet for park purposes. Offer of \$1,500.00 approved by Mr. Jackson February 1, 1965.

NORTH PORTLAND HARBOR-NORTH RUSSELL STREET SECTION OF THE PACIFIC HIGHWAY

R-35120 - Donald Avery, et al. 3,500 square feet for right of way purposes. Offer of \$20,300.00 approved by Mr. Jackson February 1, 1965.

ORLEANS-LAKE CREEK SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37321 - Harry L. Christensen, et ux. 0.51 acre for right of way purposes. Offer of \$3,450.00 approved by Mr. Jackson February 1, 1965.

R-37326 - Edward W. Jenks, et ux. 5.00 acres for right of way purposes. Offer of \$10,000.00 approved by Mr. Jackson February 1, 1965.

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ORLEANS-LAKE CREEK SECTION AND LAKE CREEK-ALBANY-JUNCTION CITY HIGHWAY SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37328 - M. J. Looney, et ux. Parcel No. 1: 3.6 acres for right of way purposes; Parcel No. 2: 1.08 acres for right of way purposes. Offer of \$6,550.00 approved by Mr. Jackson February 8, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-37085 - Etta May Ober Fleming, et al. 0.01 acre for right of way purposes. Offer of \$50.00 approved by Mr. Fridley March 2, 1965.

SEVEN OAKS-NEIL CREEK SECTION OF THE PACIFIC HIGHWAY

R-36767 - Dallas S. DeLap, et ux. 0.3 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson March 1, 1965.

SUTHERLIN-SHADY SECTION OF THE PACIFIC HIGHWAY

R-36896 - Harvey Carey, et ux. 0.16 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson October 23, 1964.

The Chief Counsel commented on orders received from the Public Utility Commissioner regarding railroad crossing matters summarized as follows:

PUX 546: Application of Crown Zellerbach Corporation to construct a private road crossing with the Columbia River Highway and the Spokane, Portland and Seattle Railroad at Scappoose in Columbia County. Authority was granted for the private road crossing with provision that the applicant among other things, shall maintain the state highway in the crossing area, and also maintain all signals, warning signs and devices. Applicant is to bear the entire cost of installing and maintaining the crossing.

PUX 546: Application of Crown Zellerbach Corporation to construct a private road grade crossing with the Nehalem Highway at Mile Post 56 in Columbia County. Authority was granted under terms and conditions similar to those in PUX 546.

PUX 548: Application of Boise Cascade Corporation to construct a private road grade crossing with the Weston-Elgin Highway near Elgin in Union County. The application was granted with provisions that the applicant bear the cost of constructing, signing and maintaining the crossing.

A brief report was made by the Chief Counsel on legal proceedings commenced since the last Commission meeting. The Commission accepted the report as follows:

- (1) David Clark, et al. vs. C. R. O'Neil and State of Oregon, filed in the Multnomah County Circuit Court to recover \$18,094.25 arising out of an accident when plaintiff's vehicle slid off the Remote-Slater Creek Section of the Coos Bay-Roseburg Highway in Coos and Douglas Counties under Defendant's Contract No. 208.

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- (2) United States of America vs. Deschutes Falls Power Company, et al. filed in United States District Court for District of Oregon by United States Attorney's office to acquire right of way for Bureau of Land Management in Sherman and Wasco Counties. An examination of this complaint, the Chief Counsel commented, indicates that the State may not be a proper defendant. In any event, proper legal steps will be taken to protect the interests of the State in both cases.

Consideration was given to a request from the City of Tigard for "Consent to Annexation" to the city of a portion of the Pacific Highway West into the city limits. The Chief Counsel commented that the request has been investigated and approval will not be detrimental to the interests of the State. Following his favorable recommendation, the Commission approved the "Consent to Annexation," and authorized the Secretary to sign the "Consent" form in their behalf.

The Chief Counsel presented a proposed salary adjustment of attorneys effective February 1, 1965. The proposed adjustment, he said, is in accord with a pay plan approved by the Department of Finance and Administration, and has also been approved by the Attorney General. The Commission approved the following salary schedule:

NAME	SECTION - GRADE	PRESENT SALARY	PROPOSED SALARY
Rohde	Senior Chief Counsel	\$1195	\$1330
McKinney	Acting Asst. Counsel	1110	1195
Patterson	Chief - Trial Section	1110	1195
Anderson	Senior Atty. - Trial	990	1070
Hampton	Senior Atty. - Trial	990	1070
Holland	Senior Atty. - Trial	990	1070
Kuhn	Senior Atty. - Office	990	1070
Sorensen	Senior Atty. - Trial	915	990
Johansen	Inter. Atty. - Office	845	915
Sollis	Inter. Atty. - Trial	745	880
Hershberger	Inter. Atty. - Office	745	880
Viducich	Inter. Atty. - Office	775	845
Irvin	Inter. Atty. - Office	715	775
Riveness	Inter. Atty. - Office	685	745
Allison	Inter. Atty. - Office	655	715

A map outlining a proposed state park at the confluence of the Minam and Wallowa Rivers in Wallowa County was presented by the Deputy Engineer. He commented that the area consists of timbered land along two beautiful rivers and contains ample ground for development of day use and overnight camping. The total area consists of 567 acres, of which the Bureau of Land Management owns 320 acres; the State Game Commission 54 acres; and 165 acres are in

private ownership. The State owns approximately 30 acres. He estimated the cost of acquisition at \$60,000 and recommended that authority be granted for negotiations to purchase the necessary acreage. The Commission granted the authority.

The Deputy Engineer also presented a map showing proposed additions to Champoege State Park in Marion County. He called attention to a strip of land containing 28.72 acres owned by Marion County along the Willamette River. The County has offered the property to the State for \$21,000. The appraised value of the property is \$28,000. He also commented on a parcel of 9.44 acres appraised at \$7,300 which could provide a good boat launching and parking area. The two areas have been investigated by the Parks and Recreation Division and are desirable as additions to the park. The National Parks Service has also recommended the acquisition of additional areas along the river. He recommended that authority be granted to negotiate for the purchase of these areas at a total estimated cost of \$28,300. The Commission granted the authority.

The Deputy Engineer recommended that Mr. Robert Wilder be appointed as State Recreation Director replacing David Talbot. He recalled that when Harold Schick had resigned as Parks Superintendent to accept a position in Philadelphia that Mr. Talbot had been promoted to Parks Superintendent. Three applicants for Recreation Director were interviewed and Mr. Wilder's appointment has been recommended by the State Parks and Recreation Advisory Committee. The Commission approved the appointment of Mr. Wilder as State Recreation Director.

Renewal of a concession agreement with Bruce Kirkpatrick at Farewell Bend State Park in Baker County was discussed. The Deputy Engineer commented that two years ago when bids were received to operate the concession, Mr. Kirkpatrick had submitted the high bid of \$118.50 per month. An examination of his books indicates that he has lost money during two seasons of operation. He recommended that the agreement be renewed for a two-year period beginning January 1, 1965, at a rental rate of \$81 per month, which is \$1 per month more than the bid of the second high bidder. This arrangement, he continued, has been approved by the State Parks and Recreation Advisory Committee. The Commission approved the revised agreement and authorized the Secretary to sign it in their behalf.

(Removed from agenda.)

The Deputy Engineer requested, and the Commission approved, increases in the following project authorizations:

- (1) Contract No. 6327 on the Marks Creek-Fields Creek Section of the John Day Highway in Gilliam County for an increase of \$63,569.07 or 8.9 per cent. The increase was caused principally by the need for additional surfacing and paving quantities, and additional engineering costs because of the contractor's low rate of production.
- (2) Contract No. 6313 on the North Unit, Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway

in Douglas County for an increase of \$55,050 or 5.7 per cent. An increase in general excavation quantities because of slides, and additional embankment foundation excavation were the principal causes of overrun.

- (3) Contract No. 5999 on the Clatskanie-Westport Section of the Columbia River Highway in Clatsop and Columbia Counties for an increase of \$249,787.08. The necessity of flattening of slopes because of unstable material, excavation below grade and backfilling with rock, and construction of a detour along the project were some of the principal reasons listed for the overrun.
- (4) Contract No. 6459 on the Follyfarm-Scotts Butte Section of the Crane-Scotts Butte Highway in Malheur County for an increase of \$41,213 or 5.8 per cent. Major causes of the overrun were listed as increased grading and surfacing quantities which increased the equipment rental time, and large amounts of explosives used on a section of difficult rock excavation.

The Commission confirmed the Engineer's action in placing and removing load limits because of weather conditions as follows:

- (1) On January 22, 1965, removed 35-ton load limit on temporary Bailey Bridge at M. P. 39.08 on the Ochoco Highway in Crook County.
- (2) On February 11, 1965, at 2:45 p.m. removed 10-ton load limit and 10 MPH speed limit on the Matlock Bridge at M. P. 16.78 on the Halsey-Sweet Home Secondary Highway in Linn County.
- (3) On February 11, 1965, at 8 a.m. placed in effect a 10-ton load limit on the Farm Overcrossing structure at M. P. 00.89 on the Wilson River Highway in Tillamook County.

The Commission confirmed prior telephonic approval for emergency relief projects caused by the December and January floods on the County Federal-aid Secondary System and authorized the Secretary to sign agreements when prepared as follows:

EMERGENCY RELIEF FUNDS  
1964 FLOOD DAMAGE TO COUNTY FAS ROUTES  
First Submission

County	FAS	Section	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Baker	498	Willow Creek	\$ 540	\$ 540	\$ 1,620	\$ 2,700

(Continued on following page)

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EMERGENCY RELIEF FUNDS  
1964 FLOOD DAMAGE TO COUNTY FAS ROUTES  
First Submission - Cont.

County	FAS	Section	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Douglas	253	North Umpqua Highway, M. P. 21.7 to 21.9	\$ 9,200	\$ 9,200	\$ 27,600	\$ 46,000
	800	Brown Bridge	60,000	60,000	180,000	300,000
Wasco	704	Willowdale-Antelope	22,600	22,600	67,800	113,000
TOTAL, FIRST SUBMISSION.....			\$92,340	\$92,340	\$277,020	\$461,700

EMERGENCY RELIEF FUNDS - PERMANENT RESTORATION  
1964 FLOOD DAMAGE TO COUNTY FAS ROADS  
Second Submission

County	FAS Routes	20% State Funds	20% County Funds	60% Federal Funds	Total
Benton	Nos. 209, 206, & 864	\$ 49,040	\$ 49,040	\$147,120	\$ 245,200
Coos	Nos. 249, 250, 251, 252, 255, 677, & 804	5,160	5,160	15,480	25,800
Hood River	Nos. 306 & 580	20,000	20,000	60,000	100,000
Jackson	Nos. 273, 274 & 287	35,380	35,380	106,140	176,900
Josephine	Nos. 267, 594, 850, & 851	101,380	101,380	304,140	506,900
TOTAL, SECOND SUBMISSION.....		\$210,960	\$210,960	\$632,880	\$1,054,800
First Submission.....		92,340	92,340	277,020	461,700
Total to Date.....		\$303,300	\$303,300	\$909,900	\$1,516,500

The Commission also confirmed Chairman Jackson's telephonic approval given February 17, 1965, approving an Emergency Relief project on the Woodworth County Road (FAS 580) in Hood River County for roadway repair and bridge replacement because of flood conditions. The Deputy Engineer estimated the total cost of the project at \$25,000 with the State and the County each paying \$5,000 and the Federal Government \$15,000. The Commission also authorized the Secretary to sign a construction agreement in behalf of the Commission.

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A request was considered from Jackson County for a Federal-aid Secondary project estimated to cost \$225,000. Of this amount, the Deputy Engineer stated that the State's share would be approximately \$45,000. Following his favorable recommendation, the Commission approved the following project and authorized the Secretary to sign an appropriate agreement in their behalf:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Jackson	287	Middle Fork Rogue River. Grade & pave, 1.25 miles.	\$ 225,000	1966

Reynolds Metals Company requested access to Arata Road approximately 150 feet northerly of the junction of the off ramps and Arata Road on the Columbia River Highway in Multnomah County. Construction of a service station at present, and possible later construction of a motel and restaurant is planned. An examination of the right-of-way files, the Deputy Engineer commented, reveals that no payment was made for the rights of access which were secured abutting Arata Road. As no payment was made and access is not controlled on the opposite side of the road, the Deputy Engineer recommended that access be granted on condition that the grantee widen Arata Road and install left-turn refuges for the safety of the traveling public. The Commission approved the "Grant of Access."

With the completion of the McMinnville Section of the Three Mile Lane Highway in Yamhill County, the Deputy Engineer stated that it has become desirable to extend the route of ORE18 from its present terminus at US99W northeasterly along the Three Mile Lane Highway to the Dayton Junction. This route will provide a bypass around McMinnville for traffic between Portland and the Oregon Coast. The Commission approved the routing of ORE18 as follows:

Over the Salmon River Highway from its junction with the Oregon Coast Highway (US101) west of Otis, easterly via Grande Ronde, Valley Junction (common with ORE22 from Valley Junction to Wallace Bridge) and Bellevue to its junction with the Three Mile Lane Highway; thence northeasterly over the Three Mile Lane Highway to its junction with the Pacific Highway West (US99W) north of Dayton (common with ORE233 between the LaFayette Highway and the Pacific Highway West).

Following the Deputy Engineer's favorable recommendation, the Commission approved including in the Oregon Manual on Uniform Traffic Control Devices a sign which reads "FORM 1 LINE."

Construction of a new bridge across Chewaucan River on the Fremont Highway near Paisley in Lake County was considered. The Deputy Engineer explained that the old structure consisting of one 13-foot and five 19-foot timber spans was damaged by flood water, and that there is considerable decay in the timbers. Also, the narrow span openings have contributed to driftwood and ice jams. Rather than repair the present inadequate structure, he recommended construction of a new prestressed concrete slab design on steel piling at an estimated cost of \$60,000 from state funds. The Commission approved the project.

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The Deputy Engineer reported that Contract Nos. 6044, 6220, 6225, 6253, 6277, 6286, 6317, 6329, 6339, 6349, 6353, 6391, 6403, 6440, and 6479, for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance by the Commission, or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 139", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution prohibiting parking at certain intersections on the Cascade Highway (82nd Avenue) in Portland, Multnomah County, was presented by the Deputy Engineer. He explained that a recent traffic investigation disclosed the need for left-turn channelization at certain intersections, and it will be necessary to prohibit parking near these intersections to provide adequate street space for the left-turn lanes. Based on his favorable recommendation, the Commission approved the parking prohibitions as recommended, and thereupon adopted "No Parking Resolution No. 251", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Deputy Engineer presented for confirmation construction of a temporary Bailey bridge across the Rogue River at Shady Cove in Jackson County. Arrangements, he said, were made through the Bureau of Public Roads to borrow the portable bridge material from the U. S. Army Camp Sharp in California. The Bailey bridge consisting of two-130 foot spans plus approaches, was placed in operation on March 2, 1965, at an estimated cost of \$70,000. The Commission confirmed the project.

The Deputy Engineer presented an estimate of the damage to the Federal-aid Highway System caused by the December 1964 and January 1965 floods. He pointed out that because of the emergency nature of the work it has been difficult to keep the Commission advised on all details, and he requested that the Commission approve as an emergency program such work as may be necessary to restore the highway system within the limits of the estimate, and that he be authorized to advertise restoration projects as soon as they can be prepared. Except for temporary repairs, he stated that the work would be handled by formal contract, the same as any other Federal-aid work. Restoration projects are carefully coded in the accounting system and can be audited and separated from regular work. Quarterly reports will be prepared and submitted to the Commission as work progresses. The Commission approved the following estimate of damage to the Federal-aid System and authorized the Engineer to advertise restoration projects when they are prepared. These may total up to 200 contracts or more.

(Estimate of Damage to Oregon Federal-aid System on following page)

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## E S T I M A T E

of

## DAMAGE TO OREGON FEDERAL-AID SYSTEM

December 1964 and January 1965 floods

Total Damage	\$ 32,000,000
Repairs undertaken by Bureau of Public Roads (mainly, Clackamas Highway and North Umpqua Road)	7,500,000
Balance to be undertaken by State	\$ 24,500,000
Sections on Forest Highway System which are eligible for 100% Federal reimbursement	\$ 5,750,000
Balance which is eligible for 63% Federal reimbursement	\$ 18,750,000

Interstate	\$ 2,250,000
Primary	5,300,000
FAS	4,700,000
FASC	6,500,000
	<u>\$18,750,000</u>

This may be broken down as follows:

Federal	\$12,000,000
State	5,550,000
County	1,200,000
	<u>\$18,750,000</u>

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A recent investigation, the Deputy Engineer said, reveals that a 40 mile-per-hour speed zone on the Salmon River Highway in the vicinity of Valley Junction and Grand Ronde in Polk County would be more reasonable than the existing 35 mile-per-hour zone. He recommended that "Speed Zone Resolution No. 69" dated October 11, 1951, and "Speed Zone Resolution No. 69a" dated January 22, 1959, be rescinded and that a 40 mile-per-hour zone be

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established between a point 0.14 mile west of L, D and N Railroad Grade Crossing (M. P. 20.83) and a point 0.14 mile east of East Avenue (M. P. 21.33), except that between M. P. 21.16 and M. P. 21.22 the designated speed shall be 20 miles per hour during hours of school crossings; and that a speed zone of 40 miles per hour be established between a point 0.46 mile west of the Three Rivers Highway (M. P. 22.60) and a point 250 feet east of the South Yamhill River (M. P. 23.15). The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 483," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Deputy Engineer also reported that the State Speed Control Board in January had established certain speed zones on the Springfield Highway in the City of Springfield in Lane County. To carry these speed zones to a logical point of termination, he recommended that a 35 mile-per-hour speed zone be established between the Eugene-Springfield Highway (M.P. 0.00) and the north city limits of Springfield southbound and northbound. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 484", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with the City of Portland was presented by the Deputy Engineer covering the rehabilitation of traffic signals at 22 intersections on the Pacific Highway East (US99E) along its routing on McLoughlin Boulevard, Union Avenue and Grand Avenue. He commented that for many years it has been the policy to install traffic lights on a 50-50 cooperative basis in cities. When the signals have become worn out and obsolete rehabilitation programs have been entered into with the cities, also on a 50-50 cooperative basis. The traffic signals along the route of US99E in Portland, he continued, are becoming difficult to maintain because of their age and he recommended that the replacement work be done by the City and upon completion, that the City and State share equally the estimated cost of \$91,000. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

A throughway agreement with Josephine County pertaining to the Grave Creek Section of the Pacific Highway in Josephine County was also considered. The Deputy Engineer explained that the agreement provides for construction of an interchange at Sunny Valley with separate structures at Leland Road. A frontage road is to be constructed along the westerly side of the throughway to connect these points, and when completed jurisdiction and maintenance will pass to the County. The State also is to construct and maintain a frontage road along the easterly side of the throughway southerly of the proposed interchange. He estimated the entire project would cost approximately one million dollars and it is planned to call for bids in May 1965. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation of Chairman Jackson's action of February 8 approving an agreement with Parsons, Brinckerhoff, Quade and Douglas to add three preliminary bridge designs to their recently completed Fremont Bridge Study was presented by the Deputy Engineer. He recalled that in response to requests from the Portland City Council, the Portland Art Commission and other groups in Portland, it was deemed advisable to secure three additional designs not

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requiring piers in the river as follows:

- (1) A Port Mann type of arch structure
- (2) A conventional suspension bridge
- (3) A conventional type of cantilever bridge.

He pointed out there are many advantages for a structure that will span the entire channel, and although the matter has been discussed with the Bureau of Public Roads he could not say whether Federal approval will be forthcoming. So that as many types of bridges as possible can be studied, and so that good estimates of cost can be made, he recommended that the supplemental work be performed at a cost not to exceed \$33,000. The Commission confirmed the Chairman's action and authorized the Secretary to sign an agreement in their behalf.

The Commission also considered an agreement with Parsons, Brinckerhoff, Quade and Douglas retaining them as consultants in the construction of the Vista Ridge twin highway tunnels on the Sunset Highway in Portland. The Deputy Engineer recalled that surveys had been completed and a pilot bore has been made which indicated a complex geological formation. The Bureau of Public Roads, he added, requires that the services of a consultant be obtained. The proposed consultants have had much experience in this type of work and he recommended that they be retained at a fee not to exceed \$26,000. The Commission approved hiring of the consulting firm and authorized the Secretary to sign an agreement in their behalf.

An agreement with the City of Ashland covering illumination of the Green Springs Interchange on the Pacific Highway (I-5) in Jackson County was discussed. The Deputy Engineer stated that under the terms of the agreement the State is to install and maintain lighting of the interchange and the City is to pay for the electrical energy used. He estimated cost of the illumination at \$20,000 which has been approved by the Bureau of Public Roads as a FAI project. Also the City of Ashland at its expense is to install illumination facilities, maintain them and pay for power needs on the lineal lighting of the Green Springs Highway from its junction with the Rogue Valley Highway to the Green Springs Interchange. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a cooperative construction agreement with the City of Sandy pertaining to the Duncan Road-Sandy Section of the Mt. Hood Highway in Clackamas County. This agreement, the Deputy Engineer said, provides for reconstruction of Main Street as the eastbound leg of a one-way couplet in Sandy. The westbound leg will be the existing Mt. Hood Highway. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it for them.

An easement agreement with Southern Pacific Railroad for construction of a footpath near the Mt. Vernon School about 0.6 mile southerly of Springfield on the Springfield-Creswell Highway in Lane County was brought up by the Deputy Engineer. Cooperative efforts, he said, have brought about construction of a footpath to take care of a troublesome pedestrian problem near the school. The easement provides for the footpath across Southern Pacific property and as part of the construction the State is to place catch

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basins on either end of a railroad culvert to handle drainage, which he estimated would cost \$350. His recommendation for approval of the easement was accepted by the Commission.

The Commission also considered an agreement with Southern Pacific Railroad Company concerning installation of railroad crossing protective devices on the Beaverton-Tualatin Highway near Tualatin in Washington County. This agreement, the Deputy Engineer commented, provides that the State pay 50 percent of the cost of installing crossing gates and the Railroad Company pay the other half. He estimated the total cost of the project at \$13,570. Construction work is to be done by Southern Pacific Railroad Company or its contractor. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement was considered with the City of Portland concerning installation of illumination on the S. W. Montgomery-S. W. Broadway Section of the Stadium Freeway (I-405) in Portland. This agreement, the Deputy Engineer said, provides that the State do the work as a part of the Interstate project at an estimated cost of \$26,500 and maintain the units after installation. The City is to pay for all electrical energy used. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission confirmed the next regular meeting date for Tuesday, April 20, 1965, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, June 1, 1965.

The Commission approved the minutes of the meeting held January 27, 1965.

The Commission considered a 1966 Fiscal Year Oregon Forest Highway Program. The Deputy Engineer explained that the program as presented had been developed through joint conferences with the U. S. Forest Service, Bureau of Public Roads and representatives of the Highway Department. He also mentioned that representatives of the Forest Service and the Bureau of Public Roads are present if the Commission wishes to ask them any questions. He said that there is an understanding with the Bureau of Public Roads and the Forest Service that after the beginning of the next fiscal year (this fall) substantial additional funds will be made available for the Neskowin-Pacific City project. He recommended that the program be approved. The Chairman inquired if there would be any loss of construction funds due to projects being carried over from one program to another. The Deputy Engineer replied that there would be no loss of funds. The Commission approved the following Forest Highway Program:

#### OREGON

#### SUMMARY - 1966 Fiscal Year Forest Highway Program Approved:

1966 Fiscal Year and Prior Funds  
Available for Programing. . . . . \$4,455,882

(Program continued on following page)

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Project Number	Route Name and Termini	Type	Miles	Revised Program Amount
<u>PREVIOUSLY PROGRAMED PROJECTS REVISED:</u>				
<u>Increase Previous Program Amount (\$360,000) by \$110,000:</u>				
7-1(1)	Siuslaw Highway Jct. with U. S. 101 at Florence to Cushman excluding 0.7 miles Proj. 7-G4, N. Fk. Siuslaw River Br.	Grade Base Bit. Pave.	2.8	\$ 470,000
<u>Increase Previous Program Amount (\$292,500) by \$487,500:</u>				
7-1(2)	Siuslaw Highway From Cushman - Easterly	Grade Base Bit. Pave.	4.0	780,000
<u>Increase Previous Program Amount (\$850,000) by \$250,000:</u>				
22-1(4)	McKenzie Highway 5.2 Miles East from Blue River to Belknap Jct.	Grade Base Bit. Pave.	8.0	1,100,000
<u>Establish new program amount as now authorized (from \$400,000 plus allowable 25%) and increase authorization (\$500,000) by \$40,000:</u>				
33-2(1)	Pendleton-John Day Highway S. end of Project 33-A2, B3 - South.	Grade Base	3.9	540,000
<u>Establish new program amount as now authorized (from \$100,000):</u>				
42-1(3)	Warm Springs Highway 5.9 Miles S. E. from Clackamas-Wasco Co. Line to Jct. SH 216.	Bit. Pave.	2.3	125,000
<u>Increase Previous Program Amount (\$225,000 FH funds) by \$150,000 FH funds to establish a total of \$725,000*:</u>				
55-1(1)	Clackamas Highway Jct. FAS 140 at Estacada- Southeasterly	Grade, Base	3.7	375,000
FH FUNDS REQUIRED FOR ABOVE ADJUSTMENTS				\$1,037,500

\*(Total includes State \$100,000 and  
O&C \$250,000 Coop funds)

Project Number	Route Name and Termini	Type	Miles	Program Amount
FH FUNDS AVAILABLE FOR NEW PROJECTS				\$3,418,382
<u>NEW PROJECTS:</u>				
25-1(1)	Mt. Hood (US-26) Project FH 25-A10 Sta. 65+00 to 140+00 Vicinity Gov't Camp.	P. C. Channel Change	1.4	100,000
46-4(2)	Cascade Lakes South end of Project 46-4(1) - Southerly.	Grade Base	5.0	400,000
48-1(2)	Klamath Lake - West Side Vicinity of Crane Creek southerly to vicinity of Jack Springs. (Northerly end of route.)	Grade Base	3.1	350,000
49-1(3)	Mt. Hood Loop 1.1 Mi. south from E. Fork Hood River Bridge - southwesterly.	Grade Base Bit. Pave.	5.0	1,000,000
56-1(1)	Neskowin-Tillamook Neskowin - northerly to Nestucca River.	Grade (4.4) Base (1.5) & Pave.	4.4	1,000,000
6600-00	Lump Fund--Survey-Design Routes - 1,2,3,5,6,7,8, 11,12,16,17,18,22,23,24, 25,26,30,31,32,33,34,35, 39,42,43,46,47,48,49,51, 53,55,56.	--	--	300,000
TOTAL NEW PROJECTS				\$3,150,000
FH UNPROGRAMED BALANCE				268,382

The Deputy Engineer stated that the City of Portland had requested installation of a traffic signal at the intersection of S. W. 4th Avenue and S. W. Lincoln Street, an off-ramp from the Stadium Freeway (I-405). An investigation reveals that the installation is warranted and he recommended that the State make the installation at an estimated cost of \$10,600 as a FAI Project. The City is to furnish and install the traffic signal controls, the supervisory power supply wires, pay for future power consumption and maintain the signals after installed. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.



The Commission confirmed prior telephonic approval given for award of contracts on bids received February 2, February 16, February 23, and March 3, 1965. The Deputy Engineer mentioned the number of bids on each project, the estimated cost, the amount of the low bid, and the Engineer's recommendation as to award or referral. The Commission also authorized the Secretary to sign the contracts in their behalf as follows:

BIDS RECEIVED IN SALEM FEBRUARY 2, 1965

"Bridge over the Rogue River on the Shady Cove Bridge Section of the Crater Lake Highway, north of Medford in Jackson County. This is a federal-aid project to be constructed in conformance with Federal-aid Primary Regulations. Eight bids were received. The Commission on February 2, 1965, awarded the contract to the low bidder, Cumming & Webber, Inc., Portland, at \$343,425.00.

"Santiam River Overflow Bridge Trestle Extension on the Jefferson Highway, southwest of Jefferson in Linn County. This is a federal-aid project to be constructed in conformance with Federal-aid Primary Regulations. Fifteen bids were received. The Commission on February 4, 1965, awarded the contract to the low bidder, Inland Construction Company, Milwaukie, at \$33,873.80.

"John Day River Bridge Detour Section of the Columbia River Highway in Gilliam and Sherman Counties. Federal-Aid Project No. ER-96(2). Five bids were received. The Commission on February 10, 1965, rejected all bids as being too high.

BIDS RECEIVED IN SALEM FEBRUARY 16, 1965

"Reconstruction of the Dodge Bridge over the Rogue River on the Sams Valley Highway, northeast of Gold Hill in Jackson County. Project to be constructed under Federal-Aid Primary Highway regulations. Seven bids were received. The Commission on February 17, 1965, awarded the contract to the low bidder, Stach Construction Company, Inc., Grants Pass, at \$194,415.00.

BIDS RECEIVED IN SALEM FEBRUARY 23, 1965  
AWARDS MADE BY THE COMMISSION FEBRUARY 24, 1965

"N. Unit Main Canal and C.O.I. Canal Bridges on Boyd Acres Road, at north city limits of Bend in Deschutes County. FAP S-529(1). Eleven bids were received. The Commission elected to accept the low bid of R. L. Coats, Bend, in the sum of \$49,880.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Deschutes County is received and the sum of \$11,200.00 is deposited by the County.

"Grading, paving, structure and signing on the Canyon Creek Pass-Azalea Section of the Pacific Highway, south of Canyonville in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(44)88. Eight bids were received. The Commission awarded the contract to the low bidder, Slate-Hall, Portland, at \$1,769,205.45.

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"Stone base and oiling on the Jefferson County Roads Section of FAS 660 and 836 near Cove Palisades State Park and Culver in Jefferson County. FAP Nos. S-494(3) and S-460(2). Six bids were received. The Commission elected to accept the low bid of Babler Bros., Inc., Portland, in the sum of \$66,981.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Jefferson County is received and the sum of \$16,800.00 is deposited by the County.

"Leveling course and oiling on the Fishlake-Drake Creek Section of FAS 807 northeasterly of Lakeview in Lake County. FAP No. S-522(2). This project was withdrawn from the letting.

"Grading, paving and traffic signals on the Sunnyview Avenue-Center Street Section of FAS 741 (Lancaster Drive) east of Salem in Marion County. FAP No. 528(1). Three bids were received. The Commission elected to accept the low bid of Salem Road and Driveway Company, Salem, in the sum of \$251,863.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Marion County is received and the sum of \$57,300.00 is deposited by the County.

"Roadway illumination on the S. W. Broadway-Ross Island Bridge Section of the Stadium Freeway Highway in Portland in Multnomah County. Federal-aid Project No. I-405-8(7)301. Five bids were received. The Commission awarded the contract to the low bidder, McIntyre Electrical Inc., Portland, at \$27,745.00.

"Roadway illumination installation on the Smith Point Channelization Section of the Oregon Coast Highway in Astoria in Clatsop County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Olson Electric Company, Inc., Vancouver, Washington, at \$14,795.00.

"East Fork Hood River Bridge on Woodworth County Road (FAS 580), northeast of Parkdale in Hood River County. Federal-aid Project No. ER 115(1). Three bids were received. The Commission on February 25, 1965, referred all bids to the Engineer to award when certain conditions have been fulfilled.

BIDS RECEIVED IN SALEM MARCH 3, 1965

"Grading, on equipment rental and intermittent surfacing and paving on the Oakridge-Salt Creek Tunnel Section of the Willamette Highway, southeasterly of Eugene in Lane and Klamath Counties. Project to be constructed under Federal-aid Primary Highway Regulations. Ten bids were received. The Commission on March 3, 1965, awarded the contract to the low bidder, Rogers Construction, Inc., Portland, at \$1,482,691.00.

The Deputy Engineer commented on contracts which had been referred to the Engineer to award when certain conditions had been satisfied. These conditions, he said, have been met and he requested confirmation of award of the contracts. The Commission confirmed the award of contracts as follows:

- (1) Grading on Cape Lookout Summit Section of FAS 617 in Tillamook County. Bids received January 12,

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1965. Contract No. 6538 awarded in afternoon of January 27, 1965, to Buswell Brothers, Roseburg, low bidder.

- (2) Willow Creek Bridge on Courtney Lane County Road in Union County. Bids received January 12, 1965. Contract No. 6539 awarded in afternoon of January 27, 1965, to Cumming and Webber, Inc., Portland, low bidder.
- (3) Oiling on two FAS Route Nos. 918 and 919 in Union County. Bids received January 12, 1965. Contract No. 6540 awarded in afternoon of January 27, 1965, to Percy E. Jellum Contractor, Inc., Pendleton, low bidder.
- (4) Grading and structures on Cascade Locks-Mitchell Point Section of Columbia River Highway in Hood River County. Bids received December 8, 1964. Contract No. 6541 awarded January 29, 1965, to Morrison-Knudsen Company, Inc., Seattle, Washington, low bidder.
- (5) Roadside seeding and fertilizing the Rufus-Arlington Section of the Columbia River Highway in Sherman and Gilliam Counties. Bids received January 12, 1965. Contract No. 6544 awarded February 8, 1965, to Reforestation Services, Inc., Salem, low bidder.
- (6) Grading, paving, structure, and signing on Powell Valley Road-Duncan Road Section of Mt. Hood Highway in Clackamas and Multnomah Counties. Bids received January 12, 1965. Contract No. 6545 awarded February 8, 1965, to Roy L. Houck Sons' Corporation, Salem, low bidder.
- (7) Grading and paving the Duncan Road-Sandy Section of the Mt. Hood Highway in Clackamas County. Bids received January 12, 1965. Contract No. 6546 awarded February 9, 1965, to Roy L. Houck Sons' Corporation, Salem, low bidder.
- (8) North Unit Main Canal and C.O.I. Canal Bridges on Boyd Acres Road in Deschutes County. Bids received February 23, 1965. Contract No. 6551 awarded February 26, 1965, to R. L. Coats, Bend, low bidder.
- (9) Traffic signals on Washington Street at 14th Street in Oregon City. Bids received January 12, 1965. On January 27 the Commission referred the bid of W. R. Grasle Company to the Engineer to award when approval was received from Oregon City. By letter of February 17 the City stated they wished to postpone the installation. Confirm Commission's action of February 26 rejecting all bids as being too high.

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- (10) East Fork Hood River Bridge on Woodworth County Road (FAS 580) in Hood River County. Bids received February 23, and on February 25, bids were referred to Engineer with authority to award the job when certain conditions had been satisfied. Contract No. 6552 awarded March 2, 1965, to George Renner Construction, Portland, low bidder, in the amount of \$21,300.
- (11) Grading, paving, and traffic signals on Sunnyview Avenue-Center Street Section of FAS 741 (Lancaster Drive) in Marion County. Bids received February 23, 1965. Contract No. 6554 awarded March 5, 1965, to Salem Road and Driveway Company, Salem, low bidder.
- (12) Stone base and oiling on Jefferson County Roads Section of FAS 660 and 836 in Jefferson County. Bids received February 23, 1965. Contract No. 6555 awarded March 8, 1965, to Babler Bros., Inc., Portland, low bidder.

A landscaping agreement with the City of Klamath Falls for beautification of the Nevada Interchange and the Main Street connection on the west side bypass (The Dalles-California Highway) in Klamath Falls was presented by the Engineer. Under terms of the agreement, the State is to perform landscaping work and install irrigation facilities and maintain all except the southwest portion of the Nevada Avenue Interchange. He estimated the cost of the project at \$70,000. The City of Klamath Falls is to maintain the southwest area of the Nevada Avenue Interchange, connect the irrigating system to the city water mains, and provide water to all of the landscaped areas at no cost to the State. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a request from the City of Lakeview for a cooperative project on the Fremont Highway in the northerly part of the city between Fifth Street and the north city limits. The Engineer commented that the City has requested a curbed section with a 44-foot roadbed, which would require resurfacing and the installation of some storm sewers. The City has agreed to pay 25% of the total cost of the project, which he estimated at \$80,000. The Commission accepted his recommendation for approval of the project and authorized the Secretary to sign an agreement covering it.

Chairman Jackson inquired concerning right-of-way negotiations with Southern Pacific Railroad and Union Pacific Railroad on approaches to the Marquam Bridge in Portland. The Engineer replied that negotiations were not yet complete because the Railroad had to secure services of an architect for the design of some buildings. The negotiations, however, are far enough along that he felt the project could be advertised for bids within three or four weeks. The Chairman then inquired if negotiations with the Railroad Companies had delayed opening of the bridge to traffic. The Engineer replied that in his opinion that a six months' delay had been caused. The Chairman

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then inquired if it would be possible to make up any portion of this six months' delay. The Engineer replied that a tight contract schedule has been arranged which may shorten the period.

The meeting was recessed at 10:20 a.m. and reconvened at 10:35 a.m. with the same persons present.

A delegation representing the Prineville-Crook County Chamber of Commerce came before the Commission concerning extension easterly of the Paulina Secondary Highway. The following persons were present: A. R. Bowman, Ervin Grimes, Melvin Weberg, Luke Reif and Ivan Chappell, all from Prineville. Mr. Grimes presented a petition signed by residents of Crook and Grant Counties. Mr. A. R. Bowman stated that Crook and Grant Counties had extended the county road from Paulina easterly to Izee, to what he felt were adequate standards for a secondary highway. He urged the Commission to continue the construction easterly to a junction with the John Day-Burns Highway. Harney County is also much interested in the extension of this highway. Selection of the route, he felt, should be determined by the Highway Commission, and he mentioned a possible route along Lonesome Creek and Jump Creek to a junction with US395 near Silvies. He asked the Commission to keep this request in mind when the emergency work caused by the recent floods is completed. Mr. Chappell commented that construction of a modern highway into the Izee area would be of great economic benefit to the country, although it is realized that construction will probably not be immediate. Chairman Jackson stated that the Commission is aware of the need for a better highway in that area and that their request would not be forgotten.

A delegation representing the Tri-City Chamber of Commerce from the area in and near Oregon City came before the Commission concerning a proposed route for I-205. The following people from Oregon City were present: Alfred Simonsen, Dale Dunn, Perry Landsem, C. R. Stromeyer, and Ashley Greene. Mr. Simonsen presented a resolution adopted by the City Commission of Oregon City requesting that I-205 be routed through the easterly part of Oregon City and southerly to a connection with the Pacific Highway (Baldock Freeway) near Aurora, thereby eliminating the expense of another bridge across the Willamette River. He also presented a resolution adopted by the Oregon Tri-City Chamber of Commerce to study feasibility of routing I-205 east of Oregon City to connect with the Cascade Highway at Park Place, or with the Molalla Highway south of Oregon City, and extending in a southwesterly direction to a connection with the Pacific Highway, west of Canby.

Mr. Ashley Greene stated that the Cascade Highway Association favors an alternate route through Clackamas County even though the proposed mileage would exceed that authorized by the Federal Government. Chairman Jackson remarked that mileage for the Interstate System has been set, and the route requested by the delegation is approximately thirteen miles above the allocation. It was his feeling that the Federal Act authorizing the Interstate System would be extended and that the State would participate in the allocation of additional mileage. The Commission, he said, is much interested in the bypass or loop route that the delegation has presented.

The Commission, he said, today goes on record as accepting the East Alternate Mt. Hood-96th Street route as outlined in the I-205 Freeway Report 64-5. A hearing was held on this route and the 47th-52nd Avenue Route in Portland on December 11, 1964. The Commission, he continued, is well aware of the anxiety and the hurt which may be caused to property owners in delay of construction once a route has been selected. It is the Commission's plan, he continued, to start acquisition of right of way immediately after approval has been given by the City of Portland.

Mr. Dale Dunn inquired if the Bureau of Public Roads would go along with this routing if it is approved by the City of Portland. The Chairman replied that it appeared reasonable that if the route was agreed upon by Multnomah County, the City of Portland, and the State, that the Bureau of Public Roads would concur. Mr. Dunn then inquired if it would be necessary to wait until 1972 to consider the bypass route presented by the delegation. The Chairman replied that in his opinion Congress would have to consider additional mileage at an earlier date because considerable pressure is already developing. Mr. Dunn then asked if the Commission would ask for additional mileage if the City of Portland approves the Mt. Hood-96th Avenue Route. The Chairman replied that the Commission does intend to ask for additional mileage.

Mr. Dunn then inquired as to the status of the proposed bridge across the Willamette near Oregon City. The Engineer replied that approval has just been received from the municipalities involved and the project is ready to move ahead.

A delegation representing the Prairie Community Chamber of Commerce, the Grant County Chamber of Commerce, and others came before the Commission concerning the improvement to the John Day Highway between Ironsides and Brogan. The following people were present: Connie Johnson; Judge E. Howell; Lloyd Evans, Unity; John Berning, Redmond; Fred DeMeyer; F. D. Sokol, Mr. and Mrs. Talbott Robinson, Leslie Holland, Logan Newton, Tom Barrett, David Yager, Leslie Holland, all from Prairie City; Allen Fletcher, Ironsides; Jack McKenna, Hilton Clark, Fred Jackson, Joseph Buttise, Vale; Maude Johnson, Long Creek; Herman Desousa, Harold Coombe, Erner Rohder, Mt. Vernon; Frank L. Howard, Bates; Ray Stevens, G. L. Herberger, Harry Grimsley, H. E. Lover, Dave Owens, H. Owens, Carl Stratton, John Gardner, Clyde Daville, Ernest Sharp, Herschel Leatherbury, Homer Damon, Al Reinertson, Jim Maple, C. W. Stutesman, Gene Mulcare, and Vern Ricketts, all of John Day.

Mr. Reinertson commented that the large group present is unified in urging improvements to the John Day Highway to avoid the discontinuance of Trailways Bus Service, and the proposed elimination of large truck service. He exhibited a number of color slides showing the narrow, crooked condition of the highway in some areas. Mr. Damon commented on the sharp curves in the canyon and on Brogan Hill and that many of these curves could be widened to allow heavy trucks without a great expenditure of funds. He also commented on the flooding of the highway recently east of Mt. Vernon, and the sharp curves near Mitchell Mountain. A slide was shown showing trucking on the highway with a wagon, mules, and trailer emphasizing the need for a better highway. Mr. Jackson stated that the City of Vale is much in favor of improvement of the highway, and he presented a resolution urging improvement

near Brogan in 1965, and opposing abandonment of the bus service. Mr. Fletcher commented that he had lived at Ironsides for the last twenty years and as there is no railroad into this country, all freight and produce must be hauled in and out by truck. He felt it essential to the economy of the country that it be served by large trucks, and that bus service be retained. Mr. Evans mentioned the importance of the improvement to the town of Unity and to the lumber mill that is located there. Some employees in the mill, he said, drive a considerable distance to work and improvement of the highway would be of benefit to them. The mill, he continued, has an annual payroll of approximately one-half million dollars. Students are also hauled over the highway by bus.

Mr. Robinson commented on the economic dependence of this area on highways, and that lack of a good highway keeps tourists from coming into the country even though there is excellent hunting, fishing and much lovely scenery.

Mr. Hollis Owens reiterated the need for a better highway to retain bus service, to facilitate the movement of larger trucks, and as an attraction to tourists. Eastern truck drivers accustomed to level country are reluctant to drive this highway, and he commented that one trucking company had removed its service after one truck driver had been killed and a helper crippled. The Trailways Bus Company has made application to remove bus service because of the curves and narrow road over Brogan Hill.

Mr. John Berning stated that he drives a truck from Redmond to Portland and improvement is needed both on US26 and US126. Mr. Reinertson commented that the large group here, approximately 50, had come in by bus, and he asked the Commission for help in the near future. Chairman Jackson stated that the Commission knows of the condition on Brogan Hill and in the Ironsides area. To improve the Brogan Hill Section, he said, would cost approximately \$400,000. Funds available for new construction are extremely limited and the Commission is faced with the difficult problem of allocating the available funds, particularly considering the demands of roads bearing a great volume of traffic, and sections where lack of development is hurting the economic life of the area. The Commission favors an increase in the gas and car license tax and, he said, the request presented by the delegation would not be ignored.

A delegation from the City of Dallas appeared before the Commission requesting improvement to the Willamina-Salem Highway between Rickreall and the Independence "Y" Junction, and on Highway 223 from Rickreall to Dallas. The following persons were present from Dallas: Ken Shetterly, Howard Brandvold, Ken Woods, Howard Fleming, J. J. Seacrest, H. Rohrbough, Pete Dyer, Henry Hilderbrand, Mr. Walker, W. Jones, and Curt Lamb.

Mr. Shetterly introduced the members of the delegation and pointed out that the road between Salem and Dallas is on the same alignment and in practically the same condition as it was thirty years ago. Traffic to and from the coast causes a great deal of congestion, particularly on weekends. He mentioned the expenditure of funds north and south of Rickreall, between Corvallis and Albany, and in the McMinnville area, and some other sections which he felt were not as deserving of improvement as the highway between

Salem and Dallas. The population of Dallas in the last few years, he said, has increased from 2,900 to over 5,000, and average daily traffic between Rickreall and Salem, he said, is over 5,000 vehicles. The curve at the Oak Knoll Golf Course, Mud Slough Bridge, the railroad crossing at Dallas, the junction at Rickreall, and the limited vertical sight distance west of Rickreall he mentioned as being the areas most in need of improvement. He requested that early priority be given to improvement from the Independence "Y" Junction to Dallas.

Chairman Jackson commented that the Commission is familiar with the high peak loads that this highway has to carry, but is faced with the problem of allocation of funds among a considerable number of needed projects. Completion of many of these projects can be accomplished in the near future only if additional funds are available. He also pointed out that there are many other sections of highway in the State that are in as bad or worse condition than the highway to Dallas.

A group of people representing the Lower Columbia River Highway Association and other interests came before the Commission to request reconstruction of the Rainier Hill Section west of the town of Rainier on the Lower Columbia River Highway, and general improvement on the section between St. Helens and Portland. The following people were present: E. H. Condit, Westport; Francis Sparks, Leroy Lahti, Mr. and Mrs. Roy Theis, Lytle Truedson, Cecil Johnson, Hugh Paul, Jack Sweeney, Bill Gamble, Don Anderson, Jess Lewis, Ken Schellback, Mrs. T. Parcher, Orville Gilkey, Ed Larsen, William Anundi, Clatskanie; A. G. Applegate, Mr. and Mrs. C. Phelps, Elsie Jones, Arthur Sweeney, Columbia City; Mike Tooleshaug, W. E. Janurin, Ed Ellis, Gordon Norris, Tracy Parcher, Rainier; Clarence O'Brien, Forrest Sanders, Peter Nunn, Fred Schall, Tom Eggleston, Ray Steinfeld, Walter Huser, Scappoose; Fred Foshaug, Deer Island; Don Platt, Joe Cranford, Leonard Milner, John Winkler, Bob Glosenger, Paul Paulson, Wally Gainer, Chuck Brownlaw, Heinie Heumann, St. Helens.

Mr. Condit assured the Commission of their confidence in determining what sections of highway should be given high construction priority, and he recalled that former State Highway Engineer, Mr. W. C. Williams, had indicated that reconstruction of Rainier Hill was high on the priority list. This particular section of highway, he continued, has had no major improvement since about 1920. The delegation, however, does appreciate improvements which have been made, particularly between Westport and Clatskanie. Improvement of the Rainier Hill becomes increasingly urgent because of the location of new industries in the area which require truck haul service. He observed that the Columbia County Court has had to write permits for chip trucks to haul over county roads because the trucks could not negotiate the sharp curves on Rainier Hill. Mr. Gainer called attention to a new industry which is to be established in this area with a plant investment of around \$19,000,000, and which will employ approximately 300 people. Mr. Condit added that haulers do not like to be required to secure permits to haul because of an inadequate state highway, and he asked the Commission to take early action to improve the Rainier Hill Section.

Chairman Jackson outlined briefly work that is being done on the Lower Columbia River Highway, and stated that it is planned, if funds are

available, to construct the Rainier Hill Section as the next project on this highway at an estimated cost of \$3,000,000. The project is not yet scheduled because of inadequate funds. The Commission, he continued, plans to make an appeal to have the Lower Columbia River Highway designated as a part of the Interstate System when the Federal Government conducts a review of this matter. If the State Legislature does not make additional funds available, he pointed out that the Commission will most likely be required to review its construction program.

An invoice from Tudor Engineering Company in the amount of \$5,453.07 for its investigation of the John Day River Bridge failure on the Columbia River Highway during the December 1964 flood was presented by the Engineer. This investigation, he said, was ordered by the Governor, and the Tudor Engineering Company has made its report. He recommended that the bill be paid. The Commission authorized payment of the bill.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Bargain & Sale Deed" to Josephine County for a parcel of land on the Jumpoff Joe Creek-Grants Pass Section of the Pacific Highway in Josephine County.

"Indenture of Access" to the John J. and Ida Collell property on the Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Indenture of Access" to the Arvel L. and Lorene R. Nash property on the Valley View Road-South Ashland Unit of the Seven Oaks-Ashland Section of the Pacific Highway in Jackson County.

"Indenture of Access" to the Harold H. and Ruthella Herburger property on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County.

"Indenture of Access" to the Earl and Gladys D. Cummings and Martin and Hattie Clark properties on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County.

"Indenture of Access" to the R. E. and Violet Sproul property on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County.

"Indenture of Access and Grant of Access" to the Loit V. and Judena Junken property on the Tigard-Newberg Section of the Pacific Highway West in Washington County.

"Indenture of Access" to the Thomas A. Weaver property on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County.

"Indenture of Access" to the Terminal Ice & Cold Storage Company and Pioneer Trust Company property on the Hayesville-Salem Section of the Pacific Highway East in Marion County.

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"Indenture of Access" to the W. L. Leonard, Howard Pribbeno, Jr., C. L. Lund, B. A. Britsch and J. L. Jackson properties on the Emigrant Reservoir Section of the Green Springs Highway in Jackson County.

"Indenture of Access" to the U. S. Bureau of Land Management for a parcel of land on the LaPine-Bend Section of The Dalles-California Highway in Deschutes County.

"Indenture of Access" to the James L. and Christine Rich property on the Mt. Vernon-John Day Section of the John Day Highway in Grant County.

"Grant and Release of Access" to the Crown Zellerbach Corporation on Wauna Road property on Bradley Park-Wauna Section of the Lower Columbia River Highway in Clatsop County.

"Release of Roadway Easement" to George Scheele and Edna M. Scheele to a parcel of land on the Burnt Woods-Blodgett Section of the Corvallis-Newport Highway in Benton County.

"Release of Easement" to Gene and Jean Stephens covering the Burnt Woods-Blodgett Section of the Corvallis-Newport Highway in Benton County.

"Grant of Easement" to Bureau of Land Management for an access road across Elk Creek Wayside on the Umpqua Highway in Douglas County.

"Relinquishment of Title" to City of Grants Pass of a 0.18 acre parcel of land on the Redwood Interchange Section of the Redwood Highway in Josephine County.

"Indenture" to the Port of Hood River covering relinquishment of a drainage easement across their property on the Hood River-Mosier Section of the Columbia River Highway in Hood River County.

"Grant of Access" to Reynolds Metals Company for access to Arata Road approximately 150 feet northerly of a junction of off ramps and Arata Road on the Columbia River Highway in Multnomah County.

"Indenture" with Southern Pacific Company for construction of a footpath partly on their right of way adjacent to the Springfield-Creswell Highway.

"Lease and Sale of Road Materials Agreement" with Everett M. & Alice M. Olsen for a parcel of land on the Cushman-Hanson Creek Section of the Siuslaw Highway in Lane County.

"Bargain & Sale Deed" to Dale Fischer and H. B. Smith for a parcel of land on the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Consent to Annexation" by City of Tigard of a portion of Highway 99W into city limits.

"Agreement" with Josephine County covering Emergency Relief project ER-109(1) on Galice Creek & Ennis Riffle Section of FAS 594 in Josephine County.

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"Agreement" with Hood River County covering Emergency Relief project S-116(3) on West Fork Hood River Bridge Section on Lost Lake Road (FAS 306) in Hood River County.

"Agreement" with Hood River County covering Emergency Relief project on Woodworth County Road (FAS 580) ER-115(1) in Hood River County.

"Throughway Agreement" with Josephine County pertaining to the Grave Creek Section of the Pacific Highway.

"Agreement" with Parsons, Brinckerhoff, Quade and Douglas as consultants concerning the construction of twin tunnels under what is known as Vista Ridge on the Sunset Highway in Portland, Multnomah County.

"Agreement" with City of Ashland covering illumination of Green Springs Interchange on I-5 in Jackson County.

"Cooperative Construction Agreement" with City of Sandy pertaining to the Duncan Road-Sandy Section of the Mt. Hood Highway.

"Agreement" with Southern Pacific Company covering installation of railroad crossing protective devices on the Beaverton-Tualatin Highway near Tualatin in Washington County.

"Agreement" with City of Portland covering installation of illumination on S. W. Montgomery-S. W. Broadway Section of the Stadium Freeway (I-405) in Multnomah County.

"Agreement" with City of Portland covering a pre-timed traffic signal installation at the intersection of S. W. 4th Avenue and S. W. Lincoln Street in Multnomah County.

"Agreement" with City of Klamath Falls covering landscape on the Nevada Avenue Interchange-Main Street Connection on The Dalles-California Highway in the City of Klamath Falls.

"Agreement" with Parsons, Brinckerhoff, Quade and Douglas to add three additional preliminary designs to their recently completed Fremont Bridge study.

March 11, 1965

There being no further business to conduct, the Chairman declared the meeting adjourned at 12:45 p.m.

State Highway Engineer

Chairman

Commissioner

Secretary

Commissioner

March 11, 1965



VOLUME 50

COMPLETE

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

FROM

APRIL 1, 1965

TO

MARCH 31, 1966

- - -

OREGON STATE HIGHWAY COMMISSION

Glenn L. Jackson, Chairman  
Kenneth N. Fridley, Commissioner  
David B. Simpson, Commissioner

- - -

Forrest Cooper, State Highway Engineer  
George E. Rohde, Chief Counsel  
Floyd Query, Secretary

- - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT

LOCATED AT SALEM, OREGON

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## HIGHWAY COMMISSION MINUTES

April 1, 1965, through March 31, 1966

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Salem, Oregon  
April 20, 1965

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 138 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
R. L. Porter, Deputy State Highway Engineer  
P. M. Stephenson, Assistant State Highway Engineer  
Fred B. Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
G. E. Rohde, Chief Counsel  
W. T. Wright, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; L. H. Young, Office Engineer; Carl Plog, Information Officer; and Frances Neavoll, Stenographer.

Mr. Forrest Cooper, State Highway Engineer, was excused on business in Washington, D. C.

At the same time in Room 419, bids for highway construction were being opened under the direction of Tom Edwards and Lloyd Shaw, Assistant State Highway Engineers; Frank McKinney, Acting Assistant Counsel; C. W. Head, Assistant Secretary; and N. L. Gatlin, Office Manager.

Chairman Jackson administered the Oath of Office to Mr. Fred B. Klaboe as Assistant State Highway Engineer to be effective April 1, 1965. The Commission also adopted "Appointment Resolution No. 30", pertaining to the appointment of Mr. Klaboe, which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Right of Way Engineer presented for consideration options, pages 1 through 50, secured for acquisition of real property needed for state highway use or for other purposes. He stated that to the best of his knowledge the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 22", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

Commissioner Fridley inquired as to progress in acquiring right of way on the Beaverton-Tigard Highway. The Right of Way Engineer replied that acquisition is practically complete on the north end and about 90 percent complete on the overall project.

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The Property Manager's report covering sales of miscellaneous properties and rental receipts since the last Commission meeting was presented by the Right of Way Engineer. Miscellaneous sales from February 26 to April 9, 1965, were \$8,551. Land sales \$8,925; timber sales \$22,907.74; and rental receipts for the month of March were \$22,906.90. The Commission accepted the report.

Authority to offer two parcels of excess property at public sale was requested by the Right of Way Engineer. The minimum prices for these parcels, he said, are based upon appraised values or on offers in excess of appraisals. Access and other conditions are consistent with those existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution No. 435," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 0.03 acre, File No. 20246, in the southwest corner of the intersection of the Columbia River Highway with Bryant Street in the City of Clatskanie in Columbia County, for not less than \$700. No access is to be allowed to the Columbia River Highway. Approval from the Bureau of Public Roads was received March 8, 1965.
- (2) Pipeline easement over 11,420 square feet of land, File No. 31706, adjacent to the Sauvie Island Bridge-St. Johns Bridge Section of the Columbia River Highway in Multnomah County, for not less than \$2,000. The Right of Way Engineer explained that the Olympic Pipeline Company is constructing a petroleum pipeline from Anacortes, Washington, to Portland, and it is necessary to place a 14-inch pipeline across the highway property which is being leased to Mobil Oil Company. The Oil Company has indicated that it has no objection to the easement. (See "Real Property Resolution No. 435.")

Three "Indentures of Access" were presented by the Right of Way Engineer who explained that the "Indentures" provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures":

- (1) Larsell Property, File No. 34794, approximately four miles south of Tygh Valley on the easterly side of The Dalles-California Highway in Wasco County, for a change in location and widening to 35 feet of one point of access, unrestricted as to use. This matter was approved by the Bureau of Public Roads on December 29, 1964.

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- (2) S. W. Wise Ranch Property, File No. 35526, for a change in location of two points of access, 35 feet in width and unrestricted as to use, on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County. These changes have been approved by the Bureau of Public Roads.
- (3) Earhart Property, File No. 18437, on the Medford-Phoenix Section of the Rogue Valley Highway in Jackson County, for the cancellation of three points of access and the granting of two points, 30 feet in width, and unrestricted as to use, for a service station. This matter was approved by the Bureau of Public Roads on March 8, 1965.

The Right of Way Engineer recommended that a "Grant of Access" be approved to the Cline Property, File No. 35374, on the south side of the West Unit, Coast Range Summit Section of the Corvallis-Newport Highway in Lincoln County. The access is to be 35 feet in width and restricted to use for the operation and maintenance of the Bonneville Power Administration's transmission lines and easements. The Bureau of Public Roads has approved the "Grant." The Commission accepted the Right of Way Engineer's recommendation.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put, and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2040 through 2057," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter entitled "Recommendations for Condemnation," dated April 20, 1965, in the Secretary's Office.)

A written report was presented by the Chief Counsel showing results of cases tried in court since the last Commission meeting. The Commission approved the report which is summarized as follows:

#### REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4583 Alvaro N. Beals, et al.	Klamath	Klamath Falls- Lakeview	K.I.D. Canal- Madison Street	\$ 2,400.00	\$12,935.00	\$ 8,700.00

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## (Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4605 First Federal Savings & Loan Association, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	\$ 100.00	\$ 1,500.00	\$ 500.00
L-4606 Vida Green, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	2,745.00	16,270.00	6,500.00
L-4496 Jay J. DeYoung, et al.	Lane	McKenzie	Hendricks Bridge	10,900.00	13,000.00	13,750.00
L-4233 Fisch-Or. Inc., et al.	Multnomah	Stadium Freeway	Fremont Inter-change-Marquam Bridge	300,000.00	350,000.00	307,000.00
L-3930 Central Paving Co., et al.	Polk	Willamina-Salem	Bonneville Station-Patterson Avenue	885.00	5,000.00	4,500.00

REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4694 Ronald Dean Tucker, a minor, by and through Ireda Tucker, his guardian.	Plaze Carter and State of Oregon	Linn	Negligence of Mr. Carter in operation of State Highway truck which struck and injured plaintiff, a minor child, who alleges he was standing on highway shoulder.	\$500,000.00	Motion to Quash granted and entered
L-4759 David Clark and Lela Clark	C. R. O'Neil Construction Co., and State of Oregon	Multnomah	Negligence in directing traffic through construction area causing plaintiff's truck to slide off highway into canyon causing over \$18,000 damages.	18,094.25	Case dismissed as to State Highway Commission.

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## (Report of Trial of Other Cases - Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4530 State of Oregon	Western Contracting Corp.	Multnomah	Forfeiture of bid bond on highway contract.	\$243,742.90	For Defendant. No appeal to be made.

(For additional details see the Chief Counsel's letter dated April 15, 1965, entitled "Report of Cases Tried" and his letter dated April 20, 1965, entitled "Supplemental Report of Cases Tried" in the General Files, Salem Office.)

Concerning the case of Fisch-Or. Inc., the Chief Counsel stated that the Multnomah County Circuit Court granted an appeal for a new trial to the Supreme Court. The State appealed from the order. The Supreme Court reversed the Circuit Court's order for a new trial and held that the Court's instruction to the jury with respect to comparable sales as probative evidence was proper. He stated that as far as he knew this is the first Supreme Court ruling on this matter in any state in the United States. Defense attorneys have filed a petition with the Supreme Court for a rehearing.

Concerning the Central Paving Company case, direct access previously held by the Company is to be replaced by a State-built frontage road which would connect to the main highway, approximately 650 feet west of the defendant's property. The Circuit Court considered as damages for direct loss of access, the circuity of travel which would be caused by the frontage road. The Supreme Court reversed the Circuit Court, holding that the State's frontage road was not a limitation on the defendant's access to their property. The Court did not decide whether in all cases the extinguishing of a direct access via a frontage road could be made without compensation. Commissioner Simpson commented that if the owner of property is made to travel a greater distance he should be compensated.

A tabulation showing proposed settlements of condemnation cases since the last Commission meeting was also presented by the Chief Counsel. These settlements, he commented, do not represent substantial increases above appraised values, or the increases are not enough to warrant the cost of trial in court. The Commission approved the "Report of Cases Settled," which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4236 Louise L. Serpa, et al.	Jackson	Pacific	Seven Oaks-Neil Creek	\$ 1,100.00	\$1,750.00 cash and exchange of 2+ acres of excess land appraised at \$200.

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
R-37354 Stanley Kissinger, et ux. (Claimant alleges State construction has reduced flow of water from well on his property.)	Jackson	Pacific	Barron Creek-Siskiyou Summit	No offer made.	\$ 535.00
L-4707 Ollie C. Burge, et al.	Linn	Santiam	Market Drive-Sodaville Road	\$ 815.00	1,100.00
L-4713 G. D. Wrede, et al.	Multnomah	Mt. Hood	Gully Route Connection	7,200.00	7,350.00
L-4469 Hazel Martenson, et al. (Errors were discovered in original appraisals. Review appraisal \$10,200.)	Lane	McKenzie	Hendricks Bridge	7,800.00	10,200.00
L-4786 Richard Ulrich, et ux.	Lane	McKenzie	Mill Creek-Belknap Springs	1,250.00	1,500.00
L-4690 Walden Perkins, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	500.00 excluding septic system	750.00 including septic system
L-4668 Realty Finance Co., Inc. (Appraisals revised to \$5,000 to reflect additional sales data.)	Multnomah	Pacific	North Portland Harbor-North Russell Street	4,500.00	5,250.00
R-34968 Southern Pacific Co., et al. (Buchanan-Cellers, lessess interest only.) (Appraised cost of repair \$8,196.)	Clackamas	Pacific East	Canby-Aurora	3,500.00	4,250.00
L-4709 Edith Burkitt, et al.	Tillamook	Nehalem Bay State Park		2,350.00	2,350.00
R-37061 J. P. Heath	Douglas	Pacific	Canyonville-Josephine County Line	8,700.00 for 33.1 acres	23,500.00 for 217 acres

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4633 Otto C. Turley, et al. (This is recommended on basis of results of trial in recent cases in Curry County. Freeman - Offer \$6,500 - Verdict \$14,000; Wallace - Offer \$2,140 - Verdict \$4,800.)	Curry	Oregon Coast	Winchuck River	\$ 5,200.00	\$ 8,691.00
L-4764 Louis Schnitzer, et al.	Clackamas	Cascade	Lake Road-Oregon City	16,230.00	17,750.00
R-35835 E. J. Windle, et ux. and Alfred J. Schweppe, et ux.	Tillamook	Nehalem Bay State Park		1,100.00	1,500.00
L-4514 Conners & Jerome T.V. Co.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	20,700.00 partial taking	22,750.00 entire taking
L-4515 Erman E. Mitts, et ux. (Revised appraisal at \$27,200.)	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	25,600.00	28,950.00
L-3807 Dorothy Logan Benson, et al. (Owner based value on oyster tide flat lands. Court award was \$12,500. Owner agreed to accept \$2,000 deduction from award and no appeal by state.)	Tillamook	Oregon Coast	Hobsonville-Bay City	525.00	

(For additional details see the Chief Counsel's letter dated April 15, 1965, entitled "Report of Cases Settled," and his letter of April 19, 1965, entitled "Supplemental Report of Cases Settled," in the General Files in the Salem Office.)

The Commission confirmed prior telephonic approval of offers for acquisition made to the owners of real property prior to the institution of condemnation proceedings as follows:

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY

R-36971 - Harold L. Sheppard, et al. 0.2 acre for right of way purposes. Offer of \$1,585.00 approved by Mr. Jackson March 12, 1965.

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CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY - CONT.

R-36973 - William Ora Condray, Jr. Parcel No. 1: 10.3 acres for right of way purposes; Parcel No. 2: 2.65 acres for right of way purposes; Parcel No. 3: 5.3 acres for stockpile site. Offer of \$4,805.00 approved by Mr. Jackson March 12, 1965.

R-36980 - Robert Gordon Stumbo, et al. 0.08 acre for right of way purposes. Offer of \$50.00 approved by Mr. Jackson March 31, 1965.

R-36982 - Samuel O. Hawkins, Sr., et ux. 0.48 acre for right of way purposes. Offer of \$2,645.00 approved by Mr. Jackson March 16, 1965.

R-36997 - Chester A. Smith, et ux. 4.34 acres for right of way purposes. Offer of \$5,600.00 approved by Mr. Jackson March 12, 1965.

R-37559 - Chester A. Smith, Jr., et ux. Acquisition of access. Offer of \$14,600.00 approved by Mr. Jackson March 12, 1965.

COW CREEK STATE PARK

R-37006 - Bate Plywood Co., Inc. 10.0 acres for park purposes. Offer of \$500.00 approved by Mr. Jackson March 31, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-34750 - Fick Distributing Co., Inc. 9,887 square feet for right of way purposes. Offer of \$59,000.00 approved by Mr. Jackson March 31, 1965.

R-36187 - Park Terraces, Inc. 616 square feet for right of way purposes. Offer of \$480.00 approved by Mr. Jackson March 6, 1965.

GOSHEN INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-37055 - Cecil Saxon, et ux. 0.2 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson March 19, 1965.

HENDRICKS BRIDGE SECTION OF THE MCKENZIE HIGHWAY

R-37435 - Leonard L. Ray, Jr., et ux. 650 square feet for permanent easement. Offer of \$25.00 approved by Mr. Jackson April 6, 1965.

LAKE ROAD-OREGON CITY SECTION OF THE CASCADE HIGHWAY

R-37415 - Bert Crosswhite, et ux. 0.45 acre for right of way purposes. Offer of \$7,750.00 approved by Mr. Simpson March 8, 1965.

MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY

R-36598 - R. L. Roberts, et ux. 1.0 acre for right of way purposes. Offer of \$750.00 approved by Mr. Jackson March 9, 1965.

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MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY - CONT.

R-36605 - Vernon L. Iverson, et ux. 0.10 acre for right of way purposes. Offer of \$1,000.00 approved by Mr. Jackson April 5, 1965.

R-36628 - Robert T. Tuttle, et al. 0.04 acre for right of way purposes. Offer of \$150.00 approved by Mr. Jackson March 22, 1965.

R-36630 - Robert T. Tuttle, et ux. Parcel No. 1: 0.22 acre for right of way purposes; Parcel No. 2: 0.14 acre for right of way purposes. Offer of \$3,650.00 approved by Mr. Jackson March 23, 1965.

R-36637 - Lloyd A. Romberg, et al. 0.10 acre for right of way purposes. Offer of \$11,500.00 approved by Mr. Jackson March 18, 1965.

NORTH PORTLAND HARBOR-NORTH RUSSELL STREET SECTION OF THE PACIFIC HIGHWAY

R-35121 - Bob Ashley. 1,502 square feet for right of way purposes. Offer of \$4,200.00 approved by Mr. Jackson March 19, 1965.

ORLEANS-LAKE CREEK SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37320 - Louis W. Boesel, Sr. 1.0 acre for right of way purposes. Offer of \$2,125.00 approved by Mr. Jackson March 19, 1965.

R-37324 - Oscar H. Ehrlich, et ux. 5.2 acres for right of way purposes. Offer of \$3,900.00 approved by Mr. Jackson March 19, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-36096 - Ader Grogan, et al. Parcel No. 1: 7.0 acres for right of way purposes; Parcel No. 2: 29.8 acres for right of way purposes; Parcel No. 3: 0.13 acre for permanent easement. Offer of \$1,900.00 approved by Mr. Fridley March 29, 1965.

SEVEN OAKS-NEIL CREEK SECTION OF THE PACIFIC HIGHWAY

R-36765 - Irene Ellen Braack Bradshaw. 0.14 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson March 19, 1965.

R-36768 - Ernest M. Pellkofer, et ux. 2.15 acres for right of way purposes. Offer of \$1,750.00 approved by Mr. Jackson March 31, 1965.

SHADY COVE BRIDGE SECTION OF THE CRATER LAKE HIGHWAY

R-37568 - Guy H. Gwynn, et al. 0.2 acre for right of way purposes. Offer of \$3,800.00 approved by Mr. Jackson March 24, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-33280 - Donald W. Hirschberger, et ux. 1.75 acres for right of way purposes. Offer of \$39,000.00 approved by Mr. Simpson March 19, 1965.

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28TH STREET CONNECTION (SPRINGFIELD) SECTION OF THE MCKENZIE HIGHWAY

R-37721 - Delta Lumber Company. 0.11 acre for right of way purposes. Offer of \$1,000.00 approved by Mr. Jackson April 13, 1965.

WILSONVILLE INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-31286 - William R. Montague. 0.78 acre for right of way purposes. Offer of \$2,200.00 approved by Mr. Simpson March 29, 1965.

The Chief Counsel reported that no orders have been received from the Public Utility Commissioner in which the State Highway Commission has been a party.

Authority was requested by the Chief Counsel to commence legal proceedings against Conrad Burmester to collect back-rent for the use of State property at 1819 N. W. Savier Street in Portland. Mr. Burmester, the Chief Counsel stated, is 3 months behind in rent payments and has not made good on promises that he made. The Commission granted the Chief Counsel authority to commence proceedings.

A report was made by the Chief Counsel on legal proceedings started since the last Commission meeting. The Commission accepted the report summarized as follows:

- (1) Clifford N. Jones vs. Glenn L. Jackson, Forrest Cooper and Oregon State Highway Commission, in the Clackamas County Circuit Court to recover \$17,500 for damages and personal injuries alleged to be caused by subsidence of a portion of the Pacific Highway East (99E) south of Milwaukie. Service against the Commission was quashed by the Court.
- (2) Alaska Steel Co. vs. Oregon State Highway Commission, C. H. Savage and Peter Kiewit Sons' Co., to recover \$10,000 as alleged damages to the plaintiff's property from sand blasting and painting of the West Marquam Interchange structure under Contract No. 6354. The plaintiff is also seeking an injunction to permanently restrain the defendants from ever depositing sand or paint upon his property.

The Chief Counsel commented orally on the case of State vs. A. H. Barbour & Son, Inc. on Contract No. 5477 for painting the Yaquina Bay Bridge on the Oregon Coast Highway at Newport. He explained that the contractor had claimed an additional amount on the contract because a greater amount of rust was found than was anticipated. The Court held in favor of the defendant and allowed him \$37,468 above the amount of the contract (\$54,000.) Chairman Jackson expressed concern about the effectiveness of contracts recalling that

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recently the Court had held in favor of Western Contracting Corporation who had failed to enter into a contract and the Court had ordered release of their 5% bid bond. He inquired if in the case of Barbour an appeal could be made. The Chief Counsel replied that in his opinion an appeal could be made. He also commented that the contractor had not made his claim for additional compensation until about 2 years after completion of the contract. The Chairman commented that the contractor is expected to inspect a job before submitting a bid, and if he can come back and collect additional funds because of conditions he did not anticipate, the value of the contract is considerably weakened. The Chief Counsel stated that he would make a report to the Commission as to the feasibility of appealing the Court's decision.

An exchange of land between the State Board of Forestry and the Highway Commission in Silver Falls State Park in Marion County was considered. The Deputy Engineer explained that two blocks of Forestry lands containing 400 acres are nearly surrounded by the State park. For these two blocks it is proposed to exchange 400 acres of park land which lies one-half mile east of the boundaries of the main park. This will remove an access problem in getting to the detached section of park land. A variation in board feet of timber and higher quality on park property is compensated by a timber reservation to the Highway Commission consisting of 3.2 million board feet on land to be deeded to the Forestry Department and to be removed within ten years. Revenue from this timber must be used for purchase of additional land for Silver Falls State Park. Following his favorable recommendation, the Commission approved the exchange.

The Commission also considered the acquisition of additional land from the Bureau of Land Management for expansion of Bandon State Park in Coos County. The Deputy Engineer commented that the Bureau of Land Management owns 598.48 acres adjoining the southerly boundary of the park and fronting on the Pacific Ocean. The land is desirable for park purposes and he anticipated that it could be acquired at a cost of \$2.50 per acre. He requested authority to negotiate for acquisition of the property. The Commission granted the authority.

The Commission considered and approved an extension of an agreement with the City of Oceanlake (Lincoln City) which permits the State to connect the sewer system for overnight camping in Devil's Lake State Park to the City's sewage disposal plant. The Deputy Engineer observed that at the City's request the agreement is renewed annually, this one being for the year 1965 at an estimated cost of \$700. The Commission also authorized the Secretary to sign the agreement in their behalf.

The Deputy Engineer requested authority to negotiate for the acquisition of 1,560 acres for state park purposes in an area along Sucker Creek in Malheur County. Approximately 720 acres is under Bureau of Land Management ownership, and two other parcels totaling approximately 840 acres are privately owned. It was his opinion that the Bureau of Land Management property could be acquired for \$2.50 per acre, and the land under private ownership for a total of about \$10,000. The Commission authorized negotiation for acquisition of the property.

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Surveys for the improvement of two sections of state highways were recommended by the Deputy State Highway Engineer. The Commission approved the surveys as follows and thereupon adopted "Survey Resolution No. 296," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 4.46 miles between Mt. Angel and Silverton on the Hillsboro-Silverton Highway in Marion County. A public hearing was held August 28, 1964. Cost of grading and paving is estimated at \$900,000 with an additional \$150,000 needed for the purchase of right-of-way. No funds have been programmed. (See "Survey Resolution No. 296.")
- (2) 0.72 mile on the Lake Creek-Albany-Junction City Highway Section of the Corvallis-Lebanon Highway in Linn County. No hearing was requested on this section which is estimated to cost \$175,000 for construction plus \$13,500 for right-of-way. (See "Survey Resolution No. 296.")

Consideration was given to a request from the California Division of Highways to eliminate the route designation US99. It was explained that in order to eliminate the federal route number in California, the concurrence of Oregon is required. The Deputy Engineer recommended that favorable consideration be given to California's request and that US99 be terminated at the South Ashland Interchange. It was also recommended that a necessary application for this change be submitted to the AASHO Route Numbering Committee. The Commission approved the request.

The Commission confirmed Chairman Jackson's action of March 29, 1965, approving an equipment rental contract to replace a fill slide on the Otter Crest Scenic Loop Road of the Old Oregon Coast Highway in Lincoln County. The Deputy Engineer reported that the slide must be replaced with rock at an estimated cost of \$90,000. About 100 cars per day use the highway including a Star Route mail carrier. Application for Federal assistance was made under Public Law 875 but the project was not eligible, nor was it eligible for Emergency Relief Funds as the section of highway is not on the Federal highway system.

Increases in three project authorizations were requested by the Deputy Engineer and approved by the Commission as follows:

- (1) An increase of \$7,201 (5.25 per cent) in Contract No. 6253 for construction of the Pacific Highway Undercrossing of Egge Road on the Coburg Quarry Slide Section in Lane County. The overrun was caused by a slide, scaling of rock slopes, and an overrun in the engineering cost resulting from an extension of the specified workdays.

- (2) An increase of \$950,573 (22.37 per cent) in Contract No. 6360 on the Siskiyou Station-Siskiyou Summit Section of the Pacific Highway in Jackson County. The overrun was caused entirely by an increased amount of embankment foundation excavation. Actual determination of the amount of excavation, the Deputy Engineer commented, can be ascertained only when the ground is opened up during construction. Removal of soft and saturated materials greatly exceeded the amount anticipated in the plans.
- (3) An increase of \$3,640 (10.7 per cent) in Contract No. 6525 for construction of the Lombard Street Pedestrian Overcrossing on the Minnesota Freeway Section of the Pacific Highway in Multnomah County. Principal cause of the overrun was in engineering expenses.

Two requests for increases in the number of workdays within which to complete highway contracts were presented by the Deputy Engineer. He outlined briefly the pertinent facts relating to each contract and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) Morse Bros., Inc. and Beckley & Thomas Rock Products, Inc., Contract No. 6275, for grading, paving, and signing on the Winchester-S. Umpqua River Section of the Pacific Highway (I-5) in Douglas County, requested an increase of 10 workdays within which to complete the contract without assessment of liquidated damages. The request was denied. It was stated that the matter had been discussed with the Bureau of Public Roads who have concurred in the denial.
- (2) Peter Klewit Sons' Company, Contract No. 6241, for grading, paving, structure, signing on the South Ashland Interchange-Wall Creek Section of the Pacific Highway (I-5) in Jackson County, requested an increase from 240 to 309.7 workdays within which to complete the contract without assessment of liquidated damages. The Commission approved an extension of 32 workdays without damages. A letter was presented from the Bureau of Public Roads concurring in the extension.

The Deputy Engineer reported that Contract Nos. 6468, 6492, 6495, 6497, 6502 and 6544 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance by the Commission, or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 140," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A tabulation was presented by the Deputy Engineer showing proposed projects in Deschutes, Lane, Multnomah and Wallowa Counties for construction with Federal-Aid Secondary Funds. These projects, he said, have been investigated and are eligible and he recommended that they be approved at a total estimated cost of \$864,000 of which approximately \$172,800 is to be paid by the State. The Commission approved the following projects and authorized the Secretary to sign construction agreements when they are prepared.

County	FAS	Section & Description	Programmed Amount	FAS Funds
Deschutes	(892)	Various County Roads.		
	(931)	0-9 oil mat, 12.5 miles.	\$ 83,000	1966
	(927)			
	(930)			
	(893)			
	(929)			
	(928)			
	(926)			
	(903)			
Lane	863	Coast Fork Willamette River Bridge. Structure only.	135,000	1966
Multnomah	639	Portland City Limits-SE 123rd Street. Grade and pave, 1.06 miles.	270,000	1966
	728	SE Division Street-East Burnside Street. Grade and pave, 1.22 miles.	179,000	1966
Wallowa	485	Eggelson Corner-Strohm Road. Grade, surface, and oil, 5.2 miles.	197,000	1966
TOTAL.....			\$ 864,000	

SUMMARY BY FISCAL YEARS	1966	Estimated 1967	Total
Allocated Funds	\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (Corrected to Date)	1,841,000	--	1,841,000
Unprogrammed Balance	\$2,111,000	\$3,952,000	\$6,063,000
Projects Proposed 4/20/65	864,000	--	864,000
Unprogrammed Balance	\$1,247,000	\$3,952,000	\$5,199,000

The Deputy Engineer also presented a list of Emergency Relief projects (Third Submission) on the County Federal-Aid Secondary System totaling \$1,544,890. These projects, he remarked, have been investigated and are eligible for construction with Emergency Relief Funds. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign construction agreements when they are prepared.

(Tabulation on following page)

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EMERGENCY RELIEF FUNDS  
1964 FLOOD DAMAGE TO COUNTY FAS ROUTES  
Third Submission

County	FAS	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Clackamas	117, 120, 122, 129, 131, 639, 681, 808, 810, 811	\$ 11,794	\$ 11,794	\$ 35,382	\$ 58,970
Clatsop	757, 912	3,800	3,800	11,400	19,000
Columbia	609, 689	460	460	1,380	2,300
Curry	257, 258, 259, 597, 874, 875, 876, 877, 878, 881	86,660	86,660	259,980	433,300
Deschutes	322, 327, 329, 330, 395, 397, 554, 555, 655, 656, 691, 692, 658, 778, 784, 787, 788, 789, 791, 792, 793, 885, 886, 898, 899, 904, 853	10,790	10,790	32,370	53,950
Gilliam	440, 441, 442, 445, 446, 573, 714, 715, 716, 717, 718, 719, 720, 721, 723, 724, 725	58,840	58,840	176,520	294,200
Grant	452, 698	50,500	50,500	151,500	252,500
Marion	126, 128, 130, 176, 590, 592, 733, 735, 736, 742	22,120	22,120	66,360	110,600
Union	478	18,000	18,000	54,000	90,000
Wasco	309, 312, 314, 365, 369, 706, 707, 708	46,014	46,014	138,042	230,070
TOTAL, THIRD SUBMISSION.....		\$308,978	\$308,978	\$ 926,934	\$1,544,890

Recapitulation	20% State Funds	20% County Funds	60% Federal Funds	TOTAL
Total, First Submission	\$ 92,340	\$ 92,340	\$ 277,020	\$ 461,700
Total, Second Submission	210,960	210,960	632,880	1,054,800
Total, Third Submission	308,978	308,978	926,934	1,544,890

TOTAL TO DATE.....\$612,278 \$612,278 \$1,836,834 \$3,061,390

A fourth submission covering Emergency Relief projects on the County Federal-Aid Secondary System was also presented by the Deputy Engineer. These projects, he stated, have been investigated and are eligible for construction with Emergency Relief Funds. Based on his favorable recommendation,

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the Commission approved the following projects and authorized the Secretary to sign construction agreements pertaining to them:

EMERGENCY RELIEF FUNDS  
1964-1965 FLOOD DAMAGE TO COUNTY FAS ROUTES  
Fourth Submission

County	FAS	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Douglas	240, 241, 243, 244, 799, 800, 801, 802	\$ 27,240	\$ 27,240	\$ 81,720	\$ 136,200
Harney	458, 696, 822, 823	12,260	12,260	36,780	61,300
Hood River	302, 334, 336, 341, 343, 580, 662, 701, 703, 872, 873	8,140	8,140	24,420	40,700
Klamath Lake	420 (ERFO Funds) 406, 407, 408, 411, 807, 902, 852	--	--	63,000	63,000
Lane	861, 221, 223, 225, 227, 228, 229, 230, 231, 578, 860, 862, 863	21,650	21,650	64,950	108,250
Lincoln	143, 146, 149, 150, 151, 152, 584, 585, 832, 833,	73,300	73,300	219,900	366,500
Linn	214, 217, 218, 575, 761, 768, 774	26,480	26,480	79,440	132,400
Malheur	827	4,100	4,100	12,300	20,500
Morrow	377, 435, 436, 438 444, 451, 552, 573, 682, 829, 921	9,000	9,000	27,000	45,000
Polk	193, 194, 560, 746, 749, 751, 907, 915	8,970	8,970	26,910	44,850
Sherman	313, 665, 666, 667	4,060	4,060	12,180	20,300
Tillamook	551, 615, 616, 617, 619, 912	9,180	9,180	27,540	45,900
Umatilla	465, 467, 470, 471, 472, 473, 474, 561, 562, 563, 564, 758, 760	3,000	3,000	9,000	15,000
Union	478, 795, 919	68,400	68,400	205,200	342,000
Wheeler	318, 814	1,280	1,280	3,840	6,400
Yamhill	753	5,160	5,160	15,480	25,800
		2,420	2,420	7,260	12,100
TOTAL, FOURTH SUBMISSION.....		\$284,640	\$284,640	\$916,920	\$1,486,200

(Tabulation continued on following page)

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EMERGENCY RELIEF FUNDS  
1964-1965 FLOOD DAMAGE TO COUNTY FAS ROUTES  
Fourth Submission Cont.

Recapitulation	State Funds	County Funds	Federal Funds	TOTAL
Total, First Submission	\$ 92,340	\$ 92,340	\$ 277,020	\$ 461,700
Total, Second Submission	210,960	210,960	632,880	1,054,800
Total, Third Submission	308,978	308,978	926,934	1,544,890
Total, Fourth Submission	284,640	284,640	916,920	1,486,200
TOTAL TO DATE.....	\$896,918	\$896,918	\$2,753,754	\$4,547,590

Upon completion of the Celilo-Biggs Section of the Columbia River Highway (I-80N), the Deputy Engineer stated that the existing Columbia River Highway will become a frontage road. ORE206 at the present time extends from the junction of the existing Columbia River Highway and the Fulton Canyon Highway southeasterly to a point south of Heppner. When the new alignment is completed, it will be desirable to extend ORE206 westerly along the Columbia River Highway frontage road to its junction with the Columbia River Highway at the Celilo Interchange. He recommended and the Commission approved designation of the routing of ORE206 as follows:

From the Columbia River Highway at the Celilo Interchange southeasterly over the Fulton Canyon-Wasco Highway and the Wasco-Heppner Highway via Wasco, Condon (common with the John Day Highway, ORE19, in Condon) and Eightmile to its junction with the Heppner-Spray Highway, ORE207, approximately seven miles east of Eightmile.

Two resolutions were presented by the Deputy Engineer concerning speed zones on the Crown Point Highway in the communities of Corbett and Springdale in Multnomah County. He explained that 25 MPH statutory speed zones are in effect in both communities. An investigation indicated that this is an unduly low speed and he recommended that a 35 MPH speed zone be established in both communities as follows:

- (1) 35 MPH in the community of Springdale between a point 200 feet west of Woodard Road (M.P. 5.77) and 0.23 mile east of Hulbert Road (M. P. 6.46) except that the designated speed shall be 20 MPH between M. P. 6.03 and M. P. 6.15 during the hours of school crossings. (See "Speed Zone Resolution No. 485.")
- (2) 35 MPH in the community of Corbett between a point 0.11 mile west of Public Road (M. P. 8.25) and 200 feet east of the west leg of Banfield Road (M.P. 9.04) except that the designated speed shall be 20 miles per

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hour during the hours of school crossings between M. P. 8.35 and M. P. 8.45 and between M. P. 8.55 and M. P. 8.62. (See "Speed Zone Resolution No. 486.")

The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution Nos. 485 and 486," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

Attention was given to a request from the City of Newberg for the installation of a traffic signal at the intersection of First Street, (Pacific Highway West) and Main Street in Newberg, Yamhill County. The Deputy Engineer commented that an investigation indicates that a signal installation is warranted. He presented an agreement covering a fully actuated traffic signal in which the City agrees to pay half the cost of installation, and all the costs for maintenance and electrical energy consumed. He estimated the total cost of the installation at \$10,000 and recommended that it be approved. The Commission approved the installation and authorized the Secretary to sign the agreement in their behalf.

An agreement with Southern Pacific Railroad Company concerning their facilities involved in reconstruction of the Independence Junction-West Salem Section of the Willamina-Salem Highway in Polk County was presented by the Deputy Engineer. He explained that the work involves reconstruction by the Railroad of 1,703 feet of track. The State is to reimburse the Railroad for extraordinary maintenance. He estimated the cost to the State at approximately \$54,605. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An amended agreement with the Oregon State Board of Higher Education on behalf of Portland State College pertaining to transfer of property on the Sunset Interchange-Broadway Unit of the Stadium Freeway in Portland was also considered. The Deputy Engineer explained that the amendment was requested by the State Highway Legal Division to provide for the handling of utilities located within portions of the streets involved. Based upon his favorable recommendation the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission confirmed approval given by Chairman Jackson on April 5, 1965, for the State to participate in a cooperative research program under joint agreement with the Bureau of Public Roads and the Highway Research Board (National Academy of Sciences). The Deputy Engineer commented that for several years the State has gone along with other States in providing its share of the costs of the program which for the fiscal year of 1966 has been set at \$46,723. This money is taken from Oregon's 1½% of the Federal-aid funds for planning and research and no State match money is required.

Amendment No. 2 to the Oregon Statewide Forest Highway Cooperative Agreement was presented by the Deputy Engineer. The purpose of this amendment, he said, is to add the Neskowin-Tillamook Section (Forest Highway Route 56) of the Oregon Coast Highway to the Forest Highway system. The Commission approved the amendment.

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A throughway agreement with Multnomah County pertaining to the East Marquam Interchange Section of the Pacific Highway (I-5) in Portland was considered. The Deputy Engineer commented that the agreement provides for construction of the throughway connection to S. E. Yamhill Street and S. E. Water Street and for an overcrossing of the easterly connections to the Hawthorne Bridge. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A pipeline crossing agreement with Union Pacific Railroad Company on The Dalles-Fifteenmile Creek Section of the Columbia River Highway (I-80N) in Wasco County was discussed. Construction of I-80N, the Deputy Engineer stated, has caused ponding of waters on private property. To correct the situation it is necessary to construct a culvert under the railroad tracks a short distance west of Webber Street in The Dalles. He estimated cost of construction at \$4,000 and stated that the Bureau of Public Roads has concurred in this procedure. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also discussed a cooperative construction agreement with Multnomah County pertaining to the widening of N. E. 181st Avenue, a County Road, and N. E. Sandy Boulevard, a State Secondary Highway. The agreement provides for the division of work between the County and the State and for the acquisition of right-of-way. The Deputy Engineer estimated the total cost of the project at \$16,300, the State's share not to exceed \$3,500. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a throughway agreement with Douglas County pertaining to the Canyonville-Glendale Junction Section of the Pacific Highway in Douglas County. The agreement provides for the construction of interchanges, various frontage roads or county roads, road closures, utility relocation, and other features pertaining to the highway construction. Upon completion the County is to assume jurisdiction of the various frontage roads and of those county road connections that will be reconstructed as part of the project. The Commission accepted the Deputy Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission considered a supplemental throughway agreement with Clackamas County pertaining to the Southern Pacific Railroad Overcrossing-Oregon City Section (Lake Road Interchange Unit) of the Cascade Highway in Clackamas County. This supplemental agreement, the Deputy Engineer explained, provides for construction of the interchange and additional road closures. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a supplemental agreement with Bonneville Power Administration for a locked gate access to Bonneville's easement on the Cornelius Pass Road-Cornell Road Section of the Sunset Highway in Washington County. The Deputy Engineer commented that in reconstruction of this section the private access used by Bonneville was acquired. The locked gate replaces the access and will cost the State approximately \$150. He recommended approval of the agreement. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

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A throughway agreement with the City of Canyonville pertaining to the Canyonville-Bear Gulch Section of the Pacific Highway in Douglas County was considered. The Deputy Engineer stated that the agreement provides for construction of the throughway and its interchanges, reconstruction of frontage roads or streets, street closures, parking restrictions, utility relocation and other matters pertaining to construction of the highway in the City of Canyonville. The City is to assume jurisdiction of the various frontage roads and city street connections to be reconstructed as a part of the project. It was his recommendation that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

A transportation planning agreement with the cities of Central Point, Ashland, Eagle Point, Jacksonville, Medford, Phoenix, Talent, Jackson County, and the Board of Higher Education on behalf of the Bureau of Municipal Research and Service of the University of Oregon was discussed. This agreement, the Deputy Engineer commented, is for the purpose of conducting a cooperative transportation planning process in the area encompassed by the cities and the county. He estimated the total cost of the study at \$226,200 of which the State's share would be \$155,000. All of these monies will come from HPR Funds. The project is scheduled for completion late in 1967 and he recommended that it be approved and that the Secretary be granted authority to sign the agreement for the Commission. The Commission accepted his recommendation.

The Commission confirmed Chairman Jackson's action of March 29, 1965, consenting to annexation to the City of The Dalles of a tract of land in Snipes Acres along the Columbia River Highway and on the Mosier-The Dalles Highway, Wasco County. The Commission also confirmed authority for the Secretary to sign the consent form in behalf of the Commission.

The Deputy Engineer reported that the City of Beaverton has prohibited parking on both sides of the Tualatin Valley Highway within the city so as to allow left-turn lanes at the various intersections. To complete the channelization plan, it is necessary that parking be prohibited on a short section just east of the east city limits of Beaverton. He recommended that parking be prohibited on both sides of the Tualatin Valley Highway between M. P. 3.03 and the east city limits of Beaverton at M. P. 3.18. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 252," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a supplemental construction agreement with the City of Clatskanie pertaining to the Woodson-Clatskanie Section of the Columbia River Highway in Columbia County. The original agreement was approved May 9, 1961, and the supplemental agreement is necessary for street closures not covered in the original agreement. The Commission accepted the Deputy Engineer's recommendation for approval and also authorized the Secretary to sign the agreement in their behalf.

The Commission also considered a supplemental throughway agreement with the City of Portland pertaining to the East Marquam Interchange Unit, North Russell Street-S. W. Curry Street Section of the Pacific Highway (East-bank Freeway) in Portland. The Deputy Engineer stated that the agreement provides for construction of the interchange and connection to S. E. Yamhill

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Street and S. E. Water Street, additional street closures, and construction of city streets not covered in the original agreement. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Another supplemental throughway agreement with the City of Portland concerning the S. W. Montgomery-S. W. Broadway Section of the Stadium Freeway in Portland was also considered by the Commission. The agreement provides for construction of various ramps and connections to the Sunset and Burnside Interchanges, reconstruction of city streets, additional street closures, and other changes not covered in the original agreement. The Commission accepted the Deputy Engineer's recommendation for approval of the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a supplemental railroad agreement with Union Pacific Railroad Company pertaining to the Cascade Locks-Mitchell Point Section of the Columbia River Highway in Hood River County. The existing agreement between the State and the Railroad Company, the Deputy Engineer explained, expires June 9, 1965. As the construction project will not be finished by that time, he recommended that the agreement be extended for a period of two years to June 9, 1967. The Commission approved the extended agreement.

The date for the next Highway Commission meeting was confirmed for June 1, 1965, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, July 13, 1965.

The Commission approved the minutes of the meeting held March 11, 1965.

An agreement with Simpson and Curtin of Philadelphia for a mass transit study of the Portland-Vancouver Metropolitan Area was presented by the Deputy Engineer. Proposals, he said, were solicited from six qualified firms and after carefully evaluating all of them, it appeared that Simpson and Curtin had submitted the best proposal. The proposal has been approved by the Bureau of Public Roads and by the Technical Advisory Committee of the Portland study group. Cost of the study he estimated at approximately \$59,000 from HPR Funds. He recommended that the agreement be approved and that authority be granted for the Secretary to sign the agreement in behalf of the Commission. The Commission accepted his recommendation.

The Commission confirmed prior telephonic approval given for award of contracts on bids received March 16, March 30, April 6, and April 12, 1965. The Commission also authorized the Secretary to sign the contracts in their behalf as follows:

BIDS RECEIVED IN SALEM MARCH 16, 1965  
AWARDS MADE BY THE COMMISSION MARCH 17, 1965

"Reedsport-Dean Creek Section of the Umpqua Highway east of Reedsport in Douglas County. Federal-aid Project No. ERFO No. 120(2). Three bids were received. The Commission awarded the contract to the low bidder, Umpqua River Navigation Company, Reedsport, at \$47,330.

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"West Fork Hood River Bridge on the Lost Lake County Road southwest of Hood River in Hood River County. Bridge to be constructed under Federal-aid Primary Highway Regulations. Six bids were received. The Commission elected to accept the low bid of Hannan Brothers Company, Portland, in the sum of \$59,190 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Hood River County is received and the sum of \$13,300 is deposited by the County.

"Sardine Creek-North Santiam River Section of the North Santiam Highway east of Salem in Linn and Marion Counties. Project No. ERFO 105(1), to be constructed under Federal-aid Primary Highway Regulations. Thirteen bids were received. The Commission awarded the contract to the low bidder, White Bros. Construction Co., Inc. & Ott-Atwater, Inc., Walla Walla, Washington, at \$1,454,110.00

#### BIDS RECEIVED IN SALEM MARCH 30, 1965

"Eagle Creek Bridge on the Oakridge-Salt Creek Tunnel Section of the Willamette Highway southeast of Oakridge in Lane County. Federal-aid Primary Highway Project No. ERFO-101(2). Eight bids were received. The Commission on March 30, 1965, awarded the contract to the low bidder, Workman Construction Company, Canby, at \$37,472.00.

"Grading, paving and riprap on the Euchre Mt. Section of the Siletz Highway north of Siletz in Lincoln County. Project to be constructed under Federal-aid Primary Highway Regulations No. ER-152(1). Five bids were received. The Commission on March 30, 1965, awarded the contract to the low bidder, Road and Driveway Company and Lewis S. Pickens, Newport, at \$132,172.00.

#### BIDS RECEIVED IN SALEM APRIL 6, 1965 AWARDS MADE BY THE COMMISSION APRIL 8, 1965

"Grading, paving, structure and signing on the Lake Road Interchange Section of the Cascade Highway near Clackamas in Clackamas County. State Project. Five bids were received. The Commission elected to accept the low bid of Hannan Bros. Co., Portland, in the sum of \$425,339.60 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired.

"Bullards Beach State Park facilities on the Oregon Coast Highway north of Bandon in Coos County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Donald W. Thompson, North Bend, at \$156,047.22.

"Forest Boundary-Wheeler County Line Section of the Ochoco Highway east of Prineville in Crook County. State Project. One bid was received. The Commission rejected the bid as being too high.

"Widening of the Edson Creek Bridge on the Sixes River County Road northeast of Port Orford in Curry County. Federal-aid Secondary Project No. S-153(2). Four bids were received. The Commission elected to accept the

low bid of Fred Jensen, North Bend, in the sum of \$22,490.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Curry County is received and the sum of \$5,100.00 is deposited by the County.

"Grading, paving, structures and signing on the Azalea-Glendale Junction Section of the Pacific Highway south of Canyonville in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(47)82. This project was withdrawn from the letting.

"Grading, paving, structures and signing on the Canyonville-Bear Gulch Section of the Pacific Highway near Canyonville in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(46)96. Five bids were received. The Commission elected to accept the low bid of C. R. O'Neil, Creswell, in the sum of \$3,723,508.55 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Canyonville-Tiller Section of the Tiller-Trail Highway near Canyonville in Douglas County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Beaver State Sand and Gravel, Inc., Roseburg, at \$29,565.00.

"Roadway illumination installation at the Green Springs Interchange on the North Ashland Interchange-South Ashland Interchange of the Pacific Highway near the south city limits of Ashland in Jackson County. Federal-aid Interstate Highway Project No. I-5-1(57)14. Three bids were received. The Commission awarded the contract to the low bidder, Electric Corporation, Salem, at \$15,630.00.

"Leveling course and oiling on the Fishlake-Drake Creek Section of FAS 807 northeasterly of Lakeview in Lake County. FAP No. S-522(2). Five bids were received. The Commission elected to accept the low bid of J. C. Compton Company, McMinnville, in the sum of \$39,105.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lake County is received and the sum of \$9,000.00 is deposited by the County.

"Ontario Rock Production Project on the Old Oregon Trail and Olds Ferry-Ontario Highways, north of Ontario in Malheur County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction Company, Ontario, at \$30,800.00.

"Mill Creek (Turner) Bridge in the City of Turner in Marion County. Federal-aid Secondary Project No. S-189(3). Seven bids were received. The Commission elected to accept the low bid of Tom Lillebo Construction Company, Reedsport, in the sum of \$41,687.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Marion County is received and the sum of \$9,400.00 is deposited by the County.

"Grading and stone base on Powell Boulevard-Ellis Street Section of FAS 654 (S. E. 122nd Avenue) in Multnomah County. FAP No. S-255(9). Five bids were received. The Commission elected to accept the low bid of Porter W. Yett Company, Portland, in the sum of \$172,676.52 and directed the State



Highway Engineer to award the contract to said bidder as soon as approval of Multnomah County is received and the sum of \$36,700.00 is deposited by the County.

"Paving on Powell Boulevard-Ellis Street Section of FAS 654 (S. E. 122nd Avenue) in Multnomah County. FAP NO. S-255(9). Four bids were received. The Commission elected to accept the low bid of Warren Northwest, Division of Warren Bros. Co., Portland, in the sum of \$57,796.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Multnomah County is received and the sum of \$12,300.00 is deposited by the County.

"Weatherly Section of the Umpqua Highway east of Reedsport in Douglas County. FAP No. ER 120(1). Seven bids were received. The Commission awarded the contract to the low bidder, S. A. Hutchins and Assoc. Construction Company, Sutherlin, at \$105,631.50.

"Upper Salt Creek Bridge on the Oakridge-Salt Creek Section of the Willamette Highway southeast of Oakridge in Lane County. Federal-aid Primary Highway Project No. ERFO - 101(2). Seven bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction Company, Salem, at \$233,043.00.

"Lower Salt Creek Bridge on the Oakridge-Salt Creek Tunnel Section of the Willamette Highway southeast of Oakridge in Lane County. Federal-aid Primary Project No. ERFO - 101(2). Nine bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction Company, Salem, at \$154,435.50.

"Wood River Bridge on the Crater Lake Highway at Fort Klamath in Klamath County. Federal-aid Primary Highway Project No. ERFO - 162(1). Five bids were received. The Commission awarded the contract to the low bidder, Mann Construction Company, Redmond, at \$63,682.00.

"Grading and paving on the Shady Cove Bridge Section of the Crater Lake Highway north of Medford in Jackson County. FAP No. S-47(8). Two bids were received. The Commission awarded the contract to the low bidder, Hughes and Dodd Company, Medford, at \$77,473.25.

#### BIDS RECEIVED IN SALEM APRIL 12, 1965

"Grade and structure on the Fulton Canyon Section of the Fulton Canyon-Wasco Highway, east of The Dalles in Sherman County. FAP No. ER 106(1). Eight bids were received. The Commission on April 14, 1965, awarded the contract to the low bidder, Rogers Construction Co., Portland, at \$150,716.00.

The Deputy Engineer reported on contracts which had been referred to the Engineer to award when certain conditions had been satisfied. These conditions, he said, have been met. The Commission confirmed award of contracts as follows:

- (1) West Fork Hood River Bridge on Lost Lake County Road in Hood River County. Bids received March 16, 1965. Contract No. 6558 awarded March 19, 1965, to Hannan Bros. Company, Portland, low bidder.
- (2) Mill Creek (Turner) Bridge in City of Turner in Marion County. Bids received April 6, 1965. Contract No. 6570 awarded April 12, 1965, to Tom Lillebo Construction Company, Reedsport, low bidder.
- (3) Grading, paving, structures and signing on the Canyonville-Bear Gulch Section of the Pacific Highway in Douglas County. Bids received April 6, 1965. Contract No. 6571 awarded April 13, 1965, to C. R. O'Neil, Creswell, low bidder.
- (4) Leveling course and oiling on Fishlake-Drake Creek Section of FAS 807 in Lake County. Bids received April 6, 1965. Contract No. 6573 awarded April 16, 1965, to J. C. Compton Company, McMinnville, low bidder.
- (5) Widening Edson Creek Bridge on Sixes River County Road in Curry County. Bids received April 6, 1965. Contract No. 6574 awarded April 19, 1965, to Fred Jensen, North Bend, low bidder.

Commissioner Fridley inquired as to the status of the coordinating agreement for the Portland-Vancouver Metropolitan transportation study. The Deputy Engineer replied that the agreement has not yet been executed. The Chairman commented that the new agreement has changed the old organizational setup and copies have been sent to the agencies concerned. It was his feeling that the changes made will correct most of the prior deficiencies. The Highway Commission, he continued, is obligated to assume leadership in the matter and the form of agreement as now set up should do much to eliminate misunderstandings. In order to meet Bureau of Public Roads' requirements, the agreement has to be in effect July 1, 1965. The Deputy Engineer commented that many governmental units are involved and it is very difficult to please all of them, but it was his feeling that real progress is being made. Commissioner Fridley expressed the hope that a basis for agreement may be reached without undue publicity.

A Permit of Entry with the Portland Traction Company pertaining to the East Marquam Interchange on the Pacific Highway in Portland was presented by the Deputy Engineer and approved by the Commission provided that the Bureau of Public Roads will approve the matter for full Federal participation.

The Commission discussed with the Deputy Engineer three proposed routes for the Oregon Coast Highway in the Pacific City area in Tillamook County. The least expensive route along the beach, he estimated, would cost \$3,585,000. An inland route near Oretown and just east of Pacific City, he estimated, would cost \$4,087,000. A third route mostly near the beach but just east of Pacific City was estimated to cost \$4,368,000. Mr. A. W. Parsons, Division Engineer for the Bureau of Public Roads, pointed out that the Bureau cannot continue work on the alignment of the Cape Kiwanda-Neskowin Section until the Commission has taken action on the location. He asked if the Commission could designate a portion of the route. The Commission approved the route from Neskowin north to a point just south of Nestucca Bay (between points "C" and "D" on a map the Deputy Engineer had).

Establishment of a salary range for the State Highway Engineer under Legislation recently approved was discussed. The Commission authorized payment of the highest rate which can be paid under the law.

A list of high priority properties for acquisition for park purposes was presented by the Deputy Engineer. He requested that it be approved and authority be granted to negotiate for the properties. The Commission approved the following list and authorized negotiations for acquisition:

PROPERTY ACQUISITION  
PRIORITY #1

<u>STATE PARK</u>	<u>COUNTY AND HIGHWAY</u>	<u>ACREAGE</u>	<u>PROBABLE COST</u>	<u>USE PURPOSE</u>
Lincoln Beach	Lincoln, Oregon Coast	3.0	\$ 25,000	Beach Access
Gleneden Beach	Lincoln, Oregon Coast	3.0	25,000	Beach Access
Rock Creek	Lane, Oregon Coast	3.5	20,000	Beach Access
Ten Mile Creek	Lane, Oregon Coast	17.00	30,000	Beach Access
Sucker Creek (Geological Area)	Malheur, Sucker Creek County Road	1120.0	10,000	Geological Interest
Clarno (Geological Area)	Wheeler, Shaniko- Fossil	38.0	500	Geological Interest
Bandon	Coos, Bradley Lake County Road	602.0	30,000	Beach Access, Day-use
Elk Creek	Josephine, Redwood	523.0	200,000	O'nite, Day-use, Information Cent
Lapine-Deschutes	Deschutes, The Dalles- California	1498.0	4,000	O'nite, Day- use
Minam River	Wallowa, Wallowa Lake	375.0	56,000	O'nite, Day-use, River Frontage
Coffin Rock	Columbia, Lower Columbia	282.0	30,000	O'nite, Day- use, boating
Fort Stevens	Clatsop, Adjoining Ft. Stevens	1300.0		Boating, O'nite, Day-use, Histori
Quosatana Creek	Curry, Off Oregon Coast	160.0	100,000	Boating, Fishing, O'nite, River Ac
Ontario Interchange	Malheur, Interstate 80N	33.0	35,000	Boating, O'nite, Day-use
Brownsville Interchg.	Linn, Interstate 5	50.0	20,000	O'nite camping
Baldock Fwy. Rest Area	Marion, Interstate 5	21.0	50,000	O'nite camping
Deschutes River	Wasco-Sherman, Columbia River	340.0	30,000	Boating, Day-use, River Frontage
J. S. Burres	Gilliam, Wasco-Condon	4.0	500	Day-use
		6372.5	\$666,000	

April 20, 1965

PROPERTY ACQUISITION  
COMMITTED BY CONDEMNATION ACTION

<u>STATE PARK</u>	<u>COUNTY AND HIGHWAY</u>	<u>ACREAGE</u>	<u>PROBABLE COST</u>	<u>USE PURPOSE</u>
Farewell Bend	Malheur, Oregon Trail	190.0	\$ 20,000	Overnight Camp
South Newport	Lincoln, Oregon Coast	32.0	60,000	Overnight Camp, Day-use Beach Access
Ainsworth	Multnomah, Interstate 80N	110.0	35,000	Overnight
Champoeg	Marion	363.0	200,000	Overnight, Boating, Historical, Day-use
Nehalem Bay	Tillamook	53.00 748.0	100,000 \$415,000	Overnight Camp

Chairman Jackson inquired concerning a report on accesses to beaches in Oregon as to whether the report considered current or future needs. Mr. Stephenson, Assistant State Highway Engineer, replied that the report took into account needs of the future.

The meeting was recessed at 10:30 a.m. and reconvened at 10:35 a.m. in Room 419. The highway personnel who had been opening and reading bids for highway construction in Room 419 were present when the meeting was reconvened to hear delegations.

Mr. Eric Saukkoneon, Commissioner, Port of Coos Bay; Mr. Robert Dillman, Commissioner, Coos Bay; Mr. Charles Adams and Mr. Jack Baker from Roseburg, came before the Commission concerning possible future construction of an expressway type highway extending easterly from Coos Bay to a junction with the Pacific Highway near Roseburg. Mr. Saukkoneon pointed out that the Coos Bay area is the fifth largest such area in the State. New industries are being developed and he mentioned a boat shipment of wood chips out of Coos Bay, a large cargo of liner board from the Gardiner Mill and construction of a large warehouse. Improvements to the Coos Bay-Roseburg (Route 42) are helpful but the route will still be inadequate for Coos Bay needs. The Umpqua Highway (Route 38) is too far north to be of good economic benefit. Coos Bay, he said, is the second largest seaport in Oregon and a better east-west highway is needed. He presented a resolution adopted by the Port of Coos Bay urging construction of an east-west expressway.

Mr. Dillman commented that he had heard that the highway easterly from Coos Bay had been considered prior to improvement of Highway 42 and he asked that serious consideration be given to its construction. Mr. Adams

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stated that the Roseburg Chamber of Commerce and the Douglas County Court favor a direct route to Coos Bay. Chairman Jackson inquired as to what percentage of the chips being shipped from Coos Bay come from inland points. Mr. Saukkoneon replied that at the present time there are none, but it is anticipated that probably about one-third will be from the inland within the near future. He suggested that a date be set up later in which the project could be discussed in more detail.

The Chairman commented that some surveys have been made indicating that cost of the highway requested would be approximately \$25,000,000. Pressure for continued improvements on the Coos Bay-Roseburg Highway continue, as well as for improvement to the Umpqua Highway. The State, he said, is growing and the money available for improvement of the ABC Highway system is very inadequate. He estimated that it would cost about one-half billion dollars to improve the ABC system to modern standards. At the present time, the only hope the Commission has for any sizable amount of money would be after completion of the Interstate System, probably in 1972. The Commission is acutely aware of the needs for improved highways but because of the lack of funds no encouragement, he said, can be given now for the requested construction.

A delegation from Klamath County, Klamath Falls, and Medford came before the Commission concerning improvements at both ends of the Lake of the Woods Highway; from Brownsboro to Medford in Jackson County; and from the Geary Brothers Ranch to Klamath Falls in Klamath County. The following persons were present: Paul B. Rynning; Chet Hubbard, Chairman of Chamber of Commerce Highway Committee; Robert J. Carstensen, Jackson County Engineer; Don Faber, Jackson County Court; and Gene Hopkins, Manager Medford Chamber of Commerce, all from Medford. Deb Addison, Chairman Klamath Falls Chamber of Commerce; George Callison, Manager, Klamath Falls Chamber of Commerce; Joe Daraher, Publisher Herald & News; and Lloyd Prock, all from Klamath Falls. Mr. George Callison introduced Mr. Paul B. Rynning who in turn introduced other members of the delegation. Mr. Rynning read a prepared statement urging improvements to the Lake of the Woods Highway on the Klamath Falls and Medford ends. Both cities, he said, are solidly behind these requests. Increasing tourist travel and a steadily increasing volume of commercial traffic emphasize the need for the improvements. He commented on the advantages of a by-pass route extending from the Geary Brothers Ranch through Orindale Draw to an intersection with Highway Routes 97 and 66 on the Klamath Falls end. Improvement also is needed from White City easterly to the end of new construction. Mr. Addison commented on the need for improvement of the highway at its westerly end. Mr. Hubbard also emphasized the need for improvement of this end as well as in Klamath Falls. Mr. Faber, Mr. Carstensen, and Mr. Hopkins all commented on the need for improving the inadequate sections at both the easterly and westerly ends, and urged that early construction be undertaken.

Chairman Jackson commented that the Governor's proposed program of highway improvements had included a portion of their request. The Commission, he said, is very much aware of the inadequate sections at both ends of the highway and they do not intend to harm the residential and park area in Klamath Falls. With the funds available, about all the Commission can hope to do is to take care of some of the most critical spots.

The Honorable Willard Marshall, Mayor of the City of Salem; Mr. Alvin Randall, Salem Chamber of Commerce; and approximately forty other persons appeared before the Commission concerning highway improvements in the Salem area. Mayor Marshall introduced Mr. Randall and read a prepared statement. He pointed out that during the past four years the City of Salem has been participating in a Salem Area Transportation Study and the final report is expected in July of this year. He asked that the Commission cooperate in results determined by the study and mentioned five basic requests:

- (1) That the State initiate final routing and location studies, and construct Interstate Route 305 from the Hayesville Interchange to an appropriate place within the Salem central business district.
- (2) That planning be done to result in prompt construction of additional Willamette River bridges at the appropriate locations indicated by the Salem Area Transportation Study.
- (3) That State Route 22 be relocated to expedite the flow of east-west traffic through the Salem metropolitan area.
- (4) The upgrading and improving of other State administered major arterial routes in the Salem area, and
- (5) That the State study and modify all four interchanges channeling traffic from and to Interstate 5 in the Salem metropolitan area.

The City, he added, cannot even plan a street program until plans for the penetrating interstate spur, additional bridges, and the relocation of Route 22 are determined. Mr. Randall mentioned the need for total long range planning to facilitate economic conditions. He asked early consideration of the projects mentioned and inquired as to when an answer might be expected. Chairman Jackson replied that the Commission at the present time has approximately \$17,000,000 per year available for ABC Highways. Cost of the projects requested would be approximately \$25,000,000. Many communities in the State have problems similar to those in Salem, but the Commission is handicapped in solving them by the lack of funds. He mentioned that the Governor's program for highway improvement and increased funds has not been favorably considered in the Legislature and there appears to be little support for it from the counties, cities, and other organizations in the State. The Commission, he continued, can not make commitments for expenditures unless they know that funds will be available within a certain time. The answer to these problems is money and he emphasized that communities desiring improvements should assume some responsibility in getting funds to perform the projects. At the present time, the Commission is able only to consider critical needs, and he felt that the Commission would be performing a disservice to communities if projects were committed when funds are not available within a reasonable time.

Mayor Marshall commented that before anything concrete can be done the transportation study must be completed, and the delegation today wished to make known their needs, and if possible, to determine what plans the Commission has so that the city can plan its work. The Chairman commented that he did not feel it was fair to offer plans to a community when it might be many

years before the work could be performed. The Commission, he said, appreciates the need for coordinating plans, but a real danger lies in committing a program when funds are not in sight. He urged the delegation to make their plea before the Ways and Means Committee in the Legislature. Mr. Randall offered his appreciation for the efforts put forth by the Commission and their suggestions as to procedure.

A delegation representing the Prineville-Crook County Chamber of Commerce, City of Prineville, and others came before the Commission concerning reconstruction of the Ochoco Highway (US 126) between Prineville and Redmond. The following people were present: Ivan J. Chappell, Manager, Prineville-Crook County Chamber of Commerce; Walt Haynes, President of Chamber of Commerce; and James Garret, all from Prineville. Maurice Roberts of Redmond; Rex Barber, Central Oregon Chamber of Commerce, Culver; Doug Shephard, Crook County District Attorney; Rod Johnson, Vice President of Powell Butte Farmers Club; Luke Reif, Crook County Commissioner, and D. L. Penhollow, Deschutes County Judge.

Mr. Chappell introduced members of the delegation. Mr. Shephard, who acted as spokesman, presented resolutions from the Deschutes County Court, Jefferson County Court, Crook County Court, Central Oregon Chamber of Commerce, Bend Chamber of Commerce, Prineville-Crook County Chamber of Commerce, Madras-Jefferson Chamber of Commerce, Redmond Chamber of Commerce and a letter from the Powell Butte Farmers' Club all endorsing improvement of the highway between Prineville and Redmond. He pointed out that US 126 is an arterial highway and that this section is generally inadequate, being narrow, crooked and with poor vertical alignment. He mentioned that the bridge west of the Powell Butte Post Office is often frosted and that several accidents have occurred there. During the last year approximately 200,000 people visited Prineville Reservoir and a total of approximately 620,000 had spent time in the nearby National Forest Lands. He also mentioned the "rock hound" convention in Prineville attended last year by approximately 10,000 people. Mr. Johnson commented that to his knowledge there had been nine traffic fatalities on this section of highway in the last fourteen years.

Chairman Jackson inquired of the Deputy Engineer as to what the cost would be to improve the highway. He replied that for a minimum project of shoulder improvement and widening the worst curves, the cost would not be great. The Chairman stated that the matter would be looked into and the group would be advised as to what corrective measures can be taken.

Mrs. Glenn E. Mendenhall from Hebo and Mildred Clearwater from Cloverdale, came before the Commission concerning construction of a connection between Highway Routes 22 and 18, sometimes referred to as the Dolph Cutoff. Mrs. Mendenhall commented on the need for this cutoff to encourage tourists to come into the Dolph country, and for trucks and farmers. She presented a petition signed by 380 people, residents of Yamhill, Polk and Tillamook Counties urging construction of the Dolph Cutoff. After the delegation had left the Commission instructed that a letter be sent to Mrs. Mendenhall explaining that the Commission did not feel that it could undertake this new project until some of the deficiencies in the existing Forest Highway System have been corrected. This does not mean the route has been abandoned but construction must be deferred.

April 20, 1965

Mr. Gordon L. Dunn, Secretary of Fossil Community Club, Mr. H. C. Wright, Mr. Jack Steiwer, Mr. Roy Britt, and Mr. Clarence Asher, all from Fossil, appeared before the Commission concerning improvements to the John Day Highway (Route 19) and to the Service Creek-Mitchell Highway (Route 207). Mr. Steiwer inquired as to the status of improvements between Service Creek and Mitchell. The Deputy Engineer replied that approximately 12.3 miles of gravel surface remains and that work which has been performed has cost approximately \$40,000 per mile. He also mentioned that the average daily traffic is approximately 60 vehicles per day. The Chairman inquired how long it would take to complete improvements at the present rate of progress. The Deputy Engineer replied that it would take about three years. The Chairman stated that the Commission plans to continue and finish this work if funds are available. Mr. Steiwer then inquired as to plans on the John Day Highway. The Chairman replied that half-soling and widening where needed are the only projects contemplated at this time.

Appointment of a member to the State Parks and Recreation Advisory Committee was discussed. The Commission suggested that the name of Eric W. Allen, Jr., Medford Newspaper Editor and Publisher be submitted to the Governor for appointment.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Indenture of Access" to the Leo D. Larsell and Robert Larsell property on the White River-Oak Springs Road Section of The Dalles-California Highway in Wasco County.

"Indenture of Access" to the S. W. Wise Ranch for a parcel of land on the Marks Creek-Fields Creek Section of the John Day Highway in Grant County.

"Indenture of Access" to the Frances Earhart property on the Medford-Phoenix Section of the Rogue Valley Highway in Jackson County.

"Grant of Access" to the Thomas and Rosemary Tompkins and Walter and Grace Cline property covering the West Unit, Coast Range Summit Section of the Corvallis-Newport Highway in Lincoln County.

"Bargain & Sale Deed" to State Board of Forestry covering exchange of land in Silver Falls State Park in Marion County.

"2nd Amendment of Oregon State-Wide Forest Highway Cooperative Agreement" with Bureau of Public Roads which would add the Neskowin-Tillamook Section of US 101 to Forest Highway System.

"Supplemental Agreement" with Union Pacific Railroad Company covering the Cascade Locks-Mitchell Point Section of the Columbia River Highway, extending agreement for a 2-year period.

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"Lease & Sale of Road Materials Agreement" with Mabel E. Shaw property on the Durkee-Nelson Section of the Old Oregon Trail Highway in Baker County.

"Bargain & Sale Deed" to Eugene C. and E. Louise Kinder for a parcel of land on the Washburn-N. Plains Section of the Wilson River Highway in Washington County.

"Bargain & Sale Deed" to Duane Company for a parcel of land on the Lake Road-Oregon City Section of the Cascade Highway in Clackamas County.

"Relinquishment of Title" to Clatsop County to a parcel of land on DeLaura Beach Road in Clatsop County.

"Relinquishment of Title" to City of Portland for a parcel of land on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County.

"Agreement" with City of Oceanlake permitting the State to connect sewer system for the overnight camp in Devil's Lake State Park to the City's sewage disposal plant.

"Agreement" with City of Newberg covering traffic signal installation at the intersection of First and Main Streets in Newberg.

"Agreement" with Southern Pacific Railroad Company concerning the Independence Junction-West Salem Section of the Willamina-Salem Highway in Polk County.

"Amended Agreement" with Oregon State Board of Higher Education (through Portland State College) pertaining to right of way adjacent to the Sunset Interchange-Broadway Unit of the Stadium Freeway in Portland, Multnomah County.

"Throughway Agreement" with Multnomah County pertaining to the East Marquam Interchange Section of the Pacific Highway in Portland.

"Agreement" with Union Pacific Railroad Company permitting construction of a culvert under its tracks on The Dalles-Fifteenmile Creek Section of I-80N in Wasco County.

"Cooperative Construction Agreement" with Multnomah County pertaining to widening of N. E. 181st Avenue, a Multnomah County Road, and N. E. Sandy Boulevard.

"Throughway Agreement" with Douglas County concerning Canyonville-Glendale Junction Section of the Pacific Highway.

"Supplemental Throughway Agreement" with Clackamas County concerning the Southern Pacific Railroad Overcrossing-Oregon City Section (Lake Road Interchange Unit) of the Cascade Highway in Clackamas County.

April 20, 1965

"Supplemental Agreement" with Bonneville Power Administration providing for a locked gate access to Bonneville's easement on the Cornelius Pass Road-Cornell Road Section of the Sunset Highway in Washington County.

"Throughway Agreement" with City of Canyonville pertaining to the Canyonville-Bear Gulch Section of the Pacific Highway in Douglas County.

"Agreement" with Jackson County, Cities of Central Point, Ashland, Eagle Point, Jacksonville, Medford, Phoenix and Talent and Board of Higher Education on behalf of Bureau of Municipal Research and Service of University of Oregon to conduct transportation planning in the area.

"Supplemental Construction Agreement" with City of Clatskanie pertaining to Woodson-Clatskanie Section of the Columbia River Highway in Columbia County.

"Supplemental Throughway Agreement" with City of Portland concerning the East Marquam Interchange Unit of the North Russell Street-S. W. Curry Street Section of the Pacific Highway, Eastbank Freeway.

"Supplemental Throughway Agreement" with City of Portland concerning the S. W. Montgomery-S. W. Broadway Section of the Stadium Freeway.

"Agreement" with Simpson and Curtin of Philadelphia for a mass transit study of the Portland-Vancouver Metropolitan Area.

There being no further business to conduct, the meeting was adjourned by the Chairman at 12 noon.

Gerrit Cooper  
State Highway Engineer

Dean Jackson  
Chairman

Ken Bradley  
Commissioner

Lloyd Query  
Secretary

David B. Hays  
Commissioner

April 20, 1965



State Highway Building  
Salem, Oregon

May 13, 1965

At 11:38 a.m., May 13, 1965, a special Highway Commission meeting was held by conference telephone. On the telephones at this time were:

Glenn L. Jackson, Chairman in Portland  
K. N. Fridley, Commissioner in Wasco  
George Rohde, Chief Counsel in Salem  
Floyd Query, Secretary in Salem

Mr. Rohde stated that the purpose of the telephone meeting is to take necessary action concerning construction of a service station on land that will be required for highway purposes at the east end of the proposed new bridge across the Willamette River in Oregon City. The property involved is owned by Carlos P. Johnson and Emmer L. Johnson with Arthur Lacey as contract purchaser (File No. R-37896) consisting of 17,900 square feet of land. Conversations have been had with the Lacey's, he continued, and they have been advised that their construction is within an area which will be used for highway purposes. An attempt was made to purchase the property by negotiation but the Right of Way Agent was informed by the Lacey's that they do not wish to sell and intend to proceed with construction of the service station.

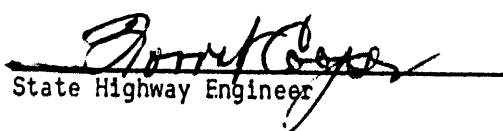
In connection with acquisition of the subject property, the Chief Counsel also pointed out that the existing survey of the Park Place-Oregon City Section of the Cascade Highway at its southerly end in Oregon City does not fit the requirements of the proposed location of the new bridge across the Willamette River in Oregon City. He also remarked that the proposed survey is not for the new bridge but stops short thereof; although it will provide connections to it, as well as being the interchange between the Cascade Highway and the Pacific Highway East. He recommended that the proposed survey be adopted and that the necessity of acquiring the Johnson property be declared by resolution and further that the Chief Counsel be granted authority to condemn the Johnson property if negotiations are not successful.

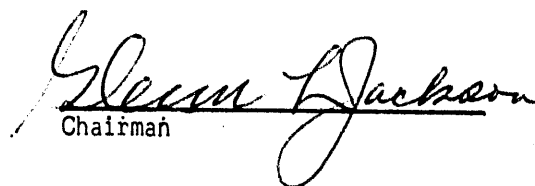
Chairman Jackson inquired if the proposed survey has been checked with the Engineering Division as to location and adequacy. The Chief Counsel replied in the affirmative. After some further discussion, the Commission adopted "Survey Resolution No. 297," on the Park Place-Oregon City Section of the Cascade Highway in Clackamas County (Drawing No. 1R-4-128 dated May, 1965) between Highway Engineer's Station 690+94.81 and Station 715+00. The Commission also rescinded "Survey Resolution No. 276," adopted December 18, 1963, covering the Park Place-Oregon City Section of the Cascade Highway from Engineer's Station 690+94.81 to Station 709+23.22 at the Pacific Highway East. Authority was granted by the Commission to condemn the Johnson property if negotiations are not successful and the Commission thereupon adopted "Condemnation Resolution No. 2058," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

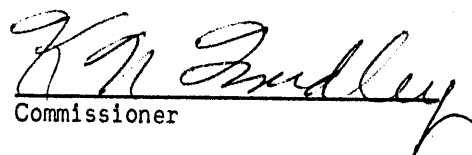
May 13, 1965

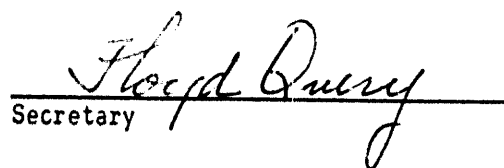
Commissioner Fridley inquired as to the status of the pending litigation with DeLong on Contract No. 6124 for construction of piers for the Astoria Bridge. The Chief Counsel replied that nothing new has come up. The Chairman then asked if the Attorney General has given approval to file suit against DeLong for damages to the State. It was his feeling that action should be taken to file suit against DeLong before DeLong files suit. The Chief Counsel replied that no definite answer had been received. Commissioner Fridley commented that the State is faced with damage claims from other Astoria Bridge contractors whose projects have been held up because of the delay in constructing the piers originally awarded to DeLong. The Chairman then inquired if there is any information available as to what the amount or amounts of these claims might be. The Chief Counsel replied that no claims have been filed as the work is still in progress and the contractors do not yet know what amounts they will present. The Chairman requested that a meeting be arranged, if possible, with the Attorney General at noon next Thursday in Portland (May 20).

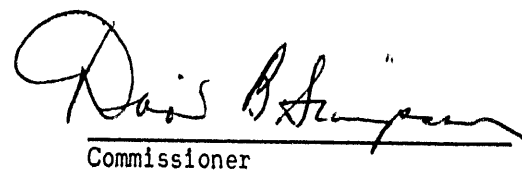
The telephone meeting was adjourned by the Chairman at 11:55 a.m.

  
State Highway Engineer

  
Chairman

  
Commissioner

  
Secretary

  
Commissioner

May 13, 1965

Salem, Oregon  
June 1, 1965

The Oregon State Highway Commission met in regular session at 9:45 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
Fred Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
George E. Rohde, Chief Counsel  
Frank McKinney, Acting Assistant Counsel  
David Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were A. W. Parsons, Division Engineer, U.S. Bureau of Public Roads; C.W. Head, Assistant Secretary to the Commission; L.H. Young, Office Engineer; John Oakes, Assistant Right of Way Engineer; David Talbot, Parks Superintendent; Carl Plog, Information Officer; and Laurence Holt, Administrative Right of Way Agent.

The Chief Counsel introduced to the Commission David Moehring, newly appointed Right of Way Engineer, replacing W. T. Wright, who had resigned effective June 1, 1965. Mr. Moehring then introduced his assistant, Mr. John Oakes.

The Right of Way Engineer presented for consideration options, pages 1 through 53, secured for acquisition of real property needed for state highway use or for other purposes. He stated that properties involving Federal aid have been cleared with the Bureau of Public Roads. To the best of his knowledge the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 23", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report for the period from April 9 to May 19, 1965, was presented by the Right of Way Engineer. Miscellaneous sales during this period totaled \$4,325; land sales \$8,475; timber sales \$1,162.14 and rental receipts for the month of April amounted to \$21,788.85. The Commission accepted the report.

June 1, 1965



Authority was requested by the Right of Way Engineer to offer at public sale two parcels of excess right of way. Minimum prices for these parcels, he said, are based upon appraised values or on offers in excess of appraisals. Access and other conditions are consistent with those existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution Nos. 436 and 437", which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 1.16 acres, File No. 18961, located approximately 4,000 feet southwest of the Sutherlin Interchange on the westerly side of the Pacific Highway in Douglas County, for not less than \$1,160. Access is to be allowed only to the existing frontage road. The sale is to be subject to the standard sign restriction clause and will cover only the area outside a line parallel to and 135 feet from the highway centerline as the property lies outside the right of way line. It is not subject to Bureau of Public Roads' approval. (See "Real Property Resolution No. 436").
- (2) 22.3 acres, File No. 22588, located on the north side of the Salem-Stout Creek Section of the North Santiam Highway approximately 2.8 miles east of the Silver Creek Falls Interchange in Marion County. Access is to be granted to a frontage road but not to the North Santiam Highway. A strip ten feet in width is to be retained along the westerly side of Marion County Road 869. No Federal funds were used in acquisition or construction pertaining to this parcel. (See "Real Property Resolution No. 437").

Direct sales of three excess properties were recommended by the Right of Way Engineer. Because of peculiar conditions, these parcels are saleable only to a single person. The Commission approved direct sale of the following properties:

- (1) 4.3 acres, File No. 11079, on the west side of the Pacific Highway just south of the Ankeny Hill Interchange in Marion County, to Mr. John Carrigg, whose property surrounds the parcel on three sides, for not less than \$690. A sign restriction clause is to be imposed and the sale is to be subject to a pipe-line easement previously granted to Southern Pacific Pipe Line, Inc.
- (2) 1,850 square feet of land, File No. 33465, within the limits of Turnidge Street along the Willamina-Salem Highway in West Salem, Polk County, to Gordon L. and Evelyn C. Selby, for not less than \$100. The deed is to include a restriction for public street purposes.

- (3) 0.78 acres, File No. 8206, on the northerly side of the Wilson River Highway, approximately two miles west of Glenwood, Washington County, to Washington County for the sum of \$100. The relinquishment is made with the understanding that access will be limited to one point at Station 1971+00 and a public use clause will be included.

Several "Indentures of Access" were presented by the Right of Way Engineer who explained that the Indentures provide for routine changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. In all instances where Federal funds have been involved, the approval of the Bureau of Public Roads has been secured. The Commission approved the following "Indentures":

- (1) Potts Property, File No. 34375, on the Tanner Creek-Remote Section of the Coos Bay-Roseburg Highway in Coos County, approximately 15 miles east of Myrtle Creek. This action is to correct the records to conform to actual construction. The change was made during the construction of the highway. Approval of the Bureau of Public Roads was received March 22, 1965.
- (2) Thomas Property, File No. 28467, on the Davis Slough-Bandon Section of the Oregon Coast Highway in Coos County, approximately five miles south of Coos Bay. Access is to be widened to 35 feet and restricted to transportation of timber products and private residential use. Approval has been received from the Bureau of Public Roads.
- (3) Hering Property, File Nos. 24396 and 24398, on the southerly side of the Tualatin Valley Highway between N. E. Third and N. E. Sixth Street in the City of Cornelius. Change in location and widening to 35 feet on three points of access is involved. Use of the access is to remain unrestricted. Approval of the Bureau of Public Roads was secured April 15, 1965.
- (4) Bureau of Land Management Property, File No. 30792, on the Hayes Hill-Grants Pass Section of the Redwood Highway in Josephine County, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads was given on March 31, 1965.
- (5) Caudill and Skundrick Property, File No. 18699, on the Medford County Farm Section of the Pacific Highway in Jackson County, just south of Phoenix, for a change in location and widening to 35 feet of two points of access unrestricted as to use. These changes were approved by the Bureau of Public Roads August 27, 1964.

- (6) Salishan Properties, Inc., File Nos. 4046, 4050, 4051 and 22251, on the Siletz Bay-Depoe Bay Section of the Oregon Coast Highway in Lincoln County. This involves cancellation of six points of access, 25 feet in width, and the granting of three points of access, 35 feet in width, and unrestricted as to use. Cost of relocation for the access points is to be borne by the Salishan Corporation. Concurrence of the Bureau of Public Roads was received May 14, 1965.

- (7) Olsen Property, File No. 13888, on the Salem-Hayesville Section of the Pacific Highway East, a few feet north of Stortz Avenue, for a change in location of two points of access, 35 feet in width, and unrestricted as to use. The Bureau of Public Roads has concurred in the proposed changes.

Consideration was given to a "Grant of Access" to Mr. and Mrs. H. W. Crook, File No. 25501, on the west side of the Oregon Coast Highway just south of 4th Street in the City of Gold Beach in Curry County. The Right of Way Engineer commented that the access, 40 feet in width, and unrestricted as to use will provide for an expansion of high school facilities just south of the area. Approval of the Bureau of Public Roads was secured April 23, 1965. The Commission approved the "Grant of Access".

The matter of granting 0.54 acre easement to the City of Springfield for the "Q" Street floodway channel was considered. The Right of Way Engineer commented that in order to protect the floodway which is along the Eugene-Springfield Highway in Lane County, it is necessary that an instrument of ownership be conveyed to the City of Springfield. Also, when the documents have been recorded, the State will be in a position to dispose of excess property in this area. The conveyance to the City is to contain a clause whereby the State can cross the floodway to get to the excess land which lies between the channel and the highway. Following the Right of Way Engineer's favorable recommendation, the Commission approved the easement.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of Way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put, and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2059 through 2078", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter entitled "Recommendations for Condemnation" dated May 28, 1965, and his supplemental letter of June 1, 1965, in the Secretary's Office.)

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A written report was presented by the Chief Counsel showing results of cases tried in court since the last Commission meeting. The Commission approved the report, which is summarized as follows:

#### REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4747 Olaf M. Oja, et al.	Clackamas	Mt. Hood	Duncan Road- Sandy	\$22,000.00	\$30,000.00	\$31,500.00
L-4672 John Ronchi, et ux.	Josephine	Pacific	Douglas County Line-Coyote Creek	200.00	750.00	400.00
L-4494 Lester A. Tipton, et ux.	Lane	McKenzie	Hendricks Bridge	800.00	3,000.00	1,350.00
L-4682 Merlin G. Morasch, et ux.	Multnomah	Mt. Hood	Gully Route	625.00	1,500.00	825.00
L-4656 Donald E. Place, et al.	Multnomah	Mt. Hood	Gully Route	16,275.00	21,000.00	17,500.00
L-4351 Lloyd Hudspeth, et al.	Deschutes	McKenzie	Deschutes River-Redmond	1,087.50	2,750.00	1,200.00
L-4570 Pacific Coast Land Co., et al.	Lincoln	South Newport State Park		14,650.00 for 27 ac. + 65 lots	525,000.00	135,000.00

#### REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4770 Clifford N. Jones	State Highway Commission and State of Oregon, Glenn L. Jackson and Forrest Cooper	Clackamas	Negligence	\$17,500.00 general damages	Motion granted

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## (Report of Trial of Other Cases - Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-3731 Laushway, et al.	State, et al.	Washington	Negligence in failing to post warning signs	\$20,000.00 general damages	Order of Voluntary Non-suit
L-3771 McKinney	Laushway, et al.	Washington	Negligence in failing to post warning signs	2,588.45 general damages	Defendants' verdict
L-4161 Williams	Robert Lammert, et al.	Jackson	Negligence in the erection of a gate	25,000.00	Defendants' verdict
L-4187 Helen Leighton	Charles H. Baird	Linn	Negligence in the operation of a motor vehicle	25,000.00 general damages 248.00 special damages	Dismissal by Stipulation
L-4207 Clifford Eilers, et al.	Jay Whittenberg, Robert Kentrer and Paul Jones	Klamath	Negligence in the operation of a burning machine	5,148.00 trailer 80.38 truck-tractor 597.00 removing cargo	Defendants' verdict
L-4283 Willard Williams	James A. Wagner	Lake	Negligence in parking motor vehicle on public highway	65,000.00 general damages 3,070.40 special damages	Settled
L-4371 T. A. Patterson	M. C. Willis	Grant	Negligence in failing to give warning of oil on the highway	415.55 plus 200.00 attorney fees	Defendants' verdict
L-4416 Tharon Steenson	Maxine Stephens and Preston J. Kelly	Jackson	Negligence in the operation of a road sweeper	5,000.00	Settled
L-4473 A. H. Barbour & Sons, Inc.	State of Oregon	Marion	Action for additional compensation under Contract #5477 for maintenance painting of Yaquina Bay Bridge	54,472.11	\$37,475.71

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(For additional details, see the Chief Counsel's letter dated May 24, 1965, entitled "Report of Cases Tried" in the General Files in Salem, and his supplemental letter dated May 28, also in the General Files.)

Concerning these cases he mentioned that the total appraised values of the properties amounted to \$174,000 and the total awarded by the Courts amounted to \$187,775. He also mentioned that the State Highway legal staff had appeared in Court on eight cases involving damage suits against State Highway employees. All of these cases were dismissed. Other similar cases were handled by the state insurance carrier.

A tabulation showing proposed settlements of condemnation cases since the last Commission meeting was also presented by the Chief Counsel. These settlements, he observed, do not represent substantial increases above appraised values or the increases are not enough to warrant the cost of trial in court. Also all of the proposed settlements have been approved for Federal-aid. The Commission approved the "Report of Cases Settled", which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4728 Leland Stanford Johns, et al.	Douglas	Pacific	Canyonville-Josephine County Line	\$1,480.00 including fencing	\$1,050.00 excluding fencing
(This excludes an allowance of \$430 for fencing which was included in the formal offer.)					
L-4750 Theodore Alvin Miller, et al.	Douglas	Pacific	Canyonville-Josephine County Line	300.00	400.00
L-4751 Dale R. Johns, et al.	Douglas	Pacific	Canyonville-Josephine County Line	50.00	50.00
L-4758 Blaine G. Johnson, et al.	Douglas	Pacific	Canyonville-Josephine County Line	7,400.00	7,400.00
L-4601 Waive D. Bell, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	365.00	365.00
L-4765 I. N. Gray, et al.	Douglas	Pacific	Canyonville-Josephine County Line	200.00	500.00

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4820 Carlos P. Johnson, et al.	Clackamas	Cascade	Park Place-Oregon City	\$40,500.00	\$41,500.00
L-4679 Horace W. Swaim, et ux. (Appraisal revised to \$1,000.)	Josephine	Pacific	Douglas County Line-Coyote Creek	700.00 before revision	1,250.00
L-4711 Hobert A. Thompson, et al.	Linn	Santiam	Market Drive-Sodaville Road	1,500.00	2,000.00
L-4600 Jerome T. Flaherty, et al.	Multnomah	Mt. Hood	Gully Route Connection	125.00	500.00
L-4557 Theresa A. Downey, et vir.	Tillamook	Nehalem Bay State Park		200.00	334.00 )
L-4558 W. J. Farrell, et ux. (These two settlements are tied together and are contingent upon the acceptance or rejection of both.)	Tillamook	Nehalem Bay State Park		1,000.00	1,666.00 )

(For additional details, see the Chief Counsel's letter dated May 24, 1965, entitled "Report of Cases Settled" and his supplemental letter dated May 28, 1965, in the General Files in the Salem Office.)

The Commission confirmed prior telephonic approval of offers for acquisition made to the owners of real property prior to the institution of condemnation proceedings as follows:

AINSWORTH STATE PARK

R-35772 - Joseph A. Bucher, et ux. 110 acres for park purposes. Offer of \$18,000.00 approved by Mr. Simpson May 18, 1965.

ARLINGTON-BOARDMAN JUNCTION SECTION OF THE COLUMBIA RIVER HIGHWAY

R-36812 - George Shane, Jr. 7.5 acres for right of way purposes. Offer of \$150.00 approved by Mr. Fridley May 17, 1965.

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CORNELIUS PASS ROAD-MULTNOMAH COUNTY LINE SECTION OF THE SUNSET HIGHWAY

R-37238 - George Choban, et ux. 1.46 acres for right of way purposes. Offer of \$17,200.00 approved by Mr. Simpson April 27, 1965.

CORVALLIS-GRANGER SECTION OF THE ALBANY-CORVALLIS HIGHWAY

R-37139 - Mary Goldblatt. 0.08 acre for right of way purposes. Offer of \$400.00 approved by Mr. Jackson May 9, 1965.

COYOTE CREEK-SEXTON MOUNTAIN SECTION OF THE PACIFIC HIGHWAY

R-37775 - Lillie C. Murphy. Parcel No. 1: 2.35 acres for right of way purposes; Parcel No. 2: 0.73 acre for right of way purposes. Offer of \$1,950.00 approved by Mr. Jackson May 10, 1965.

EAST BANK FREEWAY SECTION OF THE PACIFIC HIGHWAY

R-35798 - A. Leppaluoto, et ux. 22,000 square feet for right of way purposes. Offer of \$16,100.00 approved by Mr. Jackson March 29, 1965.

ESTACADA-CAZADERO DAM SECTION OF THE CLACKAMAS HIGHWAY

R-37041 - Vernon L. Ames, et ux. 2.2 acres for right of way purposes. Offer of \$4,770.00 approved by Mr. Simpson April 21, 1965.

FOSTER-RAM CREEK SECTION OF THE SANTIAM HIGHWAY

R-37760 - Dan L. Ashton, et ux. 0.57 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson April 23, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-34753 - Mary Uglesich Paydak. 3,887 square feet for right of way purposes. Offer of \$17,225.00 approved by Mr. Jackson April 23, 1965.

K.I.D. CANAL-MADISON STREET SECTION OF THE KLAMATH FALLS-LAKEVIEW HIGHWAY

R-35972 - Leroy L. Ashcraft. Parcel No. 1: 775 square feet for right of way purposes; Parcel No. 2: 373.5 square feet for permanent easement. Offer of \$225.00 approved by Mr. Jackson May 17, 1965.

LEBANON SECTION OF THE SANTIAM HIGHWAY

R-37388 - Cecil G. Mason, et ux. 350 square feet for right of way purposes. Offer of \$385.00 approved by Mr. Jackson April 23, 1965.

R-37389 - Agatha V. Thoma. 100 square feet for right of way purposes. Offer of \$150.00 approved by Mr. Jackson April 21, 1965.

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LOWELL STREET-SOUTH CITY LIMITS (PORTLAND) SECTION OF THE OSWEGO HIGHWAY

R-35739 - Richard W. Sundeleaf, et ux. Parcel No. 1: 25,000 square feet for right of way purposes; Parcel No. 2: 8,070 square feet for right of way purposes. Offer of \$23,750.00 approved by Mr. Jackson April 28, 1965.

R-35868 - Peter Meehan, et ux. 9,550 square feet for right of way purposes. Offer of \$15,725.00 approved by Mr. Jackson May 18, 1965.

R-35869 - Robert Riegelmann, et al. 18,000 square feet for right of way purposes. Offer of \$32,650.00 approved by Mr. Jackson May 18, 1965.

R-35871 - Orville Donald Leach, et ux. 2,250 square feet for right of way purposes. Offer of \$860.00 approved by Mr. Jackson April 23, 1965.

MILL CREEK-BELKNAP SPRINGS SECTION OF THE MCKENZIE HIGHWAY

R-36598 - R. L. Roberts, et ux. 0.95 acre for right of way purposes. Offer of \$725.00 approved by Mr. Jackson April 26, 1965.

NEHALEM BAY STATE PARK

R-35219 - John W. Wilson, et ux. 13,000 square feet for park purposes. Offer of \$1,350.00 approved by Mr. Jackson May 20, 1965.

R-35223 - Donn J. Hansen, et ux. 61,000 square feet for park purposes. Offer of \$3,125.00 approved by Mr. Jackson May 20, 1965.

R-35247 - Susan A. Henderson. 8,000 square feet for park purposes. Offer of \$675.00 approved by Mr. Jackson May 20, 1965.

R-35248 - Kathie Mae Henderson. 8,000 square feet for park purposes. Offer of \$675.00 approved by Mr. Jackson May 20, 1965.

R-35291 - Donald Wallace Wood, et ux. 5,000 square feet for park purposes. Offer of \$675.00 approved by Mr. Jackson May 21, 1965.

R-35306 - Merritt O. Newdall, et ux. 10,000 square feet for park purposes. Offer of \$8,250.00 approved by Mr. Jackson May 20, 1965.

NEWPORT-TOLEDO SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-36761 - Everett S. Lawrence, et ux. 4.4 acres for temporary easement. Offer of \$1,100.00 approved by Mr. Jackson April 29, 1965.

NORTH PORTLAND HARBOR-NORTH RUSSELL STREET SECTION OF THE PACIFIC HIGHWAY

R-36455 - Louis Kupersmith. 8,100 square feet for right of way purposes. Offer of \$11,500.00 approved by Mr. Jackson April 28, 1965.

R-36478 - Ernest J. Perasso, et al. 4,282 square feet for right of way purposes. Offer of \$1,285.00 approved by Mr. Jackson April 15, 1965.

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ORCHARD HEIGHTS ROAD-EDGEWATER STREET SECTION OF THE SALEM-DAYTON HIGHWAY

R-36660 - Mennis Oil Co., Inc. Parcel No. 1: 1,365 square feet for right of way purposes; Parcel No. 2: 2,050 square feet for permanent easement. Offer of \$3,500.00 approved by Mr. Jackson May 7, 1965.

R-36664 - Harvey Quistad, et al. Parcel No. 1: 2,170 square feet for right of way purposes; Parcel No. 2: 240 square feet for right of way purposes; Parcel No. 3: 2,380 square feet for permanent easement. Offer of \$6,250.00 approved by Mr. Jackson April 28, 1965.

R-36670 - Edward A. Lebold, et ux. Parcel No. 1: 90 square feet for right of way purposes; Parcel No. 2: 210 square feet for permanent easement. Offer of \$335.00 approved by Mr. Jackson April 21, 1965.

R-36676 - J. A. Olson. Parcel No. 1: .04 acre for right of way purposes; Parcel No. 2: .05 acre for right of way purposes; Parcel No. 3: .05 acre for permanent easement. Offer of \$1,500.00 approved by Mr. Jackson May 21, 1965.

R-36679 - Mildred Puerner. Parcel No. 1: 0.05 acre for right of way purposes; Parcel No. 2: 0.06 acre for permanent easement. Offer of \$200.00 approved by Mr. Jackson May 20, 1965.

R-36680 - Clifford I. Chaffee. Parcel No. 1: 0.03 acre for right of way purposes; Parcel No. 2: 0.1 acre for permanent easement. Offer of \$300.00 approved by Mr. Jackson May 17, 1965.

ORLEANS-LAKE CREEK SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37318 - John Glaser, et ux. 7.0 acres for right of way purposes. Offer of \$3,950.00 approved by Mr. Jackson April 21, 1965.

R-37323 - Robert L. Arthur, et al. 7.5 acres for right of way purposes. Offer of \$5,100.00 approved by Mr. Jackson April 15, 1965.

PARK PLACE-OREGON CITY SECTION OF THE CASCADE HIGHWAY

R-37896 - Carlos P. Johnson, et ux. 17,900 square feet for right of way purposes. Offer of \$40,500.00 approved by Mr. Jackson May 14, 1965.

RINK CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY

R-37495 - T. A. McNair. 0.79 acre for right of way purposes. Offer of \$15,775.00 approved by Mr. Jackson May 21, 1965.

R-37497 - Virgil E. McKinney, et ux. 1.7 acres for right of way purposes. Offer of \$11,675.00 approved by Mr. Jackson May 8, 1965.

R-37508 - Donald H. Farr, et ux. 3.54 acres for right of way purposes. Offer of \$11,200.00 approved by Mr. Jackson May 21, 1965.

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SHADY COVE BRIDGE SECTION OF THE CRATER LAKE HIGHWAY

R-37648 - Oregon Washington Telephone Company. 0.01 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson April 28, 1965.

R-37649 - Irvin G. McKeen, et ux. 0.01 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson April 23, 1965.

R-37570 - D. E. Millard, et ux. Parcel No. 1: 0.2 acre for right of way purposes; Parcel No. 2: 0.11 acre for temporary easement. Offer of \$30,400.00 approved by Mr. Jackson April 23, 1965.

R-37572 - Flora E. Barnes. 0.7 acre for right of way purposes. Offer of \$870.00 approved by Mr. Jackson April 23, 1965.

R-37573 - Frank F. Fagalde, et ux. 0.13 acre for right of way purposes. Offer of \$1,175.00 approved by Mr. Jackson April 23, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-32420 - Jerome S. Bischoff and Ralph Coan. Parcel No. 1: 2.75 acres for right of way purposes; Parcel No. 2: 0.05 acre for right of way purposes. Offer of \$24,350.00 approved by Mr. Simpson April 29, 1965.

R-32421 - Orville Lee Robinett, et al. 2.82 acres for right of way purposes. Offer of \$18,600.00 approved by Mr. Simpson May 4, 1965.

R-32671 - Ralph G. Coan, et ux. 2.85 acres for right of way purposes. Offer of \$15,750.00 approved by Mr. Simpson April 29, 1965.

R-35792 - Bevest, Inc. Parcel No. 1: 1.0 acre for right of way purposes; Parcel No. 2: 0.06 acre for permanent easement. Offer of \$16,800.00 approved by Mr. Simpson May 17, 1965.

R-37292 - Peter L. Lenz, et al. Parcel No. 1: 5.0 acres for right of way purposes; Parcel No. 2: 2.4 acres for right of way purposes. Offer of \$58,000.00 approved by Mr. Simpson April 28, 1965.

28TH ST. (SPRINGFIELD) CONNECTION SECTION OF THE MCKENZIE HIGHWAY

R-37718 - Rosboro Lumber Company. 113 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Jackson April 21, 1965.

R-37720 - Clifford H. Raish. 0.08 acre for right of way purposes. Offer of \$1,850.00 approved by Mr. Jackson April 21, 1965.

R-37744 - Clifford H. Raish. 0.22 acre for right of way purposes. Offer of \$26,200.00 approved by Mr. Jackson April 28, 1965.

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WILLAMETTE RIVER BRIDGE UNIT OF THE CORVALLIS-ORLEANS SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-35851 - Julius E. Purvine, et ux. 0.04 acre for right of way purposes. Offer of \$500.00 approved by Mr. Jackson May 1, 1965.

The Chief Counsel reported briefly on orders which have been received from the Public Utility Commissioner regarding railroad crossing matters, summarized as follows:

PUX 553: Application by the State Highway Commission to alter a crossing at grade of the tracks and right of way of Oregon Electric Railway and the Weirich County Road in Linn County. The request was granted May 12, 1965, and has to do with the state project in four-laning the Market Drive-Sodaville Road Section of the Santiam Highway. The Railway shares a common boundary with the state highway in the area of the intersection between Weirich Road and the highway.

PUX 559: Application of Georgia-Pacific Corporation to construct railroad tracks across the Powers Secondary Highway No. 242 in Coos County. An order issued May 17, 1965, dismissed the application. The applicant will rebuild its two bridges which were damaged by the recent floods.

A quarterly report of property damage claims collected between January 1 and March 31, 1965, was presented by the Chief Counsel. He pointed out that during this period \$15,372.03 had been collected. The Commission accepted the report.

A report was made by the Chief Counsel on legal proceedings commenced since the last Commission meeting in which the Commission or its employees had been involved as follows:

- (1) Ethel Parsons vs. the Commission and Mark Astrup in the Circuit Court for Clackamas County in which the plaintiff seeks \$10,000 damages for injury to herself as a result of a fall on a pathway in Fort Stevens State Park on September 6, 1964. Appropriate action will be taken by the Highway Legal staff, and the insurance company will be notified so that a defense can be made on behalf of the Commission's employee.
- (2) Carse R. Beam vs. Robert Max Brotherton in the Klamath County Circuit Court to recover \$75,000 general damages and \$16,349.30 special damages. The Chief Counsel commented that this is a refile of a case which was dismissed in April, 1965. The action arises out of an incident on December 5, 1961, at M. P. 242.7 on The Dalles-California Highway. Plaintiff who had stopped his car on the highway shoulder was crossing the highway on foot. A tail-gate hook on the truck driven by Brotherton caught the plaintiff in the back as the truck went by him.

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Brotherton claims that he did not see the plaintiff as he was temporarily blinded by headlights of a tow truck parked on the opposite side of the highway. It is expected that the insurance carrier will assume defense in this case as they did in the first instance.

An oral report was presented by the Chief Counsel on two pending cases as follows:

- (1) State Highway Commission vs. City of Cascade Locks in line with the judgment rendered by the Court. The City has made its first annual payment in the amount of \$5,000.
- (2) A. H. Barbour & Son, Inc., vs. State Highway Commission. The matter to be resolved in this case, the Chief Counsel stated, is whether the Commission wishes to appeal a verdict in favor of the plaintiff who was awarded \$37,475.71 as additional payment in painting Yaquina Bay Bridge under Contract No. 5477. He pointed out that the contractor had not made any extra claim for additional painting until approximately two years after completion of the job; although he had made an earlier claim for chipping of rust. The Commission authorized the Chief Counsel to appeal the case if in his judgment there appears a reasonable chance of a successful conclusion.

Two claims for property damage against the State Highway Commission and not covered by their insurance were presented by the Chief Counsel. He recommended payment of \$27.81 to the U.S. Forest Service for suppressing a fire at Indian Ford on the Santiam Highway west of Sisters, Deschutes County. He also recommended payment of \$133.92 to Pacific Power and Light Company for damage caused when state forces caused a tree to fall on their power line. The Commission approved payment of the claims.

Attendance of 25 employees of the Legal and Right of Way Department at a workshop July 7, 8 and 9, 1965, at the University of Oregon Campus in Eugene was requested by the Chief Counsel. He recalled that during the summer of 1963, the matter of developing a formal education program for right of way agents had been discussed. The American Right of Way Association has now prepared a three-day negotiation course, which was presented very successfully to 40 right of way people in the State of Washington. The course is aimed at the negotiation end of right of way activity. He recommended that 25 agents be authorized to attend the course at a cost of \$35 each. The Commission approved his recommendation.

An increase in the rate of pay for boys at the Nehalem Camp for MacLaren School for Boys from \$1 per day to 25 cents per hour was discussed. The Engineer pointed out that a similar camp established near Florence November 24, 1964, provides that the boys be paid at the rate of 25 cents

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per hour. As the work performed by the two camps is comparable, he recommended that the rate of pay be the same - 25 cents per hour. Based on the cost for 1964, he estimated that the revised rate of pay would amount to an increase of about \$2,000 per year. Following his favorable recommendation, the Commission approved the increased pay rate.

Attention was given to the proposed acquisition of a 20-acre tract of land owned by Robert I. and Elnora A. Wheeler along the westerly shoreline of Lake Chinook on the Deschutes River Branch in Jefferson County. The Engineer pointed out this privately-owned tract is the only one not owned by the State in this area and might at some future time result in objectionable development along the lake shore. The property has been appraised at \$1,000 and he requested authority to negotiate for its purchase. The Commission granted the authority.

Use of the Silver Falls State Park concession building for public meetings on a rental basis was presented by the Engineer. He recalled that the concessionaire who previously used the building had ceased his operations in December, 1964. He recommended that the room formerly used as a dining room be made available for group meetings at a minimum charge of \$5 with an additional charge of 25 cents per person for groups in excess of 20. The Commission accepted his recommendation.

The matter of acquiring a 700-acre tract as an addition to the Lapine Recreation Area along the Deschutes River in Deschutes County was considered. This tract of land, the Engineer stated, abuts property being acquired from the U. S. Bureau of Land Management and provides approximately 1 3/4 miles frontage on Fall River and approximately the same frontage on the Deschutes River. The gently rolling land is in private and U.S. Forest Service ownership. Estimated value of the privately owned land, approximately 200 acres, is \$150,000. He requested authority to negotiate for purchase of the privately-held land and to petition the U. S. Forest Service for a parks right permit covering use of their land. The Commission accepted his recommendation.

Acceptance of a study of Champoeg State Park by the National Parks Service entitled "Champoeg State Park, Oregon: A Summary Report of its History and a Proposed Plan for its Development" was discussed. The Engineer recalled that the study was undertaken in 1959 at the request of the Highway Commission. The study in three volumes has been completed but has not yet been accepted by the Commission. Based on his favorable recommendation, the Commission accepted the study.

Attention was given to an agreement with the Lincoln County Historical Society concerning the Society's occupancy of the Yaquina Bay Light-house for public museum use. The proposed agreement, the Engineer said, provides for museum use for a period of five years and also provides that all costs of alterations, utility services, supplies and other costs in operation or maintenance of the museum shall be borne by the Society. The State agrees to maintain the exterior of the building. The agreement also contains a termination clause by either party upon 30 days' written notice. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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The Engineer requested authorization to negotiate for the acquisition of 12.9 acres and a water line easement for the Valley of the Rogue State Park in Jackson County. The proposed acquisition, he said, adjoins the Stagecoach County Road and would be used for the establishment of maintenance and administrative headquarters. The land owned by A. H. Sanders and Harry L. White has been appraised respectively at \$5,815 and \$3,275 for a total of \$9,090. The water line easement would be used as right of way for developing a more adequate water system for the park. The Commission authorized negotiation for acquisition of the land and the easement.

The Engineer presented for the Commission's consideration completed surveys on four sections of state highways. He explained briefly details in connection with the surveys and recommended their adoption and authority to acquire right of way. The Commission approved the following surveys and thereupon adopted "Survey Resolution Nos. 298, 299 and 184-c", which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Morrow County Line-Stanfield Junction Section of the Old Oregon Trail (I-80N) in Umatilla County. A public hearing was held March 30, 1965, in Pendleton. Estimated construction cost is \$4,500,000; right of way \$450,000. (See "Survey Resolution No. 299".)
- (2) Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail (I-80N) in Morrow County. An informational hearing was held April 6, 1965, in the Boardman City Hall. Estimated cost of construction is \$2,100,000; right of way \$35,000. (See "Survey Resolution No. 299".)
- (3) Delena-Rainier Section of the Columbia River Highway in Columbia County. A public hearing was held in Rainier on October 27, 1964. Estimated cost of construction is \$3,000,000; right of way \$200,000. (See "Survey Resolution No. 298".)
- (4) Seventh Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County. A public hearing was held in Eugene on February 3, 1965. The Commission's action on this survey, in effect, extends the highway in Eugene from First Avenue to Seventh Avenue and establishes the extension as a throughway. Estimated cost of construction is \$4,400,000; right of way \$1,900,000. (See "Survey Resolution No. 184-c".)

Because of recent improvements to the Lake of the Woods Highway, the Engineer recommended that it be designated as route ORE64. The Commission approved the designation as follows:

(Designation on following page)

ORE 64 over the Lake of the Woods Highway, from its junction with the Crater Lake Highway, ORE 62, near Eagle Point, to its junction with The Dalles-California Highway, US97, in Klamath Falls.

The Engineer also recommended and the Commission approved an extension of route ORE206 from its present easterly terminus northeasterly to Heppner, officially described as follows:

ORE206 over the Fulton Canyon-Wasco Highway from its junction with the Columbia River Highway, I-80N, at the Celilo Interchange, southeasterly via Condon to Heppner. This route is common with the John Day Highway ORE19 in Condon, and common with ORE207 from Rhea Creek on the Heppner-Spray Highway to its junction with the Heppner Highway, ORE74, at Heppner.

Requests for increases in four project authorizations were made by the Engineer. In each instance he commented on the amount of the increase and the reason for it. The Commission approved the increases as follows:

- (1) Contract No. 6186, on the Jackson Creek-Cape Lookout Section of the Netarts-Sand Lake Road in Tillamook County, for an increase of \$21,658. (13.28 percent.) The overrun was caused by damage incurred during the January 1965 flood and by an increase in the required amount of perforated drain pipe and special backfill material to take care of numerous sources of ground water.
- (2) Contract No. 6330, on the West Unit, Coast Range Summit grading and paving project on the Corvallis-Newport Highway in Lincoln County, for an increase of \$221,290 (19.84 percent.) Principal causes of the overrun were the winter floods, slides and additional subbase material.
- (3) Contract No. 6551, on the North Unit, Main Canal structure on Boyd Acres Road (FAS 923) in Deschutes County, for an increase of \$7,622 (13½ percent.) Raising of the structures 3.6 feet to allow for high water was the cause of the increase.
- (4) Contract No. 6351, on the Blalock-Arlington Section of the Columbia River Highway in Gilliam County, for an increase of \$139,032 (15.2 percent.) The overrun was caused by increased engineering costs as the job was approximately 50 miles from headquarters. A large crew was needed because the contractor operated two 9-hour shifts per day.

Also the line had to be completely rerun as the original stakes had been removed. Additional shoulder oiling, extension of a retaining wall and additional sprinkling also contributed to the overrun.

The Commission confirmed Chairman Jackson's action of May 11 approving the 1965 State Construction Program as follows:

### STATE CONSTRUCTION BUDGET

#### 1965 Program

#### DIVISION I:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
<u>Let in one Contract:</u>			
PACIFIC WEST #1W	Front Ave.-Harbor Drive	1 1/4" AC overlay	
PACIFIC WEST #1W	Greely Ave.-Wheeler Ave.	1 1/4" AC overlay	
PACIFIC WEST #1W	Sheridan St.-Slavin Rd.	1 1/4" AC overlay	
TUALATIN VALLEY #29	Sunset Hwy.-West Slope	1 1/4" AC overlay	
CASCADE #160	Powell Blvd.-Flavel	1 1/4" AC overlay	
PACIFIC EAST #1E	Union-Columbia Intersec.	Widen and Pave	
LOWER COLUMBIA #2W	Yeon Ave.-St. Johns Br.	1 1/4" Class "C" Overlay	\$200,000
BEAVERTON-HILLSDALE #40	Beaverton-Raleigh Hills	Widen 3' ea. side, storm sewer & curbs as required; Channelize Jamieson Rd.Int.	125,000
SWIFT #120		Channelizations Overlay 1 1/4" x 58'	75,000
BEAVERTON-TUALATIN #141	12th St.-Allen Ave. CITY COOP.	Improve to 4 lanes	State Share 40,000
PACIFIC WEST #1W	Market St. entrance to freeway	Widen and improve alignment	40,000
SUNSET #47	Strassel Underxing to Buxton Junction	Climbing lane. Slide correction and overlay	500,000
TOTAL DIVISION I			\$980,000

June 1, 1965

#### DIVISION II:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
OREGON COAST #9	Otis Jct.-Oceanlake	Widen to 4 lanes R/W ONLY	\$ 75,000
ALBANY-JUNCTION City #58	SP RR O'Xing-So. city limits	1" overlay plus pavement repair	95,000
PACIFIC EAST #1E	S.P. underxing to Hollywood	1" overlay plus pavement repair	60,000
NEHALEM SECONDARY #102	Klaskanine River Bridge	Bridge widening and approach revision	80,000
NEHALEM SECONDARY #102	Nehalem River Bridge	Replace bridge 32' wide, grade approaches	240,000
NEHALEM SECONDARY #102	Nehalem River Bridge	Replace bridge 32' wide, grade approaches	240,000
NORTH SANTIAM SEC. #162	Lancaster Dr.-Gaffin Rd.	Add 2 lanes	120,000
KINGS VALLEY SEC. #191	Luckiamute River Br.	Replace covered wooden truss	100,000
TOTAL DIVISION II			\$1,010,000

#### DIVISION III:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
McKENZIE #15	28th St. Intersection Springfield CITY COOP.	Revise and signalize intersection	State Share \$ 90,000
WILLAMETTE #18	Maint. Sta.-Odell Butte	Widen & overlay 2" x 32'	344,000
UMPQUA #45	Reedsport-Koepe Slough	Overlay 2" x 40'	125,000
UMPQUA #45	Elkton Tunnel-Jack Cr.	Widen & overlay 2" x 32'	325,000
ROGUE RIVER LOOP #260	Gilbert Cr.-City Limits Grants Pass CITY COOP.	Surface and pave	State Share 120,000
TOTAL DIVISION III			\$1,004,000

June 1, 1965

DIVISION IV:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
THE DALLES-CALIF. #4	Trout Creek Bridge	Lengthen structure 72', 2-36' spans 32' wide	\$ 40,000
THE DALLES-CALIF. #4	Elm St.-Pine St. CITY COOP. (4th St. Couplet)	Grade, pave, drainage structure	State Share 95,000
THE DALLES-CALIF. #4	Lava Butte-South	7.4 miles 3"x40' AC overlay (money to control length)	250,000
CROOKED RIVER #14	Stearns Ranch-South	Widen rdbd; base & 0-11 26' wide where possible	150,000
FREMONT #19	N. City limits-5th St. Lakeview CITY COOP.	Widen to 44'; curb, drainage, pave	State Share 65,000
FREMONT #19	Lakeview-New Pine Cr.	Grade and pave 1½ miles	180,000
FREMONT #19	Chewaucan Br. at Paisley	Lengthen bridge 2-40' spans, widen channel (32' rdwy.)	90,000
FREMONT #19	Gravelly Ford Bridge	Raise grade 5'; construct bridge 32' wide 140' long	100,000
FREMONT #19	Crooked Crk. Bridge	Replace 20' timber structure with 1-48' pres. conc. span	42,000
TUMALO-DESCHUTES #374	Deschutes River Bridge	Replace bridge 165' x 32'	80,000
SERVICE CREEK- MITCHELL #390	Service Creek Bridge	Replace bridge with 1-20' 1-40', and 1-20' pres. conc. span 32' wide; raise grade	50,000
TOTAL DIVISION IV			\$1,142,000

DIVISION V:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
JOHN DAY #5	S. Fork John Day River Bridge (Dayville Bridge)	Grading, paving, and bridge	\$ 200,500
WALLOWA LAKE #10	Grande Ronde River Br.	Construct bridge	350,000

(Tabulation continued on following page)

June 1, 1965

DIVISION V CONT.:

<u>HIGHWAY</u>	<u>SECTION</u>	<u>TYPE OF IMPROVEMENT</u>	<u>COST</u>
WALLOWA LAKE #10	Main St.-Grant St. Enterprise CITY COOP.	Widen 60' to 66' Construct curbs	State Share \$ 7,500
I.O.N. #456	Jordan Cr.-Owyhee River	Add to programmed FLH proj. Widen & pave with AC overlay 1½" x 32'	350,000
HEPPNER-SPRAY #321	Morrow Co. Line-Spray Junction	Stone base with emulsion treatment	100,000
TOTAL DIVISION V			\$1,008,000

Attention was given to a request from the City of West Linn to establish a crosswalk across the Oswego Highway at the West Linn Post Office. The Engineer explained that because this is a midblock location, it is necessary that the crosswalk be established by Commission action. The Commission approved the establishment of a crosswalk at a point 350 feet south of Hollowell Street at M.P. 11.18 in the City of West Linn.

Four requests for increases in time within which to complete highway contracts were presented by the Engineer. He outlined the pertinent facts relating to each request and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) United States Steel Corporation, Contract No. 6268, requested an increase of 365 workdays within which to complete the contract without assessment of liquidated damages. The Commission approved an extension of 365 calendar days without assessment of liquidated damages.
- (2) Electric Corporation, Contract No. 6534, requested that the specified completion date be advanced from April 15, 1965, to April 22, 1965, without assessment of liquidated damages. The Commission approved the request.
- (3) Slate-Hall, Contract No. 6364, requested an increase of 20 workdays within which to complete the contract without assessment of liquidated damages. The Commission approved an extension of 11 workdays which covered completion of the contract. Concurrence of the Bureau of Public Roads was obtained in their letter of May 17.

June 1, 1965

- (4) Hansen Electric Company, Contract No. 6530, requested an extension from April 1, to April 23, 1965. The Commission approved the request.

The Engineer reported that Contract Nos. 6336, 6380, 6384, 6459, 6469, 6498, 6504, 6511, 6515, 6516, 6517, 6525, 6530, 6532, 6533, 6534, and 6543 for highway construction have been completed in accordance with the requirements of the contracts or modifications thereof and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 141," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission authorized the Engineer to call for bids for Employee Liability Insurance to protect the Commission, its officers and employees, against any suit which might be brought against them by reason of property damage, death or injury in the course of their official actions or employment. The present policy expires August 21, 1965.

Requests from Benton, Deschutes and Lane Counties for Federal-Aid Secondary Projects totaling \$206,000 were presented by the Engineer. He stated that the projects have been investigated and are eligible for construction and recommended that they be approved. The Commission approved the following projects and authorized the Secretary to sign construction agreements when they are prepared.

County	FAS	Section & Description	Programmed Amount	FAS Funds
Benton	932	Sage-Independence Road (Ryals Lane). Grade, oil & structure	\$ 126,000	1966
Deschutes	924	SP&S Railroad Overcrossing. Structure	15,000	1966
Lane	860	Willamette River Overflow Bridge. Structure only.	65,000	1966

TOTAL.....\$ 206,000

SUMMARY BY FISCAL YEARS	1966	Estimated 1967	Total
Allocated Funds	\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (Corrected to date)	2,764,020	--	2,764,020
Unprogrammed Balance	\$1,187,980	\$3,952,000	\$5,139,980
Projects Proposed 6/1/65	206,000	--	206,000
Unprogrammed Balance	\$ 981,980	\$3,952,000	\$4,933,980

Resolutions establishing or rescinding speed zones on four sections of state highways were presented by the Engineer. These actions, he said, are recommended only after careful study and are designed for the protection of the traveling public and others. The Commission approved the following speed zone regulations and thereupon adopted "Speed Zone Resolution Nos. 487 through 490", which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) "Speed Zone Resolution No. 487" rescinds "Speed Zone Resolution No. 454" dated May 28, 1964, and establishes a 35 MPH speed zone on the Cline Falls Highway in the community of Tumalo in Deschutes County, between M. P. 9.80 and M. P. 10.32.
- (2) "Speed Zone Resolution No. 488" establishes a 35 MPH speed zone on the Clackamas Highway in the community of Carver in Clackamas County, between M. P. 9.06 and M. P. 9.56, except that between M. P. 9.15 and M. P. 9.32 the designated speed shall be 20 miles per hour during the hours of school crossings.
- (3) "Speed Zone Resolution No. 489" establishes a 35 MPH speed zone on the Nehalem Highway in Columbia County, from M. P. 61.66 to M. P. 61.88. A 25 MPH speed zone is established from M. P. 61.88 to M. P. 61.91.
- (4) "Speed Zone Resolution No. 490" establishes a speed of 10 MPH over the Bailey Bridge at Shady Cove on the Crater Lake Highway in Jackson County, with a further provision that only one truck may occupy a span at a time, effective at noon, May 11, 1965.

The Commission confirmed Chairman Jackson's action of April 27, 1965, consenting to the annexation to the City of Sutherlin of approximately 130 acres south of and adjacent to the City. The Commission also confirmed authority for the Secretary to sign the consent form in their behalf.

The Commission also confirmed the Chairman's action of May 7, 1965, consenting to the annexation to the City of Salem of Pacific Highway right-of-way (Salem Bypass) near N.E. Market Street. The Commission also confirmed authority for the Secretary to sign the consent form in their behalf.

Consideration was given to a request from the City of Sherwood that the Commission consent to the annexation to the City of a portion of the Pacific Highway West in Washington County. The Engineer stated that no harm would accrue to the State by the annexation and he recommended that it be granted. The Commission accepted his recommendation and authorized the Secretary to sign the consent form in their behalf.

Annexation to the City of Salem of a borrow pit used in construction of the West Salem Section of the Willamina-Salem Highway in Polk County was considered. The Engineer stated that the City of Salem has made the request and he could see no reason why it should not be granted. The Commission gave its consent to the annexation and authorized the Secretary to sign the consent form.

In connection with construction of the Market Drive-Sodaville Road Section of the Santiam Highway in Linn County, the Engineer reported that it is necessary to enter into an agreement with Oregon Electric Railway Company. To expedite the construction work he stated that the matter had been presented to Chairman Jackson and was approved by him May 11, 1965. He requested confirmation. The Commission confirmed the Chairman's action and authorized the Secretary to sign the agreement in their behalf.

The Engineer reported that the City of Baker had requested that it be granted an easement for construction of revetment along the banks of the Powder River in Block 11, Mix Addition, covering a gravel pit owned by the Highway Department. To allow the Corps of Engineers to proceed promptly with the project the Engineer recalled that the easement had been circulated to the Commission for approval and signatures in mid May. The Commission confirmed its prior action.

A report prepared by EBS Management Consultants Incorporated entitled "Recreational Development in Oregon, A Case Study" was presented by the Engineer. The Waldo Lake Recreation Area was used as a case study. He recommended that the report be accepted and that the consultants be paid the balance due them within the total amount of \$10,000 as provided in the agreement. The Commission accepted the report and authorized final payment.

An agreement with the Bureau of Reclamation concerning relocation of approximately 6½ miles of the Sumpter Valley Secondary Highway around Mason Dam on the Powder River in Baker County was discussed. The Engineer commented that the relocation of the highway is to be paid for entirely by the Bureau at an estimated cost of \$1,300,000. To expedite the work, the agreement was approved by the Chairman on April 28, 1965. The Commission confirmed the Chairman's action. In connection with this project, the Chairman inquired concerning some opposition that he had heard as to the location of the highway around Mason Dam. The Engineer stated that the project had been under consideration for approximately ten years and no concerted effort or objection during that time had been made to the contemplated highway location. Recently, however, another route had been proposed using another canyon at a higher elevation and a much higher cost. He also commented that the Bureau of Reclamation would undoubtedly turn down the alternate route because of its much greater cost. The route agreed upon with the Bureau, he added, was determined after many meetings and appeared to be the most satisfactory route as well as the most economical. Bids are to be received on this project within a few days.

The Commission considered a request from the City of Portland for installation of traffic signals at the intersection of the Beaverton-Hillsdale Highway and Dosch Road. The request has been investigated, the Engineer said, and the installation is warranted. He recommended that fully actuated traffic

signals be installed at an estimated total cost of \$9,000 with the City to pay one-half the cost of installation and for all of the maintenance and electrical energy used. The Commission approved the installation and authorized the Secretary to sign an agreement in their behalf.

Consideration was given to an agreement with School District No. 81 in Linn County, providing for an overhead school crossing sign with flashing beacons at the intersection of the Santiam Highway and Gore Road north of Lebanon. The Engineer stated that the project is warranted and he recommended that it be constructed at an estimated cost of \$1,000 to be paid by the State with the understanding that the School District will pay for electrical energy consumed. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to a petition made by Mr. Dennis McGuire, Principal of the Binnsmead School, for the installation of a traffic signal at the intersection of 86th Avenue and Powell Boulevard (Mt. Hood Highway) in Multnomah County for the protection of school children. An investigation, the Engineer said, has disclosed that the signal is warranted and he recommended installation of a fully actuated traffic signal at an estimated cost of \$10,000. The Commission approved the installation.

Consideration was given to an abandonment agreement with Multnomah and Clackamas Counties pertaining to the abandonment of the old Powell Valley Road-Duncan Road Section of the Mt. Hood Highway when the new section is opened to travel. The Engineer commented that the agreement provides for abandonment of approximately 3.3 miles to Multnomah County and approximately 4.4 miles to Clackamas County. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a resolution abandoning portions of the Bowers Slough Section of the Albany-Corvallis Highway in Benton County. The Engineer remarked that the resolution provides for abandonment of approximately 0.8 mile of the old alignment to the abutting property owners. The Commission accepted his recommendation for abandonment and thereupon adopted "Abandonment and Retention Resolution No. 430," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement and permit with the U. S. Forest Service pertaining to a weighing and log scaling station adjacent to the Santiam Highway east of Lebanon in Linn County was presented by the Engineer. He explained that improvements on the Santiam Highway required removal of a truck weighing station and in reinstalling it the U. S. Forest Service requested that a log scaling station be constructed in the same area. In the financial arrangements made with the Forest Service and the Corps of Engineers, it is stipulated that the State's share of the project shall not exceed \$40,000 which, the Engineer said, is slightly less than the cost of an average first-class weighing station. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Purchase of a bay area at Wyeth along the Columbia River Highway in Hood River County was proposed by the Engineer. To prevent alterations of the bay through filling or commercial use, he recommended purchase of the entire private ownership which includes the bay and a small acreage of adjacent upland totaling approximately 28½ acres. In the realignment of the Union Pacific Railroad access for boats will be provided to the bay beneath the railroad structure. Acquiring title to the overflow area north of the new railroad fill will prevent mooring of log rafts or other use which would interfere with the passage of small boats between the bay and the main river. The 28½ acres has been appraised at \$850 and he recommended that it be purchased. The Commission accepted his recommendation.

The Commission confirmed the Chairman's action of May 20, 1965, approving a one-year extension of an advertising contract with Cole and Weber for the promotion of tourist travel in Oregon. The existing contract expires on June 30, 1965. The Commission also confirmed authorization for the Secretary to sign the agreement.

An agreement with the City of The Dalles covering installation of illumination on the West The Dalles Interchange (I-80N) and 6th Street was presented by the Engineer. He explained that the agreement provides that the State shall do the work at an estimated cost of \$12,000. The State is to maintain the units after installation and the City is to pay for all electrical energy used. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission approved the minutes of the meeting held April 20, 1965.

The Commission also approved the minutes of a special conference telephone meeting held May 13, 1965.

The next regular Commission meeting date was confirmed for Tuesday, July 13, 1965, in the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, August 24, 1965.

The Commission confirmed telephonic approval given to the Engineer on the award of contracts for which bids were received on April 20, 1965, and authorized the Secretary to sign the contracts as follows:

#### BIDS RECEIVED IN SALEM APRIL 20, 1965

##### Awards made April 27, 1965

"East Marquam Interchange Unit, East Bank Freeway Section of the Pacific Highway in Portland, Multnomah County. Federal-aid Interstate Highway Project No. I-5-6(41)301. Four bids were received. The Commission elected to accept the bid of Lord Brothers Contractors, Inc., Portland, in the sum of \$3,509,204.50 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

June 1, 1965

"Grading, paving, structures, illumination and signing on the S. W. Montgomery-S. W. Broadway Section of the Stadium Freeway Highway in Portland, Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(9)302. Five bids were received. The Commission awarded the contract to the low bidder, Donald M. Drake Company, Portland, at \$2,544,213.40.

"Grading, paving, structures and signing on the Azalea-Glendale Junction Section of the Pacific Highway, south of Canyonville, in Douglas County. Federal-aid Interstate Highway Project I-5-2(47)82. Five bids were received. The Commission awarded the contract to the low bidder, Slate-Hall and Hamilton Construction Company, Portland, at \$2,739,804.00.

"Slide correction on the Pioneer Mountain Section of the Corvallis-Newport Highway, east of Toledo, in Lincoln County. Federal-aid Primary Highway Project No. ER-168(1). Nine bids were received. The Commission awarded the contract to the low bidder, C. R. O'Neil, Creswell, at \$238,695.75.

"Brown Bridge over the North Umpqua River on the Garden Valley Road, northwest of Roseburg in Douglas County. Project to be constructed in conformance with Federal-aid Primary Highway Project Regulations. Project No. ER-118(1). Seven bids were received. The Commission elected to accept the bid of Stach Construction Company, Inc., Grants Pass, in the sum of \$365,450.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Douglas County is received and the sum of \$82,300.00 is deposited by the County.

The Commission also confirmed telephonic approval given to the Engineer on the award of contracts for which bids were received on May 18, 1965, and authorized the Secretary to sign the contracts as follows:

#### BIDS RECEIVED IN SALEM MAY 18, 1965

##### Awards made May 20, 1965

"Intermittent grading and riprap on the Digger Creek-North Fork Alsea River Section of the Alsea Highway, east of Alsea, in Benton and Lincoln Counties. FAP No. ER-159(1). Two bids were received. The Commission elected to accept the bid of Floyd Grahm Construction Company, Lebanon, in the sum of \$40,155.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Crushed material in stockpile on the Forest Boundary-Wheeler County Line Section of the Ochoco Highway, east of Prineville, in Crook County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Jungwirth Bros., Inc., Stayton, at \$30,750.00.

"Roadside improvement on the Winchester-South Umpqua River Section of the Pacific Highway, north of Roseburg, in Douglas County. Federal-aid Interstate Highway Project No. I-5-3(67)125. Five bids were received. The Commission awarded the contract to the low bidder, Ramsey-Waite Company, Inc., Eugene, at \$118,771.81.

June 1, 1965



"Grade and oil on the Smith Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway, south of Elkton, in Douglas County. FAP No. ER-121(1). Four bids were received. The Commission awarded the contract to the low bidder, C. R. O'Neil, Creswell, at \$555,867.00.

"Punch Bowl Bridge over the West Fork Hood River on the Punch Bowl Road, southwest of the City of Hood River, in Hood River County. Federal-aid Secondary Project No. S-530(1). Seven bids were received. The Commission elected to accept the bid of Inland Construction Company, Milwaukie, in the sum of \$89,460.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Hood River County is received and the sum of \$20,100.00 is deposited by the County.

"Grade and pave the Ashland Truck Scale Site on the Pacific Highway, south of Medford, in Jackson County. Federal-aid Interstate Highway Project No. I-5-1(58)19. Two bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger Sons, Inc., Medford, at \$172,519.50.

"Paving on the Modoc Road-Bybee Bridge Section of Table Rock Road, FAS 273, north of Medford, in Jackson County. FAP No. S-102(6). One bid was received. The Commission elected to accept the bid of Rogue River Paving Company, Inc., Medford, in the sum of \$13,240.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Jackson County is received and the sum of \$3,000.00 is deposited by the County.

"Two box culverts on the Butte Falls Section of the Butte Falls-Prospect County Road, FAS 287, near the city of Butte Falls, in Jackson County. Project to be constructed in conformance with Federal-aid Primary Highway Project Regulations. FAP No. ER-103(4). Two bids were received. The Commission elected to accept the bid of Ausland Construction Company, Grants Pass, in the sum of \$26,450.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Crushed material in stockpile on the Olene-Bly Section of the Klamath Falls-Lakeview Highway, east of Klamath Falls, in Klamath County. State Project. No bids were received for this project.

"Grading, paving and traffic signals on the 28th Street (Springfield) Intersection Section of the McKenzie Highway in Springfield in Lane County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Wildish Construction Company, Eugene, at \$61,140.90.

"Santiam Rock Production Project on the North Santiam, Santiam, Clear Lake and McKenzie Highway, southerly of Detroit, in Linn, Lane and Marion Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Jungwirth Bros., Inc., Stayton, at \$70,151.00.

"Stone base and oiling on the Napton and Ridgeview County Roads, FAS 827 and 922, south of Nyssa, in Malheur County. FAP Nos. S-532(1) and S-533(1). Five bids were received. The Commission elected to accept the bid of Arthur Simonsen and Company, Inc., Baker, in the sum of \$88,050.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Malheur County is received and the sum of \$20,000.00 is deposited by the County.

"Building demolition on the N. W. Johnson-S. W. Montgomery Section of the Stadium Freeway in Portland, Multnomah County. Federal-aid Interstate Project No. I-405-8(10)302. Three bids were received. The Commission elected to accept the bid of Iversen Construction Company, San Jose, California, in the sum of \$134,770.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Traffic signal installation at the intersection of S. W. 4th Avenue with S. W. Lincoln Street on the S. W. Broadway-Ross Island Bridge Section of the Stadium Freeway and Pacific Highways in Portland, Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(8)301. Four bids were received. The Commission elected to accept the bid of Ace Electric Company, Portland, in the sum of \$10,779.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Ellendale Bridge over Rickreall Creek on the Dallas-Falls City Highway, west of Dallas in Polk County. Federal-aid Secondary Highway Project No. S-531(1). Six bids were received. The Commission elected to accept the bid of Inland Construction Company, Milwaukie, in the sum of \$51,465.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Polk County is received and the sum of \$11,600.00 is deposited by the County.

"Intermittent sections of grading and paving on the Biggs Junction-Moro Undercrossing Section of the Sherman Highway, east of The Dalles, in Sherman County. FAP No. ER-107(1). Five bids were received. The Commission awarded the contract to the low bidder, Vernie Jarl, Gresham, at \$275,488.00.

"Traffic signal installation at the intersection of West First Street and Main Street in the city of Newberg in Yamhill County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Madson and Stokes Electrical Contractors, Roseburg, at \$8,250.00.

"Grade, oil and structure on the McEwen-Mason Dam Section of the Sumpter Valley Highway, easterly of Sumpter, in Baker County. State Project. Five bids were received. The Commission elected to accept the bid of J. N. Conley, Inc., Portland, in the sum of \$1,196,199.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Reclamation is received.

"Astoria Ferry Channel of the Oregon Coast Highway near Astoria in Clatsop County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Port of Astoria, Astoria, at \$20,700.00.

"Intermittent grading and one structure on the Marks Creek-John Day Highway Junction and Prineville-Crooked River Sections of the Ochoco and Paulina Highways in Crook, Wheeler and Grant Counties. FAP Nos. ER-111(1), ER-137(1) and ERFO-111(2). Three bids were received. The Commission awarded the contract to the low bidder, Roy Norquist, Sweet Home, at \$78,628.00.



"Bridge over Evans Creek on Minthorn Road, north of City of Rogue River in Jackson County. County Project. Six bids were received. All bids were referred to Jackson County Court for award.

"Intermittent sections of grading and surfacing for District 3-C flood repair on the Redwood, Rogue River, Green Springs, Oregon Caves, Medford-Provolt, Williams, Sams Valley and Pacific Highways, near Medford, in Josephine and Jackson Counties. FAP ER Nos. 103(1), 104(1), 108(1), 112(1), 113(1), 114(1) and ERFO Nos. 104(2) and 108(2). One bid was received. The Commission awarded the contract to the only bidder, Hughes and Dodd Company, Medford, at \$87,892.00.

"Chiloquin Sand Shed at Mile Point 246.8 of The Dalles-California Highway, near Chiloquin, in Klamath County. State Project. One bid was received. The Commission awarded the contract to the only bidder, E. E. Steinlicht, Bend, at \$13,534.00.

"Intermittent embankment and shoulder repair on the Mapleton-Triangle Lake Section of the Siuslaw Highway, near Mapleton, in Lane County. FAP No. ERFO 123(1). Six bids were received. The Commission awarded the contract to the low bidder, Access Construction Company, Gresham, at \$120,650.00.

"Intermittent grading and paving on the Foster-Ram Creek Section of the Santiam Highway, east of Sweet Home, in Linn County. FAP No. ERFO-148(2). One bid was received. The Commission elected to accept the bid of Roy Norquist, Sweet Home, in the sum of \$161,205.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

"Intermittent grading on the Jordan Creek-McNamers Camp Section of the Wilson River Highway, east of Tillamook, in Tillamook County. FAP No. ER-171(1). Two bids were received. The Commission awarded the contract to the low bidder, Lowry & Johnson Construction, Portland, at \$33,531.00.

The Engineer reported that he had made award of contracts referred to him by the Commission to award when certain conditions had been fulfilled. These conditions have been satisfied. The Commission confirmed his award of contracts as follows:

- (1) Grading, paving, structure, and signing on Lake Road Interchange Section of the Cascade Highway in Clackamas County. Bids received April 6, 1965. Contract No. 6575 awarded April 21, 1965, to Hannan Bros. Company, Portland, low bidder.
- (2) East Marquam Interchange Unit, East Bank Freeway Section of the Pacific Highway in Multnomah County. Bids received April 20, 1965. Contract No. 6576 awarded May 4, 1965, to Lord Bros. Contractors, Inc., Portland, low bidder.
- (3) Brown Bridge over the North Umpqua River on the Garden Valley Road in Douglas County. Bids

received April 20, 1965. Contract No. 6580 awarded April 29, 1965, to Stach Construction Co., Inc., Grants Pass, low bidder.

- (4) Grading and stone base on the Powell Boulevard-Ellis Street Section of FAS 654 (S. E. 122nd Avenue) in Multnomah County. Bids received April 6, 1965. Contract No. 6581 awarded May 5, 1965, to Porter W. Yett Company, Portland, low bidder.
- (5) Paving the Powell Boulevard-Ellis Street Section of FAS 654 (S. E. 122nd Avenue) in Multnomah County. Bids received April 6, 1965. Contract No. 6582 awarded to Warren Northwest, a Division of Warren Bros. Company, Portland, low bidder.
- (6) Grade, oil and structure on McEwen-Mason Dam Section of the Sumpster Valley Highway in Baker County. Bids received May 18, 1965. Contract No. 6597, awarded May 21, 1965, to J. N. Conley Inc., Portland, low bidder.
- (7) Punch Bowl Bridge over the West Fork Hood River on the Punch Bowl Road in Hood River County. Bids received May 18, 1965. Contract No. 6598 awarded May 24, 1965, to Inland Construction Company, Milwaukie, low bidder.
- (8) Stone base and oiling on Napton and Ridgeview County Roads in Malheur County. Bids received May 18, 1965. Contract No. 6599 awarded May 24, 1965, to Arthur Simonsen and Co., Inc., Baker, low bidder.
- (9) Ellendale Bridge over Rickreall Creek on the Dallas-Falls City Highway in Polk County. Bids received May 18, 1965. Contract No. 6600 awarded May 25, 1965, to Inland Construction Company, Milwaukie, low bidder.
- (10) Intermittent grading and riprap on Digger Creek-North Fork Alsea River Section of Alsea Highway in Benton and Lincoln Counties. Bids received May 18, 1965. Contract No. 6601 awarded May 27, 1965, to Floyd Grahm Construction Company, Lebanon, low bidder.
- (11) Building demolition on N. W. Johnson-S. W. Montgomery Section of Stadium Freeway in Portland, Multnomah County. Bids received May 18, 1965. Contract No. 6602 awarded May 27, 1965, to Iversen Construction Company, San Jose, California, low bidder.

- (12) Traffic signal installation at intersection of S.W. 4th Avenue with S.W. Lincoln Street on the S. W. Broadway-Ross Island Bridge Section of Stadium Freeway and Pacific Highways in Portland, Multnomah County. Bids received May 18, 1965. Contract No. 6603 awarded May 27, 1965, to Ace Electric Company, Portland, low bidder.
- (13) Paving Modoc Road-Bybee Bridge Section of Table Rock Road, FAS 273, in Jackson County. Bids received May 18, 1965. Contract No. 6604 awarded May 28, 1965, to Rogue River Paving Company, Inc., Medford, low bidder.

Attention was given to a supplemental agreement with Multnomah County concerning construction of Powell Valley Road-Duncan Road Section of the Mt. Hood Highway. The Engineer recalled that under the terms of the original agreement Hilyard Road was to be closed but many complaints had been received asking that it remain open. The supplemental agreement, in effect, deletes the closure of Hilyard Road and provides for a physical connection to be made to the highway during construction now in progress. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

An agreement covering a continuing comprehensive planning survey in the Portland-Vancouver Metropolitan area was presented by the Engineer. The Engineer commented that all of the participating agencies had signed the agreement with the exception of the Port of Portland. He recommended that the agreement be approved by the Commission. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Renewal of an agreement with Oregon Welcome for the performance of tourist promotion services was considered. The Engineer explained that the existing agreement expired May 31, 1965. The services performed have been valuable in promoting tourist travel and he recommended that the agreement be extended for one year at a cost not to exceed \$12,400. The Commission approved extension of the agreement and authorized the Secretary to sign the agreement.

Consideration was given to an agreement with the Bureau of Public Roads which would allow the signs of three advertising companies to remain in place in the Medford area of the Pacific Highway in Jackson County until June 30, 1969. The Engineer explained that permits for nine signs were issued by the Bureau of Labor through erroneous interpretation of the federal and state laws. The agreement will not only allow the signs to remain in place until 1969 but will also allow the State to proceed with collection of bonus money on other projects in the State. He recommended that the agreement be approved and that the Secretary be authorized to sign the agreement for the Commission. The Commission accepted his recommendation.

An agreement with the City of Portland pertaining to use of the State's portable pedestrian structure over Harbor Drive in Portland was discussed. The Engineer observed that the Bailey Bridge structure, which was

erected over Harbor Drive for pedestrian use, had been taken down and used for highway purposes during the December floods. The structure has now been re-erected over Harbor Drive. The agreement, identical to the previous one, authorizes the City to use the Bailey Bridge unless it is required for highway purposes. Based on his favorable recommendation the Commission approved the agreement.

The Commission considered a supplemental agreement with Union Pacific Railroad Company and Wallowa County pertaining to the contractor's haul road crossing of the railroad on the Minam Section of the Wallowa Lake Highway in Wallowa County. This agreement, the Engineer explained, provides for a haul road which has been in use since March. Approval of the agreement will enable the Railroad to charge its costs to the State Highway Commission. The State, he continued, has agreements with the prime contractor and his subcontractor requiring them to reimburse the State for costs incurred by the railroad. Following his favorable recommendation, the Commission approved the agreement.

An agreement with the U. S. Corps of Engineers pertaining to the relocation of the Santiam Highway (US20) around Foster Reservoir Project in Linn County was considered. In construction of the dam in the South Santiam River near Foster, the Engineer commented that approximately two miles of the Santiam Highway will be inundated east of Foster. The Corps of Engineers plan to let the contract as soon as possible in order to keep on schedule with dam construction work. He recommended that the agreement be approved. The Commission approved the agreement.

A resolution was presented by the Engineer prohibiting parking on both sides of the Mt. Hood Highway (S. E. Powell Boulevard) east of Portland in Multnomah County, in order to establish four-lanes of moving traffic on Powell Boulevard. Based upon the Engineer's favorable recommendation, the Commission approved the no parking regulation and thereupon adopted "No Parking Resolution No. 253," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A cooperative construction agreement with the City of Salem concerning the Orchard Heights Road-Edgewater Section of the Salem-Dayton Highway was presented by the Engineer. He commented that the State is to construct the section and continue its maintenance as a part of the State Secondary Highway. The estimated share of the City's cost is \$94,000 out of the total estimated cost of \$245,000. He recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer introduced two visiting engineers from Great Britain, Mr. T. U. Wilson, Surveyor from the County of Lanark, Scotland, and Mr. Nol Dean, Member of the Ministry of Transport, London, England.

A delegation representing the Prineville-Crook County Chamber of Commerce, and others, appeared before the Commission to request improvement of the Crooked River Highway. The following people were present: Mr. Ivan J. Chappell, Manager; Mr. Sam Johnson, State Representative; Mr. Frank Scott;

Mr. George Wittner; Mr. Walter Haynes; Mr. Harry Stearns; Mr. Lawrence Russell; Mr. George Pierce; and Mr. Bill McCormick.

Mr. Chappell commented on the increased traffic on the Crooked River Highway because of the large number of visitors to Prineville Reservoir, many of whom come in over the Crooked River Highway. The Bureau of Land Management, he added, also has plans for a park in this area. He complimented the Maintenance Division on their efforts in maintaining the Crooked River Highway and pointed out that they have very little to work with. The Chamber of Commerce, he said, does not recommend that visitors travel this road. He inquired as to what plans the Commission might have for improvement.

Rep. Johnson pointed out the need for additional oil or pavement surfacing which would be used by a great many tourists, as the route is very scenic. Chairman Jackson inquired as to what percentage of the highway mileage into the reservoir area is operated by the State Highway Department. The Engineer stated that the county, a few years ago, had built a new oiled road about fifteen miles in length into the state park on the Prineville Reservoir.

Mr. Stearns remarked that he had lived in the Crooked River area for the past 68 years and commented on the urgent need for an oil surfaced road from the end of the existing oil as far south as the alignment will permit. On the existing surface, he said, even the base rock is gone and there is nothing left for a grader to work with. The Bureau of Land Management and the Bureau of Reclamation as well as the ranchers in the area are all much concerned in improvement of the highway. He stated that he would cooperate by donating right of way and would also donate forty acres of land for a state park.

Mr. Wittner commented on the damage caused to hauling equipment and added that several have refused to haul over this highway.

Mr. McCormick pointed out that hauling livestock over this highway causes an unusual amount of shrinkage in the weight of cattle and is also destructive to equipment. The Oregon Cattlemen's Association, he continued, has urged the construction of about nine metal cattle guards on the highway. It has been their experience that the painted cattle guards do not serve the purpose for which they were intended. He presented a map showing the proposed cattle guard locations. Mr. Scott stated that since 1928 he had been stuck in the mud and snow a number of times in traveling this highway and that many tires had been damaged by the rough surface. His wife refuses to drive over the highway.

Mr. Lawrence Russell, a stock rancher in this area, remarked that the painted cattle guards are a joke. Mr. Stearns and Mr. Haynes also urged construction of cattle guards.

Chairman Jackson commented that the Commission plans to receive bids in June for grading and oiling a section approximately five miles long. Further improvement of the highway he said would depend upon the availability of funds, and he mentioned that the Legislature had not seen fit to adopt any measures to provide increased highway funds. The Commission, he continued, recognizes the need for an improved highway for the benefit of the ranchers and for

recreational purposes. The Commission will do all it can to improve the highway.

At the Chairman's invitation, Mr. Wilson, visiting Engineer from Scotland, spoke briefly about highway conditions in Scotland. Geographically and climatically Scotland is very similar to Oregon but the country is much older and has been developed a much longer time. There is great reluctance to destroy old structures. Road taxes in Scotland are placed in the general fund and approximately 20 percent of these taxes are used for highway purposes. The volume of traffic is far ahead of highway construction and the saturation point is near. He thanked the Commission for the hospitality shown him by State Highway Department personnel. Mr. Dean from the Ministry of Transport in London commented that they were here to learn all they possibly could about highway matters.

The Commission signed or authorized the Secretary to sign the following papers:

"Bargain & Sale Deed" to Walter Leake for a parcel of land on the Forest Grove-Hillsboro Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to the Kenneth E. Potts property on the Tanner Creek-Remote Section of the Coos Bay-Roseburg Highway in Coos County.

"Indenture of Access" to the John and Sarah Thomas property on the Davis Slough-Bandon Section of the Oregon Coast Highway in Coos County.

"Indenture of Access" to the Henry D. & Clara C. Hering property on the Forest Grove-Hillsboro Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to the U.S. Department of Interior, Bureau of Land Management, for a parcel of land on the Hayes Hill-Grants Pass Section of the Redwood Highway in Josephine County.

"Indenture of Access" to the Howard E. and Hilda J. Olsen property on the Salem-Hayesville Section of the Pacific Highway East in Marion County.

"Grant of Access" to H. W. & Ruth Crook covering land on the Gold Beach Section of the Oregon Coast Highway in Curry County.

"Grant of Easement" to the City of Springfield covering 0.54 acre for the "Q" Street floodway channel on the Ferry Street-Mohawk Road Section of the Eugene-Springfield Highway in Lane County.

"Agreement" with the City of Portland pertaining to use of the State's portable pedestrian structure (Bailey Bridge) over Harbor Drive.

"Supplemental Agreement" with Union Pacific Railroad Company and Wallowa County covering the contractor's haul road crossing the railroad on the Minam Section of the Wallowa Lake Highway in Wallowa County.

"Contract" with the U. S. Army Corps of Engineers for relocation of Highway 20 around Foster Reservoir Project in Linn County.

"Bargain & Sale Deed" to the Metropolitan Baptist Church for a parcel of land on the Sylvan Section of the Sunset Highway in Multnomah County.

"Bargain & Sale Deed" to L. L. and Verle A. McFarlane for a parcel of land on the Canemah-Oregon City Section of the Pacific Highway East in Clackamas County.

"Bargain & Sale Deed" to Harvey R. and Annabelle M. Hanson for a parcel of land on the Biggs-Rufus Section of the Columbia River Highway in Sherman County.

"Lease for Material Source, rock crusher, plant site and stockpile Site" from Douglas County on the Azalea-Josephine County Line Section of the Pacific Highway in Douglas County.

"Lease & Sale of Road Materials Agreement" with Neal and Martha Elliott for a parcel of land on the Lakeview-New Pine Creek Section of the Fremont Highway in Lake County.

"Grant and Release of Easement" with Glen and Josephine Coons covering exchange of 3.9 acres in a waste material site filled to capacity by the Highway Department for a similar easement on a 2.72 acre site on the Divide-Rice Hill Section and Anlauf-Curtis Creek Section of the Pacific Highway in Douglas County.

"Conveyance and Release of Easement" with S. O. and Corinne K. Newhouse and C. H. and Marie Young covering exchange of a parcel of land on the Hunter Creek-Myers Creek Section of the Oregon Coast Highway in Curry County.

"Agreement" with Lincoln County Historical Society covering the Society's right to occupy the Yaquina Bay Lighthouse for public museum use only for a period of five years.

"Agreement" with City of Portland covering traffic signal installation at the Intersection of Beaverton-Hillsdale Highway and Dosch Road in Portland, Multnomah County.

"Construction Agreement and Permit" with the U. S. Forest Service covering a weighing and log scaling station adjacent to the Santiam Highway east of Lebanon in Linn County.

"Agreement" with School District No. 81, Linn County, for an overhead school crossing sign with flashing beacons at intersection of Santiam Highway and Gore Road north of Lebanon.

"Abandonment Agreement" with Multnomah and Clackamas Counties pertaining to Powell Valley Road-Duncan Road Section of the Mt. Hood Highway.

June 1, 1965

"Agreement" with City of The Dalles covering an installation of illumination on the West The Dalles Interchange (I-80N) and 6th Street.

"Supplemental Agreement" with Multnomah County relating to construction of a throughway on the Powell Valley Road-Duncan Road Section of the Mt. Hood Highway, which will delete closure of Hilyard Road and provide that connection to the highway be made now during construction.

"Agreement" with the Bureau of Public Roads to permit three advertising companies' signs to remain in place until June 30, 1969.

"Indenture of Access" to the John S. Caudill, Walter M. Skundrick and Donald T. Skundrick property on the Medford County Farm Section of the Pacific Highway in Jackson County.

"Cooperative Construction Agreement" with the City of Salem covering the Orchard Heights Road-West Salem Section of the Salem-Dayton Highway (Wallace Road).

There being no other business to conduct, the meeting was adjourned by the Chairman at 11:50 a.m.

Forrest Cooper  
State Highway Engineer

Heenan Jackson  
Chairman

K. N. Zudley  
Commissioner

Floyd Query  
Secretary

Doris Simpson  
Commissioner

June 1, 1965

Salem, Oregon  
July 13, 1965

The Oregon State Highway Commission met in regular session at 9:30 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
R. L. Porter, Deputy State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
F. B. Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
George E. Rohde, Chief Counsel  
Frank C. McKinney, Acting Assistant Counsel  
David H. Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Mr. Forrest Cooper, State Highway Engineer, and Mr. Tom Edwards, Assistant State Highway Engineer, were excused.

Among others present were A. W. Parsons, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; David Talbot, Parks Superintendent; John Oakes, Assistant Right of Way Engineer; and Ralph Sipprell, Liaison Officer.

The Right of Way Engineer presented for consideration options, pages 1 through 63, secured for acquisition of real property needed for state highway use or for other purposes. The prices offered for the properties, he said, are based upon careful appraisals, and are in proper order for federal-aid. To the best of his knowledge, the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 24," which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report for the period of May 19, 1965, through June 30, 1965, covering sales of miscellaneous properties and changes in rental status was presented by the Right of Way Engineer. During this period miscellaneous sales amounted to \$5,845.00; land sales \$27,015.00; and timber sales \$55,744.94. Rental receipts for May totaled \$22,438.43 and for June \$26,940.25. The Commission accepted the report.

Authority to offer at public sale two parcels of excess property was requested by the Right of Way Engineer. The minimum prices for these parcels, he said, are based upon appraised values or on offers in excess of appraisals. Access provisions and other conditions are consistent with those existing in the vicinity of each property. The Commission authorized public

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sale of the following properties and thereupon adopted "Real Property Resolution No. 438," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 1.1 acre, File No. 18516, on a frontage road on the west side of the Pacific Highway approximately 3/4 mile south of the Fairgrounds Interchange at Roseburg in Douglas County, for not less than \$660. Access is to be allowed to the frontage road only, and the sale is to be subject to the standard sign restriction clause. No Federal funds were used in the acquisition of this property.
- (2) 0.06 acre of land, File Nos. 24999 and 27030, on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Portland, Multnomah County, for not less than \$1,050. The sale is to be made subject to a sign restriction clause and a stipulation as follows: "It is understood that this conveyance is delivered upon the express condition that no cut or excavation shall be made along the easterly boundary of the above-described property abutting relocated S. W. Kelly Avenue, such as would cause slides onto the land of the Grantor upon which S. W. Kelly Avenue was relocated." Approval of the Bureau of Public Roads was received on June 8, 1965. (See "Real Property Resolution No. 438")

Direct sale of two parcels of property no longer required for highway purposes was recommended by the Right of Way Engineer. Because of the geographical location of these properties he stated that there is only one logical buyer for each parcel. The recommended price for each is based upon appraised value. The Commission approved direct sale of the following properties:

- (1) Westerhausen and Meyers Property, File Nos. 4532 and 3991, consisting of 0.3 acre on the south side of the Schindler Bridge-Jordan Section of the Albany-Lyons Highway in Linn County about a quarter of a mile east of the Schindler Bridge to Mr. Wesley Mathey, et ux., for not less than \$475. No access is to be allowed to the Albany-Lyons Highway and the State retains the right, but not the obligation, to maintain the Thomas Creek Channel, including necessary sloping. The purchasers are not to be allowed to remove any material which might cause a shift of Thomas Creek. No Federal funds were used in the purchase of this land originally acquired as a gravel pit.
- (2) 1 acre of land from the former Lambert Property, File No. 5551, approximately 0.6 mile east of the community of Sams Valley on the south side of the Sams Valley Highway in Jackson County, to the Sams

Valley Irrigation District for not less than \$500. This price, he stated, is one half of the appraised value of the land which is in keeping with the Commission's policy of selling to other public agencies at one-half of the appraised valuation. No Federal funds were used in the acquisition of this property.

Three "Indentures of Access" were presented by the Right of Way Engineer who commented that the Indentures provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures:"

- (1) Winn, Webb, Brockman, Ramquist and Price Properties, File Nos. 32307 and 32308, approximately 3 1/2 miles east of Athena on the Athena-Blue Mountain Station Section of the Oregon-Washington Highway in Umatilla County, for a change in location and widening to 35 feet of three points of access. Relocation of these points became necessary when two neighbors exchanged triangular parcels of land created by the new line of the highway. Approval of the Bureau of Public Roads was secured on March 11, 1965.
- (2) Central Lincoln People's Utility District, File No. 4388, for a change in location of one point of access, 25 feet in width on the east side of the Oregon Coast Highway, approximately 1.4 miles north of Newport in Lincoln County. The old access point was destroyed by a slide and it is not practical to rebuild it at the same location. Approval of the Bureau of Public Roads was secured on June 3, 1965.
- (3) Crook Property, File No. 25501, on the west side of the Oregon Coast Highway between 5th and 6th Streets in the south portion of Gold Beach in Curry County, for a change in location of one point of access, 50 feet in width, and unrestricted as to use. The change is being made to correct an error in the location of an earlier Indenture. The Bureau of Public Roads has concurred in the proposed change.
- (4) Suburban Lumber Company, File No. 35931, on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County, for moving one point of access, 50 feet in width and unrestricted as to use.

"Grants of Access" to three parcels of property were presented by the Right of Way Engineer. Based upon his favorable recommendation the Commission approved "Grants of Access" as follows:



- (1) John D. Boito Property, File No. 35914, for one point of access, 35 feet in width and unrestricted as to use on the south side of Sixth Street between Gettle Avenue and Fargo Street on the Klamath Falls-Lakeview Highway in Klamath Falls, Klamath County. The point of access is to accommodate the construction of a service station. As the access point is on an active contract under the Federal-aid Secondary Highway System, approval of the Bureau of Public Roads is not required.
- (2) Hutchins Property, File No. 18885, for one point of access on the north side of the Elkton-Sutherlin Highway between Westwood and Myrtle Streets in the City of Sutherlin, Douglas County. The access is to be 40 feet in width and unrestricted as to use. The Hutchins are to repay to the State \$50 which was originally paid to them for control of access on this property. This transaction was approved by the Bureau of Public Roads March 25, 1965.
- (3) Leppin Property, File No. 26407, for one point of access, 35 feet in width and unrestricted as to use on the east side of the Lower Columbia River Highway approximately  $1\frac{1}{2}$  miles south of Goble in Columbia County. Approval was given by the Bureau of Public Roads on June 9, 1965.

The Right of Way Engineer reported that Lane County proposes to extend County Road #67 from the former location of the Willamette Highway southerly about 430 feet to the present highway at approximately Highway Engineer's Station 399+35. The State owns a 12-foot strip of land originally purchased at the request of the owner because access to the new highway from the strip was denied. The strip is needed by the County and he recommended that it be relinquished to them. The Commission approved the relinquishment.

A demolition contract with Iverson Construction Company for removal of buildings on the Fremont Interchange-Sunset Interchange Section of the Stadium Freeway in Portland was brought up by the Right of Way Engineer. He explained that bids were received on June 30, 1965, for the removal of fourteen houses and three garages. Complaints have been received from the city and there have been no offers to remove the buildings. The Iverson Company, he said, submitted a bid of \$6,388 which was the low bid among three that were received. He recommended that the bid be approved contingent upon concurrence by the Bureau of Public Roads. The Commission accepted his recommendation and authorized the Secretary to sign the contract.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to

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be put and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2079 through 2109," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letters entitled "Recommendations for Condemnation," and "Supplemental Recommendations for Condemnation," dated July 13, 1965, in the Secretary's Office.)

A written report showing results of cases tried in court since the last Commission meeting was presented by the Chief Counsel. The Commission approved the report which is summarized as follows:

#### REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4669 Lowell Merton Hursh, et ux.	Baker	Old Oregon Trail	Oxman-Benson Creek	\$ 265.00	\$	Voluntary Nonsuit
L-4725 Chris Lang, et ux.	Baker	Old Oregon Trail	Oxman-Benson Creek	450.00	4,000.00	\$1,400.00
L-4235 Gerald L. Looney, et al.	Douglas	Coos Bay-Roseburg	Elbow Point Slater Creek	5,850.00	262,004.00	22,200.00
L-4622 Bert Carl Cook, et ux.	Josephine	Pacific	Coyote Creek-Sexton Mountain	80.00	None	80.00
L-4555 James H. Bennington, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	225.00	3,500.00	3,000.00
L-4615 Bernald Donaca, et ux.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	550.00	13,000.00	2,000.00
L-4591 C. C. Grewell, et al.	Klamath	Klamath Falls-Lakeview	K.I.D. Canal-Madison Street	275.00	2,870.00	2,150.00

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## (Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4636 Leo D. Beach, et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	\$ 7,500.00	\$8,800.00	\$ 8,875.00
L-4661 Carson E. Berger, et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	2,200.00	4,460.00	3,025.00
L-4667 Mae Z. Smith (Grogan) et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	2,950.00	5,000.00	5,000.00
L-4717 Sherman Baker, et ux.	Multnomah	Pacific	North Portland Harbor-North Russell Street	4,000.00	5,500.00	4,750.00
L-4650 Mike Boyko, et al.	Multnomah	Mt. Hood	Gully Route Connection	3,500.00	10,000.00	5,600.00
L-4805 James L. Butler, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	5,000.00	5,500.00	5,500.00
L-4490 Ford M. Converse, et ux.	Multnomah	Sunset	Highlands Interchange-Stadium Freeway	2,400.00	100,000.00	5,500.00
L-4599 Vern C. Davis, et al.	Multnomah	Mt. Hood	Gully Route Connection	200.00	2,000.00	400.00
L-4719 Tenet Mortgage Co., et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	2,400.00	5,000.00	3,050.00
L-3868 Port of The Dalles, et al.	Wasco	Columbia River	The Dalles By-Pass	90,165.00	376,875.00	168,850.00

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## (Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4465 Robert E. Miller, et al.	Jackson	Pacific	Wall Creek-California State Line	\$ 700.00 amended to 1,000.00	\$6,800.00	\$3,000.00
L-4403 Bevest, Inc., et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	900.00	2,833.33	3,000.00

## REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4471 Rex C. Ayers	State	Marion	Additional compensation under Contract No. 5498	First cause of action: \$37,318.00 Second cause of action: \$ 6,472.00	For Defendant
L-4804 State	Conrad Burmester	Multnomah	Delinquent rent and possession	825.00 plus costs and possession	For Plaintiff
L-4760 U.S.A.	Deschutes Falls U.S.A. Power Co. and State of Oregon, by and through its State Highway Commission	U. S. District Court	U.S.A. condemning easement for roadway along Deschutes River for recreation and other public use		Dismissed
L-4550 Donald B. McCormick	Bernice Burnett, et al.	Multnomah	Negligence-Wrongful death	\$25,000.00	Nonsuit
L-4819 State	Conrad Burmester	Multnomah	Delinquent rent and possession	673.75 plus costs and possession	\$ 673.75

Concerning the Port of The Dalles case, File No. L-3868, the Chief Counsel observed that he had written to the Bureau of Public Roads concerning appeal of the case to a higher court. It was his opinion that the probability of a successful appeal is remote and he recommended that no appeal be made.

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Concerning the Looney case, File No. L-4235, he recalled that \$5,850 had been offered for the property, whereas Looney demanded \$262,004 claiming that the State had removed road building materials from his property. The Court allowed Looney \$22,200. The verdict was based, he continued, on the value of the land only at approximately \$500 per acre. It was his recommendation that no further action be taken. The Commission accepted his recommendations.

(For additional details, see the Chief Counsel's letters dated July 2 and July 12, 1965, concerning cases tried in the General Files in the Salem Office.)

A tabulation showing proposed settlements of condemnation cases since the last Commission meeting was also presented by the Chief Counsel. The settlements, he said, do not represent substantial increases above appraised values or the increases are not enough to warrant cost of trial in court. The Commission approved the settlements which are summarized as follows:

#### REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4722 Vern E. Dickey, et al.	Benton	Alsea	Alsea Mountain	\$ 300.00	\$ 350.00
L-4778 Anton Roskoski, Jr., et al.	Clackamas	Cascade	Lake Road-Oregon City	2,700.00	2,700.00
L-4830 T. A. McNair, et al.	Coos	Coos Bay-Roseburg	Rink Creek-Glen Aiken Creek	15,775.00	16,275.00
L-4769 J. B. Wilson, et al.	Douglas	Pacific	Canyonville-Josephine County Line	2,650.00	2,850.00
R-37477 Kenneth E. Murray, et ux.	Douglas	Pacific	Canyonville-Josephine County Line	1,125.00	1,850.00
L-4816 Clifford H. Raish, et al.	Lane	McKenzie	28th Street Connection (Springfield)	26,200.00	26,200.00
L-4827 John Glaser, et al.	Linn	Corvallis-Lebanon	Orleans-Lake Creek	3,950.00	3,950.00

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#### (Report of Condemnation Cases Settled - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4568 H. R. Watchie & Assoc., Inc., et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	\$ 3,100.00	\$ 3,750.00
(Recommended by Adm. Rev. Bd.)					
L-4771 Bert Crosswhite, et al.	Clackamas	Cascade	Lake Road-Oregon City	7,750.00	8,250.00
L-4727 Walter W. Williams, et ux.	Douglas	Pacific	Canyonville-Josephine County Line	9,300.00	13,500.00
L-4729 Oliver Weischedel, et ux.	Douglas	Pacific	Canyonville-Josephine County Line	9,500.00	13,000.00
(Settlement of each of these files contingent upon the settlement of the other. Entire taking appraised at \$12,800 and \$12,000.)					
R-36233 Frank Cluster (Mooney)	Harney	Lakeview-Burns	Riley-South Section	1,000.00	2,570.00
(Settlement made on basis of 4¢ per cu. yd. for cinders removed from pit.)					
L-4584 Dale L. Turnidge, et ux.	Marion	Pacific	North Jefferson Junction-Albany	3,000.00	7,500.00
(Closes access to remaining property. Damage appraised at \$7,000. Subject to BPR approval.)					
L-4781 Louis F. Brady, et al.	Douglas	Pacific	Canyonville-Josephine County Line	2,100.00	2,700.00
L-4857 Oregon Turkey Growers, et al.	Polk	Salem-Dayton	Orchard Heights Road-Edgewater Street	5,900.00	5,900.00
L-4670 National City Truck Rental Company	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	37,500.00	38,500.00

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## (Report of Condemnation Cases Settled - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-3923 U. S. National Bank of Portland	Wasco	Columbia River	The Dalles- By Pass	\$ 8,000.00	\$11,000.00
(High appraisal was \$10,000.)					

He pointed out that with Turnidge, File No. L-4584, and with U. S. National Bank of Portland, File No. L-3923, the requested settlements are subject to approval by the Bureau of Public Roads.

(For additional details see the Chief Counsel's letters dated July 2 and July 12, 1965, concerning cases settled in the General Files in the Salem Office.)

The Commission confirmed prior telephonic approval of offers made to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

BIDDLE ROAD-CAMP WHITE SECTION OF THE CRATER LAKE HIGHWAY

R-37602 - John W. Langston, et ux. 450 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Jackson July 1, 1965.

R-37614 - Leonard F. Negles, et al. 0.18 acre for right of way purposes. Offer of \$1,800.00 approved by Mr. Jackson July 1, 1965.

R-37624 - T. G. Gannaway. Parcel No. 1: 0.26 acre for right of way purposes; Parcel No. 2: 2.40 acres for permanent easement. Offer of \$655.00 approved by Mr. Jackson July 1, 1965.

R-37659 - Harold B. Thurston, et ux. 600 square feet for right of way purposes. Offer of \$310.00 approved by Mr. Jackson July 1, 1965.

CHAMPOEG STATE PARK

R-36231 - Joe Zorn and Glenn J. Owen. 2.4 acres for park purposes. Offer of \$6,000.00 approved by Mr. Jackson July 6, 1965.

R-37015 - Paul J. Groth and Stella Groth. 4.9 acres for park purposes. Offer of \$3,675.00 approved by Mr. Jackson July 6, 1965.

COYOTE CREEK-SEXTON MOUNTAIN SECTION OF THE PACIFIC HIGHWAY

R-36550 - Genevieve Price, et vir. Parcel No. 1: 1.28 acres for right of way purposes; Parcel No. 2: 3.2 acres for right of way purposes; Parcel No. 3: 0.67 acre for right of way purposes. Offer of \$7,300.00 approved by Mr. Jackson June 9, 1965.

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COYOTE CREEK-SEXTON MOUNTAIN SECTION OF THE PACIFIC HIGHWAY - CONT.

R-37753 - Hugh Long. 0.01 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson June 9, 1965.

R-37754 - Edward Bailey and Betty Bailey. Parcel No. 1: 5.0 acres for right of way purposes; Parcel No. 2: 0.1 acre for right of way purposes. Offer of \$2,260.00 approved by Mr. Jackson June 3, 1965.

R-37755 - Loy Yokum and Lena Yokum. 0.15 acre for right of way purposes. Offer of \$75.00 approved by Mr. Jackson June 3, 1965.

R-37774 - Ed Woolfolk, et ux. Parcel No. 1: 0.03 acre for right of way purposes; Parcel No. 2: 0.6 acre for right of way purposes. Offer of \$255.00 approved by Mr. Jackson May 26, 1965.

GULLY ROUTE CONNECTION SECTION OF THE MT. HOOD HIGHWAY

R-36272 - James Gordon. Parcel No. 1: 5.17 acres for right of way purposes; Parcel No. 2: 0.06 acre for right of way purposes. Offer of \$13,500.00 approved by Mr. Jackson June 18, 1965.

LAKE CREEK-ALBANY-JUNCTION CITY HIGHWAY SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-37454 - Western Oregon Conference Association of Seventh Day Adventists. 0.18 acre for right of way purposes. Offer of \$350.00 approved by Mr. Jackson July 6, 1965.

NEHALEM BAY STATE PARK

R-35288 - Phyllis D. Henderson. 20,000 square feet for park purposes. Offer of \$2,700.00 approved by Mr. Jackson May 24, 1965.

ORCHARD HEIGHTS ROAD-EDGEWATER STREET SECTION OF THE SALEM-DAYTON HIGHWAY

R-36652 - Marvin Lewis, et ux. Parcel No. 1: 1,495 square feet for right of way purposes; Parcel No. 2: 140 square feet for right of way purposes; Parcel No. 3: 770 square feet for permanent easement. Offer of \$4,700.00 approved by Mr. Jackson June 23, 1965.

R-36653 - Ernest A. Monner, et ux. Parcel No. 1: 1,030 square feet for right of way purposes; Parcel No. 2: 200 square feet for right of way purposes; Parcel No. 3: 440 square feet for temporary easement. Offer of \$3,200.00 approved by Mr. Jackson June 24, 1965.

R-36655 - Oregon Turkey Growers. Parcel No. 1: 1,525 square feet for right of way purposes; Parcel No. 2: 300 square feet for temporary easement. Offer of \$5,900.00 approved by Mr. Jackson June 23, 1965.

R-36661 - Humble Oil and Refining Company. Parcel No. 1: 1,526 square feet for right of way purposes; Parcel No. 2: 365 square feet for right of way purposes; Parcel No. 3: 640 square feet for permanent easement. Offer of \$3,850.00 approved by Mr. Jackson June 18, 1965.

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ORCHARD HEIGHTS ROAD-EDGEWATER STREET SECTION OF THE SALEM-DAYTON HIGHWAY-Cont.

R-36662 - Richfield Oil Corporation. Parcel No. 1: 1,310 square feet for right of way purposes; Parcel No. 2: 450 square feet for right of way purposes. Offer of \$3,600.00 approved by Mr. Jackson June 23, 1965.

R-36664 - Harvey Quistad, et al. Parcel No. 1: 2,170 square feet for right of way purposes; Parcel No. 2: 240 square feet for right of way purposes; Parcel No. 3: 2,380 square feet for permanent easement. Offer of \$6,450.00 approved by Mr. Jackson June 28, 1965.

R-36669 - Harvey G. Wheeler, et ux. Parcel No. 1: 0.01 acre for right of way purposes; Parcel No. 2: 0.03 acre for permanent easement. Offer of \$5,000.00 approved by Mr. Jackson June 18, 1965.

R-36683 - Duane Gibson, et ux. 0.68 acre for right of way purposes. Offer of \$2,720.00 approved by Mr. Jackson June 3, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-36098 - Daisy Shook. Parcel No. 1: 4.9 acres for right of way purposes; Parcel No. 2: 16.1 acres for right of way purposes; Parcel No. 3: 0.76 acre for permanent easement; Parcel No. 4: 0.13 acre for permanent easement; Parcel No. 5: 1.0 acre for permanent easement; Parcel No. 6: 4.0 acres for permanent easement. Offer of \$735.00 approved by Mr. Fridley June 22, 1965.

RINK CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY

R-37488 - Elmer E. Benham, et ux. Parcel No. 1: 3.2 acres for right of way purposes; Parcel No. 2: 0.06 acre for permanent easement. Offer of \$2,076.00 approved by Mr. Jackson June 23, 1965.

R-37492 - George H. Chaney, et al. 1.13 acres for right of way purposes. Offer of \$3,700.00 approved by Mr. Jackson June 21, 1965.

R-37497 - Virgil E. McKinney, et ux. 1.9 acres for right of way purposes. Offer of \$13,300.00 approved by Mr. Jackson June 8, 1965.

R-37509 - Frederick E. Finley. Parcel No. 1: 6.4 acres for right of way purposes; Parcel No. 2: 0.37 acre for permanent easement. Offer of \$4,115.00 approved by Mr. Jackson June 18, 1965.

R-37505 - Jewell J. Johnson, et ux. 0.17 acre for right of way purposes. Offer of \$822.00 approved by Mr. Jackson June 21, 1965.

R-37506 - Boyd D. Stone, et ux. 0.86 acre for right of way purposes. Offer of \$1,050.00 approved by Mr. Jackson June 18, 1965.

R-37511 - E. C. Finley, et ux. Parcel No. 1: 2.2 acres for right of way purposes; Parcel No. 2: 0.26 acre for permanent easement. Offer of \$1,260.00 approved by Mr. Jackson June 18, 1965.

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RINK CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY - CONT.

R-37512 - Ruby Myrtle Caudill. 6.38 acres for right of way purposes. Offer of \$5,465.00 approved by Mr. Jackson June 18, 1965.

R-37756 - Oliver E. Glazebrook, et al. 0.03 acre for right of way purposes. Offer of \$370.00 approved by Mr. Jackson June 23, 1965.

SEVEN OAKS-NEIL CREEK SECTION OF THE PACIFIC HIGHWAY

R-37661 - William F. Cate, et al. 8.1 acres for right of way purposes. Offer of \$2,500.00 approved by Mr. Jackson June 9, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-32665 - Sawyer's Inc., et al. Parcel No. 1: 2,020 square feet for right of way purposes; Parcel No. 2: 13,360 square feet for right of way purposes; Parcel No. 3: 3.3 acres for right of way purposes. Offer of \$34,500.00 approved by Mr. Simpson June 24, 1965.

R-32855 - Southern Pacific Company. Parcel No. 1: 18.8 acres for right of way purposes; Parcel No. 2: 1.71 acres for permanent easement; Parcel No. 3: 0.35 acre for permanent easement; Parcel No. 4: 0.28 acre for permanent easement; Parcel No. 5: 0.12 acre for temporary easement. Offer of \$60,500.00 approved by Mr. Jackson June 8, 1965.

R-35731 - Gordon M. Bouck, et ux. 2.2 acres for right of way purposes. Offer of \$12,250.00 approved by Mr. Jackson June 11, 1965.

R-35734 - A. E. Church, et al. Parcel No. 1: 4.8 acres for right of way purposes; Parcel No. 2: 0.04 acre for right of way purposes. Offer of \$29,950.00 approved by Mr. Jackson June 11, 1965.

R-37274 - Louis W. Christen, et ux. 0.28 acre for right of way purposes. Offer of \$1,000.00 approved by Mr. Simpson June 3, 1965.

R-37297 - A. F. Knudsen, et ux. 0.4 acre for right of way purposes. Offer of \$2,400.00 approved by Mr. Jackson July 6, 1965.

The Chief Counsel commented on orders received from the Public Utility Commissioner regarding railroad crossing matters in which the State Highway Commission is involved. The Commission accepted the report as follows:

PUX 554: Installation of electric traffic signals at a grade crossing of the Beaverton-Tualatin Highway near Tualatin, Oregon, in Washington County. The order dismissed a complaint made by taxpayers upon receipt of an agreement between Southern Pacific Company and the State providing for installation of automatic gates. The State and Railroad each pay one half of the signalization costs with the Railroad to furnish all maintenance.

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PUX 562: Application of State Highway Commission to alter a crossing at grade of Oregon Electric Railway with the Corvallis-Lebanon Highway in Linn County. The order authorized the alteration which is to consist of widening the highway to 4-lanes with stopping lanes for certain vehicles and the installation of automatic flashing lights with 12-foot cantilever arms and gongs.

A report on legal proceedings commenced since the last Commission meeting was presented by the Chief Counsel and accepted by the Commission, summarized as follows:

- (1) Berry Transport, Inc., vs. Robert David Brown filed in the Marion County Circuit Court to recover the sum of \$1,835.56 for damages to a Kenworth Tank Truck. Plaintiff alleges that the State driver negligently turned the State's truck into the plaintiff's truck. The facts as determined by the State, the Chief Counsel said, are exactly the opposite of the plaintiff's allegations and a billing has been made to the Berry Transport insurance company in the amount of \$678.75. The case has been referred to the State's insurance carrier.
- (2) Page Paving Company and R. S. Burch Company vs. State Highway Commission filed in the Douglas County Circuit Court. This action seeks to recover the sum of \$19,577 which the plaintiffs allege is owed them by the State on Contract No. 6216. The plaintiffs claim that they furnished materials and labor for signing for which they were not paid, and that they furnished asphaltic concrete aggregate but the State refused to permit them to use the aggregate in the asphalt mix at the time and place required. As a result, a substantial portion of the aggregate was wasted. The Legal Department will defend this case on behalf of the Commission.
- (3) Elmer L. Woods and Marilyn D. Woods, Arthur Weeks, and Helen Weeks vs. State Highway Commission in the Douglas County Circuit Court. Action is in the nature of an inverse condemnation wherein the plaintiffs seek \$990 as compensation for allegedly not being able to use their property because the State's contractor took down their fence on the right of way line and did not replace it. An appropriate defense will be set up or a settlement proposed after an investigation has been made.
- (4) C. H. Savage Company vs. Peter Kiewit Sons' Company and the State Highway Commission filed in the Multnomah County Circuit Court. The suit requests the Court to

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interpret Contract No. 6354 held by Peter Kiewit Sons' Company and the contract between C. H. Savage Company and Peter Kiewit Sons' Company. The plaintiff also seeks a restraining order enjoining the Peter Kiewit Sons' Company or the State from any further legal or other action as to C. H. Savage Company while the suit is pending. A hearing on the restraining order is set for July 15, 1965, before Judge Virgil Langtry.

- (5) Concerning the DeLong case for construction of piers for the Astoria Bridge, Contract No. 6124 the Chief Counsel stated that DeLong has filed a writ of certiorari (look over the record) and a brief. If the writ is accepted, the case will be argued. The Chairman inquired as to whether the case would be tried in a State court. The Chief Counsel replied that the writ presented by DeLong would be considered in the October term but it could be many months before the case actually comes to trial. Objections will be filed to the writ. He also observed that the status of the case so far is still a question of whether the case will be tried in a Federal or State Court. The Chairman requested that the trial of the case be expedited as much as possible.

A written report of property damage claims made and collected during the period from March 31, 1965, through June 30, 1965, was presented by the Chief Counsel. During this period, he commented that the sum of \$10,721.12 had been collected. The Commission accepted the report.

Annual one step salary increases for staff attorneys were recommended by the Chief Counsel. These attorneys, he pointed out, were not included in the list recently approved by the Commission and the salaries as recommended have been approved by the Attorney General. Following his favorable recommendation, the Commission approved increases for the following attorneys: R. H. Anderson, L. B. Hampton, R. A. Holland, J. S. Irvin, J. R. Kuhn, F. C. McKinney, G. V. Sorensen, A. J. Vidulich and Clifford A. Allison.

Consideration was given to Supplemental Agreement No. 1 with the United States Department of the Army concerning use of the North Jetty Wharf Site in the Coquille River in Coos County. The Deputy Engineer stated that it is advisable to modify the original agreement of November 22, 1963, to conform with provisions of the Land and Water Conservation Fund Act of 1965, which permits the State to charge fees for use of the area. Establishment of rates and fees must be approved by the District Engineer. Following his favorable recommendation, the Commission approved the supplemental agreement and authorized the Secretary to sign it in their behalf.

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The Commission also considered Supplemental Agreement No. 2 with the United States Department of Army concerning use of an area within the Fern Ridge Reservoir Project in Lane County for park and recreational purposes. The Deputy Engineer explained that the supplemental agreement will permit the State to charge fees for entrance or use of facilities in a State-operated area. Fees collected and not used for operation or development of the area shall be paid to the District Engineer at the end of each five year period of this license. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it in their behalf.

Two requests were presented by the Deputy Engineer for increases in project authorizations. The Commission approved the increases as follows:

- (1) Contract No. 6556 for grading and stone base on the Reedsport-Dean Creek Section of the Umpqua Highway in Douglas County for an increase of \$6,923 (12.2%). Unanticipated quarry shooting and increased inspection and timekeeping costs were given as reasons of the overrun.
- (2) Contract No. 6527 for stream bed protection work on the Columbia River Bridge at Astoria for an increase of \$203,959 (47%). Continuing studies indicate that original estimated quantities of riprap to prevent stream bed erosion were inadequate and must be increased approximately 47%.

Emergency Relief projects on the County Federal-aid Secondary System were presented by the Deputy Engineer. These projects, he said, have been investigated and are eligible for reconstruction with Emergency Relief Funds. The Commission approved the following projects and authorized the Secretary to sign agreements when prepared.

EMERGENCY RELIEF FUNDS  
1964-1965 FLOOD DAMAGE TO COUNTY FAS ROUTES  
Fifth Submission

County	FAS	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Deschutes	855 (ERFO funds) 906	\$ -- 3,000	\$ -- 3,000	\$ 3,500 9,000	\$ 3,500 15,000
Douglas	253 (ERFO funds) 241, 253	-- 800	-- 800	90,000 2,400	90,000 4,000
Gilliam	921	900	900	2,700	4,500
Klamath	417, 429, 432, 842, 852	3,260	3,260	9,780	16,300
Lincoln	585	400	400	1,200	2,000

(Fifth Submission continued on following page)

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(Fifth Submission - Cont.)

County	FAS	20% State Funds	20% County Funds	60% Federal Funds	100% Total
Malheur	525, 537, 589, 825	\$ 3,560	\$ 3,560	\$ 10,680	\$ 17,800
Union	479, 481	2,400	2,400	7,200	12,000
TOTAL, FIFTH SUBMISSION.....		\$14,320	\$14,320	\$136,460	\$165,100

Recapitulation	20% State Funds	20% County Funds	60% Federal Funds	TOTAL
Total, First Submission	\$ 92,340	\$ 92,340	\$ 277,020	\$ 461,700
Total, Second Submission	210,960	210,960	632,880	1,054,800
Total, Third Submission	308,978	308,978	926,934	1,544,890
Total, Fourth Submission	284,640	284,640	916,920	1,486,200
Total, Fifth Submission	14,320	14,320	136,460	165,100
Sub-total to date.....	\$911,238	\$911,238	\$2,890,214	\$4,712,690
Less projects deleted by Bureau of Public Roads	19,434	19,434	58,302	97,170
TOTAL TO DATE	\$891,804	\$891,804	\$2,831,912	\$4,615,520

Requests from Wallowa and Washington Counties for 1966 and 1967 Federal-aid Secondary projects were considered. These projects, the Deputy Engineer stated, have been investigated and are eligible for construction with FAS Funds. The Commission approved the following projects and authorized the Secretary to sign agreements when prepared.

County	FAS	Section and Description	Programmed Amount	FAS Funds
Washington	923	Balm Grove Bridge Grade, surface & structure	\$ 90,000	1966
Wallowa	489	Whiskey Creek Culvert Concrete box culvert	13,000	1966
TOTAL			\$103,000	

Summary by Fiscal Years	1966	Estimated 1967	Total
Allocated Funds	\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (corrected to date)	2,970,000	--	2,970,000
Unprogrammed Balance	982,000	3,952,000	4,934,000
Projects Proposed 7/13/65	103,000	--	103,000

Unprogrammed Balance	\$ 879,000	\$3,952,000	\$4,831,000
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The Deputy Engineer reported that Contract Nos. 5999, 6319, 6347, 6372, 6393, 6471, 6483, 6491, 6503, 6512, 6524, 6536, 6539, 6552, 6555 and 6558 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance by the Commission, or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 142," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Establishment of a state route number on the Lakeview-Nevada Line Section of the Winnemucca-to-the-Sea route was recommended by the Deputy Engineer. The Commission approved the establishment of route ORE140, officially described as follows:

ORE140

Over the Fremont Highway (common with US395) from its junction with the Klamath Falls-Lakeview Highway, ORE66, northerly to the junction with the Warner Highway; thence southeasterly over the Warner Highway via Adel to the Nevada state line.

Two requests for increases of time within which to complete highway contracts were presented by the Deputy Engineer. He outlined briefly the pertinent facts relating to each contract and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) N. A. Toole Construction Company, Contract No. 6564, for rock production on the Old Oregon Trail and Olds Ferry-Ontario Highways in Malheur County, requested an extension of the specified completion date from July 15, 1965, to September 15, 1965. The Commission approved the extension of time as requested without assessment of liquidated damages.
- (2) Peter Kiewit Sons' Company, Contract No. 6354, for construction of the West Marquam Interchange on the Pacific Highway, Multnomah County, requested that the specified completion date of April 30, 1965, for Unit D be advanced to March 1, 1966. The Commission approved an extension of time on Unit D to November 30, 1965, without assessment of liquidated damages. Approval of the Bureau of Public Roads has been secured.

The Commission reappointed Mr. C. H. Maison as Controller for a four year term beginning July 22, 1965, and thereupon adopted "Appointment Resolution No. 10c," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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A resolution was presented by the Deputy Engineer rescinding "Speed Zone Resolution Nos. 121, 225 and 280" and establishing a 45 MPH speed zone between the south city limits of Warrenton (M. P. 10.09) and a point 0.28 mile north of Moore Road (M. P. 10.92) in Clatsop County. A 20 MPH school zone is included between M. P. 10.09 and M. P. 10.11. The Commission approved the speed zone revisions as presented and thereupon adopted "Speed Zone Resolution No. 491," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An abandonment agreement with Columbia County was presented concerning the Palm Hill Detour on the Westport-Clatskanie Section of the Columbia River Highway in Columbia County. The Deputy Engineer explained that the agreement provides among other things that the detour be eliminated as a portion of the Columbia River Highway and that jurisdiction over it be vested in Columbia County upon adoption of an appropriate resolution by the Commission. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission at this time considered an abandonment resolution concerning the Palm Hill Detour on the Westport-Clatskanie Section of the Columbia River Highway in Columbia County. The Deputy Engineer commented that the resolution puts into effect the provisions contained in the abandonment agreement considered just prior to this item. The Commission accepted his recommendation for approval of the resolution and thereupon adopted "Abandonment and Retention Resolution No. 432," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Also considered was an abandonment resolution providing for disposition of old sections of the Westport-Clatskanie Section of the Columbia River Highway in Clatsop County. This resolution, the Deputy Engineer explained, carries out the provisions of an abandonment agreement with the county previously approved by the Commission on April 13, 1962. It was his recommendation that the resolution be approved. The Commission accepted his recommendation and thereupon adopted "Abandonment and Retention Resolution No. 397," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Deputy Engineer also presented an abandonment resolution for disposition of old segments of the Westport-Clatskanie Section of the Columbia River Highway in Columbia County. He commented that provisions in the resolution put into effect the terms of an agreement with Columbia County approved by the Commission on April 13, 1962. Following his favorable recommendation, the Commission adopted "Abandonment and Retention Resolution No. 398," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered an abandonment agreement with Curry County on the Brush Creek-Wedderburn Section of the Oregon Coast Highway in Curry County. The Deputy Engineer commented that the agreement provides that upon completion of the new section, and after adoption of an appropriate resolution by the Commission, that approximately 12.6 miles of the old highway be relinquished to Curry County; approximately 1.6 miles to the County for maintenance only; and approximately 2.0 miles of old alignment is to be abandoned.

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to the abutting property owners. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it for them.

At this time the Commission also considered an abandonment resolution pertaining to disposition of old sections of the Brush Creek-Wedderburn Section of the Oregon Coast Highway in Curry County. The Deputy Engineer explained that this resolution carries out the provisions of the agreement considered immediately prior to this item. Following his favorable recommendation, the Commission approved "Abandonment and Retention Resolution No. 433," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution abandoning portions of the Siletz-Toledo Section of the Siletz Highway in Lincoln County was presented by the Deputy Engineer. The provisions of the resolution, he said, carry out the terms of an agreement entered into with Lincoln County on August 9, 1962, which provided for relinquishment of approximately 3.8 miles of old right of way to Lincoln County, and that Lincoln County assume maintenance only on a section of approximately 0.2 mile of old alignment. Following his favorable recommendation, the Commission adopted "Abandonment and Retention Resolution No. 402," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a resolution presented by the Deputy Engineer abandoning portions of the old alignment of the John Day River-Ochoco Junction Section of the John Day Highway in Grant County. The resolution provides for the abandonment to the abutting property owners of five units of old alignment consisting of approximately 1.1 miles. The Commission accepted his recommendation for approval and thereupon adopted "Abandonment and Retention Resolution No. 431," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The establishment of a time limit for parking of vehicles on the Oregon Coast Highway at the northerly end of the Coos Bay Bridge in Coos County was brought up by the Deputy Engineer. He explained that the parking area is being used by workers who park their cars for the day and take other transportation to employment in the woods. The local Chamber of Commerce would like to have this parking space for tourist use. He recommended that a one-hour parking limit be established on the east side of the highway from a point 115 feet north of the north end of the Coos Bay Bridge to the north end of the Coos Bay Bridge, and on the west side between a point 415 feet north of the north end of the Coos Bay Bridge and the north end of the Coos Bay Bridge. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 254," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to an agreement with the City of Hermiston for installation of a traffic signal at First Street (Old Oregon Trail) and Main Street (Hermiston Highway) and at First Street and Gladys Avenue. The Deputy Engineer stated that an investigation has been made and installation of the signals is warranted. He recommended approval of the installation on the basis of the usual cooperative arrangement in which the State and the

City share equally in the cost of installation, and the City provides for all maintenance and power costs. He estimated the cost of installation at \$14,500 to be taken from Minor Betterment Funds. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with the City of Ashland for the installation of traffic signals at the intersection of North Main (Rogue Valley Highway) and Laurel Streets. The Deputy Engineer commented that an investigation indicated that signals are warranted and he recommended that the State install semi-actuated traffic signals with the understanding that the City is to pay one-half the cost of installation and provide for all maintenance and power needs. He estimated the cost of installation at \$8,000 from Minor Betterment Funds. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

Confirmation of verbal approval given by Chairman Jackson for the revision of traffic channelization and traffic signals on the Tualatin Valley Highway between N. W. Tualaway Avenue and S. W. 117th Avenue in Beaverton was requested by the Deputy Engineer. He pointed out that in addition to performing some channelization work the project requires installation of a traffic-actuated signal to replace the present fixed-time signal at N. W. Hocken Street. He estimated the cost of the signal project at \$13,000 and stated that the City of Beaverton has agreed to pay one-half of this cost. The balance of the work at an estimated cost of \$8,000 will be covered by State Minor Betterment Funds. The Commission confirmed the project and authorized the Secretary to sign in their behalf the agreement pertaining to the project.

Consideration was given to the installation of traffic signals at the intersection of S. W. 4th Avenue (Olds Ferry-Ontario Highway) and S. W. 4th Street in the City of Ontario. The Deputy Engineer commented that traffic conditions are such that installation is warranted and he recommended that the signals be installed at an estimated cost of \$7,500. The City has already deposited its fifty percent share in the amount of \$3,750. Also the City has signed an agreement in which they agree to assume all maintenance and power costs. The Commission approved the project and authorized the Secretary to sign the agreement for them.

Chairman Jackson inquired as to the status of the proposed construction of a new bridge across the Snake River at Ontario. The Deputy Engineer replied that the State of Oregon is working on the project and that plans will be completed in about two months. The State of Idaho, however, is not yet ready to assume their share of the project although he said that he had heard they might be in about 12 months.

Confirmation was requested by the Deputy Engineer for verbal approval given by Chairman Jackson and Commissioner Fridley on June 24, for the acquisition of 1,498 acres of land from the Bureau of Land Management. Agreement has been reached with the BLM to transfer this property located near the old Camp Abbot area near Lapine to the State for the sum of \$3,745 for park purposes. The Commission confirmed the action.

Attention was given to a cooperative finance-construction agreement with the City of Florence for installation of a storm sewer on the Oregon Coast Highway in the City of Florence. Under the terms of the agreement, the Deputy Engineer commented, the State will finance and install a stipulated amount of concrete pipe, precast manholes and catch basins, and upon completion of the project will maintain that portion within the State's right-of-way. The City is to install and maintain at its sole expense work required on the project outside of the State's right-of-way. He estimated the cost to the State at \$3,500 and recommended approval. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a throughway agreement with the Washington County Board of Commissioners pertaining to the Sunset Highway-Pacific Highway Section of the Beaverton-Tigard Highway, Washington County. This agreement, the Deputy Engineer commented, provides for construction of the throughway and its interchanges, reconstruction of frontage roads or streets, street or road closures, parking restrictions, utility relocation and other matters. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to a throughway agreement with the City of Beaverton pertaining to the Sunset Highway-Pacific Highway Section, including the Beaverton Unit, of the Beaverton-Tigard Highway in Washington County. The Deputy Engineer remarked that the agreement provides for construction of interchanges, reconstruction of roads or streets, street closures, parking restrictions, utility relocation, and other pertinent matters. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission approved the minutes of the meeting held on June 1, 1965.

The date for the next regular meeting was set for August 24, 1965, (later changed to August 23) in Room 419 of the State Highway Building in Salem. A tentative date for the following meeting was set for September 28, 1965.

The Deputy Engineer presented for confirmation bids received by the Commission June 8, and on which telephonic approval for award had been given by the Commission on June 10. The Commission confirmed the award of contracts and authorized the Secretary to sign contracts as follows:

BIDS RECEIVED IN SALEM JUNE 8, 1965

AWARDS MADE JUNE 10, 1965

"Paving on the Lava River Caves-Sugar Pine Butte Road Section of The Dalles-California Highway, south of Bend, in Deschutes County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Company, McMinnville, at \$214,544.00.

"Stone shoulders and paving on the Reedsport-Koepe Slough Section of the Umpqua Highway, near Reedsport, in Douglas County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Company, McMinnville, at \$86,419.00.

"Grade and pave on the Elkton Tunnel-Jack Creek Section of the Umpqua Highway, east of Elkton, in Douglas County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, at \$218,868.20.

"Slide correction on the Whiskey Creek Slide Section of the Mt. Hood Highway, south of Hood River, in Hood River County. FAP No. ER-198(1). Four bids were received. The Commission awarded the contract to the low bidder, Rogers Construction, Inc., Portland, at \$411,746.00.

"Grade and pave on the Odell Maintenance Station-Odell Butte Section of the Willamette Highway, southeasterly of Oakridge, in Klamath County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Rogers Construction, Inc., Portland, at \$277,645.00.

"Grade and pave on the Lakeview-Crane Creek Road Section of the Fremont Highway, south of Lakeview, in Lake County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Percy E. Jellum Contractor, Inc., Pendleton, at \$157,357.50.

"Subseal and pave on the Southern Pacific Railroad Overcrossing-South City Limits Section of the Albany-Junction City Highway in Albany, Linn County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, at \$76,724.10.

"Grade and pave on the Jack Creek-Owyhee River Section of the I.O.N. Highway, west of Jordan Valley, in Malheur County. FAP Project No. FLH 3(18). Eleven bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$703,937.00.

"Grade, pave and sign on the Lancaster Drive-Gaffin Road Section of the North Santiam Highway, east of Salem, in Marion County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Salem Road & Driveway Company, Salem, at \$110,080.00.

"Subsealing and paving on the Southern Pacific Railroad Undercrossing-Hollywood (Salem) Section of the Pacific Highway East in Salem, Marion County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Salem Road & Driveway Company, Salem, at \$28,451.00.

"Grade and pave on the Columbia Boulevard-Swift-Union Interchange Section of the Swift Highway in North Portland, Multnomah County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Warren Northwest, A Div. of Warren Bros. Company, Portland, at \$50,983.50.

"Paving on the Division I Paving Project on five state highways in Portland, Multnomah and Washington Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, K. F. Jacobsen & Company, Inc., and Cascade Construction Company, Portland, at \$158,177.00.

"Grade and pave on the Strassel Undercrossing-Buxton Junction Section of the Sunset Highway, west of Portland, in Washington County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Warren Northwest, A Division of Warren Bros. Company, Portland, at \$299,800.40.

"Stone surfacing on the Morrow County Line-Spray Junction Section of the Heppner-Spray Highway, east of Spray in Wheeler County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Clarence Braden Construction Company, Walla Walla, Washington, at \$64,750.00.

"Intermittent grading on the Summer Lake-Valley Falls Section of the Fremont Highway, northwesterly of Lakeview, in Lake County. FAP No. ER153(1). Five bids were received. The Commission awarded the contract to the low bidder, Bud Stump, Klamath Falls, at \$22,887.20.

"Intermittent grading on the Warner Summit-Greaser Reservoir Section of the Warner Highway, north of Lakeview, in Lake County. FAP No. ER154(1). Five bids were received. The Commission awarded the contract to the low bidder, Washington Construction Company, Sheridan, at \$31,435.12.

"Intermittent grading on the Tombstone-Summit-Sisters Section of the Santiam and Clear Lake-Belknap Springs Highway, east of Salem, in Linn, Jefferson and Deschutes Counties. FAP No. ERFO 127(2) and ERFO 148(2). Four bids were received. The Commission awarded the contract to the second low bidder, Babler Bros., Inc., Portland, at \$44,380.00. The low bidder, Washington Construction Company, stated they would accept only one contract at this letting.

"Olene-Bly Section of the Klamath Falls-Lakeview Highway, east of Klamath Falls, in Klamath County. State Project. One bid was received. The Commission rejected the only bid as being too high.

Also presented for confirmation by the Deputy Engineer was a tabulation of bids received June 29, and on which telephonic approval for award had been given by the Commission on July 6. The Commission confirmed award of the following contracts and authorized the Secretary to sign the contracts in their behalf.

#### BIDS RECEIVED IN SALEM JUNE 29, 1965

#### AWARDS MADE JULY 6, 1965

"Bridge over Clear Creek on the Fairgrounds Road, north of the City of Halfway, in Baker County. Four bids were received. This is a County Project and bids were received in behalf of Baker County. All bids received were referred to the Baker County Court for their action.

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"Structure and grading on the Reiersen Bridge Section of the Lower Nehalem River Road, south of the community of Elsie, in Clatsop County. Federal-aid Secondary Highway Project No. S-534(1). Four bids were received. The Commission elected to accept the low bid of Cumming & Webber, Inc., Portland, in the sum of \$203,000.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Clatsop County is received and the sum of \$45,700.00 is deposited by the County.

"Lone Pine Bridge on the Lee-McKinley Road, east of Coquille, in Coos County. Federal-aid Secondary Highway Project No. S-524(2). Four bids were received. The Commission elected to accept the low bid of Baughman & Son, Inc., Coos Bay, in the sum of \$67,980.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Coos County is received and the sum of \$15,300.00 is deposited by the County.

"Clean and paint all structural steel below deck on the McCullough Bridge-Coos Bay maintenance painting in Coos County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Tri-State Painting Company, Portland, at \$132,000.00.

"Grading and oiling on the Stearns Ranch-Swartz Canyon Road Section of the Crooked River Highway, south of Prineville, in Crook County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Don Greene Construction, Inc., Salem, at \$125,184.20.

"Oiling on the Deschutes County Roads Section of 10 FAS Routes in Deschutes County. FAP Nos. S-416(2), S-535(1), S-536(1), S-537(1), S-538(1), S-539(1), S-540(1), S-541(1), S-542(1) and S-543(1). Two bids were received. The Commission elected to accept the low bid of Horton Construction Company, Portland, in the sum of \$62,903.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Deschutes County is received and the sum of \$14,300.00 is deposited by the County.

"Handrail replacement on the Winchester, Shady and Booth Ranch Bridges of the Pacific Highway, near Roseburg, in Douglas County. Federal-aid Interstate Project Nos. I-5-2(45)113 and I-5-3(65)121. Three bids were received. The Commission rejected all bids as being too high.

"South Fork John Day River Bridges in Grant County. Two bridges on the South Fork John Day River Road, south of the City of Dayville. Five bids were received. Federal-aid Project No. ER-119(1). The Commission elected to accept the low bid of R. L. Coats, Bend, in the sum of \$134,070.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Grant County is received and the sum of \$30,100.00 is deposited by the County.

"Grading and paving on the Polallie Creek-Yellow Jacket Creek Section of the Mt. Hood Highway, south of Hood River, in Hood River County. FAP No. ERFO-198(2). Six bids were received. The Commission awarded the contract to the low bidder, Rogers Construction, Inc., Portland, at \$463,881.90.

"Paving on the Cascade Locks (Forest Lane Road) Section on a city street in Hood River County. State Project. Three bids were received. The

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Commission awarded the contract to the low bidder, Oregon Asphaltic Paving Company, Portland, at \$12,882.50.

"Siskiyou Safety Rest Area on the South Ashland Interchange-Wall Creek Section of the Pacific Highway, south of Ashland, in Jackson County. Federal-aid Highway Project No. I-5-1(59)12. One bid was received. The Commission awarded the contract to the only bidder, Batzer Construction Company, Medford, at \$52,532.05.

"Paving on the Reese Creek Summit-McNeil Creek Section of FAS 287, northeasterly of Medford, in Jackson County. FAP No. S-41(5). Two bids were received. The Commission elected to accept the low bid of Rogue River Paving Company, Inc., Medford, in the sum of \$102,292.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Jackson County is received and the sum of \$23,100.00 is deposited by the County.

"Grading and paving on the Rogue River (2nd and Broadway Streets) Section on a city street in Jackson County. State Project. Two bids were received. The Commission rejected all bids as being too high.

"Antelope Creek Bridge on the Yankee Creek Road, southeast of the City of Eagle Point, in Jackson County. Five bids were received. This is a County Project and bids were received in behalf of Jackson County. All bids received were referred to the Jackson County Court for their action.

"Yankee Creek Bridge on the Yankee Creek Road, southeast of the City of Eagle Point, in Jackson County. This project was withdrawn from the letting.

"Grading, paving, structures and signing on the Grave Creek Section of the Pacific Highway, north of Grants Pass, in Josephine County. Federal-aid Interstate Highway Project No. I-5-2(48)72. Four bids were received. The Commission elected to accept the low bid of C. R. O'Neil and Hannan Bros., Co., Creswell, in the sum of \$1,670,635.30 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

"Saginaw Bridge over the Coast Fork Willamette River on the Saginaw-East Road, north of Cottage Grove, in Lane County. Federal-aid Secondary Highway Project No. S-544(1). Seven bids were received. The Commission elected to accept the low bid of Hamilton Construction Company, Eugene, in the sum of \$135,623.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and the sum of \$30,500.00 is deposited by the County and construction finance agreement is signed by the County.

"Paving on the Oakridge (Hills, Beach and 1st Streets) Section on city streets in Lane County. State Project. Three bids were received. The Commission elected to accept the low bid of Wildish Construction Company, Eugene, in the sum of \$19,482.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Oakridge is received and the sum of \$3,998.50 is deposited by the City.

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"Carl G. Washburne State Park, north of Florence, on the Oregon Coast Highway in Lane County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Berry Creek Construction Company, Florence, at \$137,943.12.

"Lakeview Rock Production Project on the Fremont Highway near Lakeview, in Lake County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Jed Wilson and Son, Lapine, at \$36,000.00.

"Grading and paving on the Siletz Slide Correction Section of the Siletz Highway, near Siletz, in Lincoln County. FAP No. ER-152(1). Two bids were received. The Commission awarded the contract to the low bidder, George A. Moore and Associates, Inc., Portland, at \$98,595.00.

"Clean and paint all structural steel on the Yaquina Bay Bridge at Newport, in Lincoln County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, A. H. Barbour & Son, Inc., Portland, at \$201,000.00.

"Boiler Bay and Rocky Creek Waysides in Lincoln County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Ross Bros. Construction, Inc., Salem, at \$56,136.00.

"Grading and paving on the Harrisburg (O'Hara Avenue) Section on a city street in Linn County. State Project. One bid was received. The Commission elected to accept the low bid of Morse Bros., Inc., Lebanon, in the sum of \$19,431.60 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Harrisburg is received and the sum of \$2,507.42 is deposited by the City.

"Traffic signal installation at the intersection of S. W. 4th Avenue with S. W. 4th Street in Ontario, Malheur County. State Project. Two bids were received. The Commission elected to accept the low bid of Trowbridge Electric Company, Roseburg, in the sum of \$6,473.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Ontario is received and the sum of \$3,641.06 is deposited by the City.

"Paving on the Nyssa (King Avenue) Section on a city street in Malheur County. State Project. One bid was received. The Commission rejected the only bid as being too high.

"Roadside improvement on the S. W. Broadway-Ross Island Bridge Section of the Stadium and Pacific Highways in Portland, Multnomah County. Federal-aid Highway Project Nos. I-405-8(11)301 and I-5-6(60)301. Four bids were received. The Commission awarded the contract to the low bidder, Jansen's Landscaping Company, Everson, Washington, at \$200,367.50.

"Traffic signal installation at the intersection of S. E. Powell Boulevard and S. E. 86th Avenue, near the east city limits of Portland, in Multnomah County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, W. R. Grasle Company, Portland, at \$5,720.00.

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"Grading and paving on the Orchard Heights Road-Edgewater Street Section of the Salem-Dayton Highway in West Salem, Polk County. FAP No. S-SU-252(3). This is a "Joint City-State Project," undertaken jointly in the name of the State of Oregon, by and through its State Highway Commission, and the City of Salem, a municipal corporation. Two bids were received. The Commission referred all bids to the Engineer with authority to award the contract to the low bidder when certain conditions have been fulfilled.

"Gold Creek Bridge over South Yamhill River on Gold Creek Road, south of Willamina, in Polk County. Seven bids were received. This is a County Project and bids were received in behalf of Polk County. All bids received were referred to the Polk County Court for their action.

"Traffic signal installation at the intersections of North First Street with Main Street and North First Street with Gladys Avenue in the City of Hermiston, Umatilla County. State Project. Three bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, in the sum of \$12,250.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Hermiston is received and the sum of \$6,125.00 is deposited by the City.

"Guardrail on the Thirtymile Creek-Dyer Creek and Hilgard-Lower Perry Sections of the John Day and Old Oregon Trail Highways in Union County. FAP Nos. ER-129(1) and ER-191(1). Two bids were received. The Commission awarded the contract to the low bidder, McWaters Construction Company, Boise, Idaho, at \$12,970.00.

"Grading, paving and signing on the Southern Pacific Railroad Overcrossing-Pacific Highway West Section of the Beaverton-Tigard Highway, near Beaverton, in Washington County. FAP No. SU-466(4). Five bids were received. The Commission referred all bids to the Engineer with authority to award the contract to the low bidder when certain conditions have been fulfilled.

"Grading and paving on the 12th Street-Allen Avenue Section of the Beaverton-Tualatin Highway in Beaverton, Washington County. State Project. This project was withdrawn from the letting.

"Grading and paving on the Main Street-Grant Street (Enterprise) Section of the Wallowa Lake Highway in Wallowa County. State Project. No bids were received for this project.

"Spruce Street Bridge over the Grande Ronde River in La Grande, Union County. Federal-aid Highway Project No. ER-157(3). Five bids were received. The Commission elected to accept the low bid of Bechtel Bros., La Grande, in the sum of \$135,885.40 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Union County is received and the sum of \$30,600.00 is deposited by the County.

"Olene-Bly Section of the Klamath Falls-Lakeview Highway, east of Klamath Falls in Klamath County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Jed Wilson and Son, Lapine, at \$47,380.00.

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The Deputy Engineer reported that awards of contracts have been made which had been referred to the Engineer by the Commission to award when certain conditions had been fulfilled. These conditions have been satisfied. The Commission confirmed award of contracts as follows and authorized the Secretary to sign them in their behalf.

- (1) Grading and paving on the Foster-Ram Creek Section of the Santiam Highway in Linn County. Bids received May 18, 1965. Contract No. 6605 awarded June 4, 1965, to Roy Norquist, Sweet Home, low bidder.
- (2) Two box culverts on Butte Falls-Prospect County Road in Jackson County. Bids received May 18, 1965. Contract No. 6623 awarded June 16, 1965, to Ausland Construction Company, Grants Pass, low bidder.
- (3) Oiling Deschutes County Road Section of 10 FAS Routes. Bids received June 29, 1965. Contract No. 6626 awarded July 6, 1965, to Horton Construction Company, Portland, low bidder.
- (4) Grading and paving on Harrisburg (O'Hara Ave.) Section in Linn County. Bids received June 29, 1965. Contract No. 6639 awarded July 7, 1965, to Morse Bros., Inc., Lebanon, low bidder.
- (5) Saginaw Bridge over the Coast Fork Willamette River on Saginaw-East Road in Lane County. Bids received June 29, 1965. Contract No. 6640 awarded July 7, 1965, to Hamilton Construction Company, Eugene, low bidder.
- (6) Structure and grading the Relerson Bridge Section on the Lower Nehalem River Road in Clatsop County. Bids received June 29, 1965. Contract No. 6641 awarded July 9, 1965, to Cumming and Webber, Inc., Portland, low bidder.
- (7) Paving Hills, Beach, and First Streets in Oakridge in Lane County. Bids received June 29, 1965. Contract No. 6642 awarded July 9, 1965, to Wildish Construction Company, Eugene, low bidder.
- (8) Grading, paving, structures and signing on Grave Creek Section of Pacific Highway in Josephine County. Bids received June 29, 1965. Contract No. 6643 awarded July 9, 1965, to C. R. O'Neil and Hannan Bros. Company, Creswell, low bidder.

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- (9) Paving the Reese Creek Summit-McNeil Creek Section of FAS 287 in Jackson County. Bids received June 29, 1965. Contract No. 6644 awarded July 12, 1965, to Rogue River Paving Company, Inc., Medford, low bidder.

Consideration was given to a throughway agreement with the Multnomah County Board of Commissioners pertaining to the Highlands Interchange-Stadium Freeway Section of the Sunset Highway in Multnomah County. This agreement, the Deputy Engineer remarked, provides for construction of the throughway, reconstruction of county roads or streets, street closures, utility relocation, and other pertinent items. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A supplemental throughway agreement with Josephine County pertaining to the Douglas County Line-Jumpoff Joe Creek Section of the Pacific Highway in Josephine County was considered. The Deputy Engineer remarked that the agreement provides for street closures that were omitted in the original agreement of May 28, 1964. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered a cooperative construction-finance agreement with the City of Beaverton concerning the S. W. 12th Street-S. E. Allen Avenue Section of the Beaverton-Tualatin Highway No. 141 in Beaverton. This project provides that the State pay 75 percent of the cost of the project with the City of Beaverton to pay 25 percent, and in addition acquire necessary right-of-way at its expense and without State participation. The Deputy Engineer estimated the cost of the project at \$45,300 and recommended that it be approved. The Commission approved the project and authorized the Secretary to sign it for them.

The study entitled "Tourism Development Program for Clatsop County - A Pilot Study" prepared by EBS Management Consultants Incorporated, was presented by the Deputy Engineer. The study has been completed and he recommended that it be accepted, and that the Commission authorize final payment of \$2,500 out of the original sum of \$7,500 as provided under the terms of an agreement dated November 24, 1964. The Commission accepted the report and authorized final payment.

The matter of subscribing to the Highway Research Board for an annual assessment to support the Highway Research Correlation Services was presented by the Deputy Engineer. He explained that under this procedure, the Research Board collects information concerning research work related to highways or highway transportation. The findings are published in the form of reports and are distributed to the various states who are subscribers. These reports are the only practical means by which Highway Department staffs can be kept abreast of current and new developments. He recommended that the Commission approve payment of Oregon's share in the amount of \$10,813 for the fiscal year beginning July 1, 1965. He also commented that the expenditure is eligible for Federal-aid reimbursement as an HPS project and is approved in the budget. The Commission approved payment as recommended.

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Confirmation was requested by the Deputy Engineer for verbal approval given by the Chairman on June 10 on an agreement with the City of Boardman covering construction of a detour at City expense. The detour is to carry Columbia River Highway traffic around city construction activity. The Commission confirmed the agreement and also confirmed authority for the Secretary to sign it.

An agreement with the Rogue River Valley Irrigation District for reconstruction of a siphon was presented by the Deputy Engineer. The siphon was originally constructed in connection with a highway construction project on the Crater Lake Highway between Camp White and Medford in Jackson County. The siphon is not functioning properly and the agreement provides that it be repaired at an estimated cost of \$1,400 as a part of the highway project between Camp White and Medford to be contracted probably in August, 1965. The Commission approved the agreement and authorized the Secretary to sign it for them.

A resolution providing for distribution to the cities of 10 percent of funds credited to the Highway Fund from January 1 to June 30, 1965, was presented. The Deputy Engineer commented that the distribution of the funds is as required by law and that this apportionment contains an additional \$1,500,000 authorized by the 1965 Legislature. He recommended that the apportionment be approved. The Commission accepted his recommendation and thereupon adopted "City Allocations of State Gas Tax Funds Resolution No. 41," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Deputy Engineer reported that the bridge across the Skipanon River on the Warrenton-Astoria Highway in Clatsop County must be repaired. As the structure crosses a navigable body of water, it is necessary that application be made to the U. S. Corps of Engineers for repairs which will be performed by a State bridge crew. The Commission granted the Engineer authority to apply to the Corps of Engineers for permission to do this work.

Extension of an agreement between the State Highway Commission and the Oregon State Board of Higher Education (Oregon State University) pertaining to a soil sampling and testing program was presented by the Deputy Engineer. He commented that the work performed under prior agreements has been very helpful in highway construction and he recommended that the agreement be extended for one year from July 1, 1965, to June 30, 1966, at a cost not to exceed \$3,000. Funds for the project will be supplied from the HPS-HPR-1(24) Work Program. The Commission approved the agreement extension and authorized the Secretary to sign it in their behalf.

An agreement with Rogue River Valley Irrigation District, Oregon State Game Commission and the Highway Commission for correction of a malfunctioning fish ladder at Bear Creek Dam in Medford was presented by the Deputy Engineer. He recalled that in April 1961 an agreement had been entered into for relocation and reconstruction of the Irrigation District's facilities in connection with construction of the Seven Oaks-Jackson Street Section of the Pacific Highway in Medford. A change in the fish ladder is

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now recommended by the Game Commission which he estimated would cost approximately \$5,000. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to a request from the City of Salem for consent of the Highway Commission to annex into the City a parcel of land in the East Gate Park Addition in Marion County along the bypass route of the Pacific Highway in the easterly portion of Salem. The Deputy Engineer reported an investigation had been made and he recommended that the Commission approve the consent. The Commission approved the "Consent to Annexation" and authorized the Secretary to sign it for them.

An agreement was presented by the Deputy Engineer between the Washington State Highway Commission and the Oregon State Highway Commission concerning the Portland-Vancouver Metropolitan Transportation Study. The agreement has been approved by the Washington State Highway Commission and he recommended that it be approved by the Oregon State Highway Commission. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Deputy Engineer presented for the Commission's consideration a survey for relocation of the Oregon Coast Highway from the northerly end of the new construction at Neskowin northerly through Pacific City utilizing the route generally referred to as the "Sand Spit Route." The survey was made by the U. S. Bureau of Public Roads and he recalled that three routes had been carefully considered, two of the routes passing to the east of Pacific City. A public hearing was held on February 2, 1965. The Tillamook County Court has indicated that it favors the route along the Sand Spit. Also cost of construction along the "Sand Spit Route" is considerably less than either of the other two routes. It was his opinion that this route would best serve the traveling public and the majority of the residents of Pacific City and he recommended that it be approved. The Commission accepted his recommendation and thereupon adopted "Survey Resolution No. 300," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Chairman inquired as to the status of plans for tourist information centers. Concerning the installation on the Pacific Highway near Ashland the Deputy Engineer stated that a contract was awarded July 6. On the proposed information center in Ontario in Malheur County he stated that the Highway Department owns land which can be used for that purpose. On the Oregon Coast Highway only preliminary plans have been made. The Chairman also inquired as to plans in Portland at the south end of the Interstate Bridge, and on The Dalles-California Highway. The Deputy Engineer replied that there are no plans for the project in Portland, and on The Dalles-California Highway it was his opinion that there is enough traffic from June through September to justify operation of information centers during those months.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Indenture of Access" to the Winns, Webb, Brockman, Ramquist and Price properties on the Athena-Blue Mountain Station Section of the Oregon-Washington Highway in Umatilla County.

"Indenture of Access" to the Central Lincoln Public Utility District property on the Big Creek Section of the Oregon Coast Highway in Lincoln County.

"Indenture of Access" to the H. W. and Ruth Crook property on the Gold Beach Section of the Oregon Coast Highway in Curry County.

"Grant of Access" to the John D. and Rena Boito property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Grant of Access" to the Selmar A. and Wilma F. Hutchins property on the Calapooya Creek-Sutherlin Section of the Elkton-Sutherlin Highway in Douglas County.

"Grant of Access" to the Arnold and Anna Marie Leppin property on the Goble-St. Helens Section of the Lower Columbia River Highway in Columbia County.

"Relinquishment of Title" to Lane County covering land on the Pleasant Hill-Lost Creek Section of the Willamette Highway in Lane County.

"Indenture of Access" to the Marie C. Andrieu property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Bargain and Sale Deed" to Gordon L. and Evelyn C. Selby for a parcel of land on the Bonneville Station-Patterson Avenue Section of the Willamina-Salem Highway in Polk County.

"Bargain and Sale Deed" to Richard O. and Betty I. Sandstrom and Robert A. and Helen V. Sandstrom for a parcel of land on the Clatskanie-Delena Section of the Columbia River Highway in Columbia County.

"Lease and Sale of Road Materials Agreement" with Keith Hockman covering property on the Wasco-Moro Section of the Sherman Highway in Sherman County.

"Lease and Sale of Road Materials Agreement" with Fred S. and Emma Bubb covering property on the Durkee-Nelson Section of the Old Oregon Trail Highway in Baker County.

"Grant of Easements and Bargain and Sale Deed" to Medford Irrigation District granting easements transferring our title and interest to certain properties on the Seven Oaks-Ashland Section of the Pacific Highway in Jackson County to the Medford Irrigation District.

"Supplemental Agreement No. 1" with the U. S. Department of Army covering use of a certain land area with in the Coquille River, North Jetty Wharf Site.

"Supplemental Agreement No. 2" with the U. S. Department of Army covering use of an area within the Fern Ridge Reservoir Project in Lane County for public park and recreational purposes.

"Abandonment Agreement" with Columbia County covering the Palm Hill Detour Road on the Westport-Clatskanie Section of the Columbia River Highway in Columbia County.

"Abandonment Agreement" with Curry County covering the Brush Creek-Wedderburn Section of the Oregon Coast Highway in Curry County.

"Agreement" with the City of Hermiston covering traffic signal installation at First and Main Streets and at First Street and Gladys Avenue.

"Agreement" with the City of Ashland covering traffic signal installation at the intersection of North Main Street and Laurel Street.

"Construction-Finance Agreement" with the City of Beaverton approving traffic channelization revision and signal installation on the Tualatin Valley Highway between N. W. Tualaway Avenue and S. W. 117th Avenue in Beaverton.

"Agreement" with the City of Ontario covering traffic signal installation at the intersection of S. W. Fourth Avenue and S. W. Fourth Street in Ontario.

"Cooperative Construction-Finance Agreement" with the City of Florence for a storm sewer installation on the Oregon Coast Highway in the City of Florence.

"Throughway Agreement" with the City of Beaverton pertaining to the Sunset Highway-Pacific Highway Section, including the Beaverton Unit, of the Beaverton-Tigard Highway in Washington County.

"Throughway Agreement" with Multnomah County pertaining to the Highlands Interchange-Stadium Freeway Section of the Sunset Highway.

"Supplemental Throughway Agreement" with Josephine County pertaining to the Douglas County Line-Jumpoff Joe Creek Section of the Pacific Highway.

"Cooperative Construction-Finance Agreement" with the City of Beaverton for the S. W. 12th Street-S. E. Allen Avenue Section of the Beaverton-Tualatin Highway.

"Agreement" with Rogue River Valley Irrigation District covering the reconstruction of a malfunctioning siphon.

"Consent to Annexation" to the City of Salem of a parcel of land in the East Gate Park Addition, Marion County.

"Throughway Agreement" with Washington County pertaining to the Sunset Highway-Pacific Highway Section of the Beaverton-Tigard Highway in Washington County.

"National Academy of Sciences (Highway Research Board)" covering expenditure of \$10,813 as a subscription fee to Highway Research Board for fiscal year beginning July 1, 1965.

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"Agreement" with Rogue River Valley Irrigation District and Oregon State Game Commission regarding the correction of the malfunctioning fish ladder on the Bear Creek Diversion Weir in the City of Medford.

"Agreement" with the State of Washington concerning the estimated cost of the Portland-Vancouver Metropolitan Transportation Study for the period from July 1, 1965, to June 30, 1966.

"Agreement" with the Board of Higher Education, on behalf of Oregon State University covering extension of an agreement dated June 15, 1964, concerning soil testing samples obtained by the U. S. Conservation Service from July 1, 1965, to June 30, 1966.

The meeting was recessed at 10:30 a.m. and reconvened in the same room at 10:55 a.m.

A delegation representing the Springfield Chamber of Commerce came before the Commission concerning the early widening of Main Street in Springfield. Sen. Stadler introduced the members of the delegation as follows: Leonard Wildish, Chairman of Highways and Road Committee; Harrison Hornish, President of Springfield Chamber of Commerce; Robert Smith, Manager of Chamber; and John Nelson, Editor of Springfield News. Mr. Hornish requested that Main Street be widened from 28th Street to the east city limits a distance of about five miles at an estimated cost of \$1,350,000. He mentioned that the average daily traffic on this section varies from approximately 4,550 at the east city limits to 16,200 at 23rd Street. He urged the improvement on the basis that the City pay 25 percent of the cost and the State 75 percent. The City has the money available for their portion. Mr. Wildish exhibited a map of highways in the area. He commented that in the proposed construction the City will be able to correct a bad drainage problem. City funds for the project are available from a bond issue for drainage purposes. Mr. Hornish urged an early start on the project and that three steps be taken: (1) to adopt the project; (2) to enter into a formal agreement; and (3) scheduling of the work. Chairman Jackson commented that the State has been working on "Q" Street and that the start of work on Main Street will be dependent on the availability of funds. The Commission, he added, will request its staff to review the project and try to set up a schedule as to when the work can be performed.

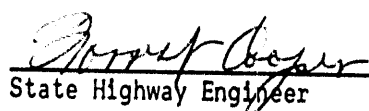
The Hon. E. G. Kyle, Mayor of Tigard; Mr. Fred Anderson, Attorney from Tigard; and Mr. Larry Bissett, Chairman of the Washington County Planning Commission, came before the Commission regarding a grade separation on the Southern Pacific Railroad Overcrossing-Pacific Highway West Section of the Beaverton-Tigard Highway in Washington County. Mayor Kyle introduced the other members of the delegation and stated that the delegation is here to request construction of a grade separation between the Pacific Highway West and S. W. 72nd Avenue in Tigard. Mr. Bissett presented a sketch to the Commission and pointed out that the grade separation is needed to prevent the City from being cutoff. Mr. Anderson commented that the immediate problem appears to be over whether the word "permitted" or "provided" should be used in the agreement. It was his feeling that a grade separation should be

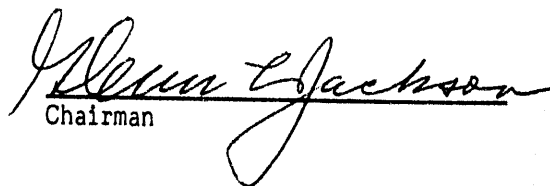
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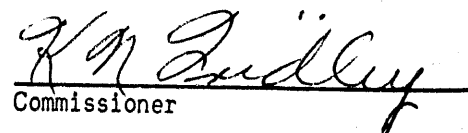
constructed although the project is not a part of the contract on which bids were recently received. The City of Tigard is composed of 2,200 people and is growing rapidly but it is not able, he said, to pay for the grade separation structure. Mayor Kyle observed that recently a building permit had been issued for a warehouse estimated to cost one-half million dollars. Other industries are being located in this area and will be hampered unless a grade separation is constructed.

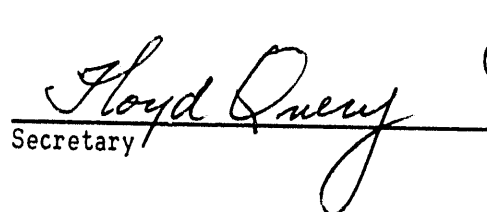
The Chairman commented that cost of the grade separation is estimated at \$180,000 and would be very useful in the future development of the City. One of the Commission's most difficult problems, he said, is to find funds to take care of present critical needs and he mentioned the City of Springfield in which the City had offered to pay 25 percent of the cost. The Commission at times has to make a choice between meritorious present and future needs, and it has been difficult to secure the funds necessary to start construction on the Beaverton-Tigard Highway on which the grade separation has been requested. The Deputy Engineer commented that the grade separation requested by the delegation is not included in the present contract and the only reason for not recommending its construction is lack of funds. It was his hope that this matter could be left open for future consideration as he could not recommend construction now. Mayor Kyle stated the City would be happy to negotiate on the matter in the future. Chairman Jackson advised the group that the Highway staff would work with them on a possible solution prior to letting of the next contract.

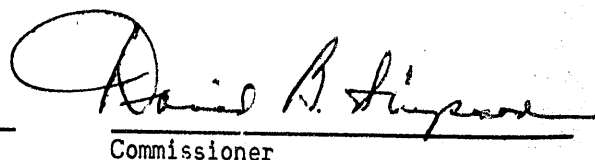
There being no further business to conduct, the Chairman adjourned the meeting at 11:30 a.m.

  
State Highway Engineer

  
Chairman

  
Commissioner

  
Secretary

  
Commissioner

July 13, 1965

Salem, Oregon  
August 23, 1965

The Oregon State Highway Commission met in regular session at 9 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd Shaw, Assistant State Highway Engineer  
Fred B. Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
G. E. Rohde, Chief Counsel  
Frank McKinney, Acting Assistant Counsel  
David H. Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Among others present were A. W. Parsons, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; David Talbot, Parks Superintendent; E. S. Hunter, Maintenance Engineer; Gene Huntley, Personnel Director; Ralph Sipprell, Liaison Engineer; Carl Hobson, Assistant Personnel Director; and Harrison Brown, Assistant Information Officer.

Seven Highway Engineers from Peru in South America were present to observe the Commission meeting. Chairman Jackson welcomed the visitors and offered assistance to them in any way possible.

The Right of Way Engineer presented for consideration options, pages 1 through 57, secured for acquisition of real property needed for state highway use or for other purposes. The prices offered for the properties, he said, are based upon careful appraisals and are in proper order for Federal Aid. To the best of his knowledge, the firm of Norris, Beggs, and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 25," which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report for the period of July 1 to August 16, 1965, covering sales of miscellaneous properties and rental receipts was presented by the Right of Way Engineer. During this period, miscellaneous sales totaled \$2,305; land sales \$10,275; and timber sales \$12,014.90. Rental receipts for July amounted to \$24,611.55. The Commission accepted the report.

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Authority was requested by the Right of Way Engineer to offer at public sale two parcels of excess right of way. The minimum prices for these properties, he said, are based upon appraised values or on offers in excess of appraisals. Access provisions and other conditions are consistent with those existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution No. 439," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 4,100 square feet of land, File No. 26425, located south of the connecting street between S. W. 20th and S. W. 21st Avenues on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Portland, Multnomah County. Minimum sale price is to be not less than \$800, subject to a standard sign restriction clause. No access is to be allowed to the Pacific Highway. Approval of the Bureau of Public Roads was received on October 30, 1963.
- (2) 17.8 acres, File No. 20889, on the west side of the Gervais-Hayesville Unit of the Pacific Highway approximately two miles north of the Brooks Interchange in Marion County, for not less than \$2,200. In addition, the property owner will be required to deposit \$685 for moving the right of way fence. The sale is to be subject to a sign restriction clause and a power-line easement. No access is to be allowed to the Pacific Highway. Approval of the Bureau of Public Roads is not required as the parcel lies outside the right of way line. (See "Real Property Resolution No. 439.")

Direct sale of four parcels of properties no longer required for highway purposes was recommended by the Right of Way Engineer. The Commission authorized direct sale of the following properties and thereupon adopted "Real Property Resolution No. 440," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) Release of a 1,185 square foot slope easement to M. C. Lowenberg, File No. 5972, on the Depoe Bay Section of the Oregon Coast Highway in Lincoln County for the sum of \$1. This easement, 15 feet in width, was taken in 1944 on the west side of the highway approximately 200 feet south of the bridge in Depoe Bay. The owner has filled the road to highway grade and the easement is no longer needed. No Federal Funds were used in this transaction and approval of the Bureau of Public Roads is not required.
- (2) 2.87 acres of the former Cobb property, File No. 745, on the Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County, to Lincoln County, for the sum of \$1. The Right of Way Engineer explained that the property was purchased in 1932 for

a line change which was never constructed. The deed is to contain a provision that the property is to be used for road purposes only.

- (3) 1.0 acre of the former Siddall property, File No. 10185, on the Ritner Creek-Benton County Line Section of the Kings Valley Highway in Polk County, about three miles north of the community of Kings Valley to L. J. Stubkjaer for the sum of \$500. The State is to retain 50 feet of right of way along the westerly side of the highway centerline. Portions of the property were recently conveyed to the State by the Valley and Siletz Railroad Company under File No. 37486. Approval of the Bureau of Public Roads is not required as no Federal Funds were used in this transaction.
- (4) 3.04 acres, File No. 23064, adjacent to the Nevada Avenue Interchange on the west side of the Klamath Falls West Side Bypass Section of The Dalles-California Highway in Klamath County, to the U. S. Forest Service, for the sum of \$4,950. No direct access is to be allowed to the bypass. The sale has been approved by the Bureau of Public Roads. (See "Real Property Resolution No. 440".)

Several "Indentures of Access" were presented by the Right of Way Engineer who commented that the "Indentures" provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures":

- (1) Walker the Weeper, Inc., File No. 19114, on the Medford-Phoenix Section of the Rogue Valley Highway in Jackson County, for a change in location and widening to 40 feet in width of one point of access for commercial use. Approval of the Bureau of Public Roads was received on May 11, 1965.
- (2) Fresh Egg Farms, Inc., File No. 26159, on the Hillsboro-Silverton Highway, approximately two miles south of Newberg, in Yamhill County, for a change in width to 42 feet of one point of access, unrestricted as to use.
- (3) S. J. Agnew Property, File No. 27795, on the east side of the Hooskanaden Creek-Whalehead Creek Unit of the Oregon Coast Highway in Curry County, for a change in location and widening to 35 feet of one point of access for agricultural and timber products and ordinary residential use. Approval of the Bureau of Public Roads was obtained on May 25, 1965.



- (4) Robert C. and Henry C. Martin Property, File No. 26120, on the west side of Seventh Street (one-way couplet section of the Pacific Highway) in Grants Pass, Josephine County, for a change in location and widening to 35 feet of two points of access, unrestricted as to use. Approval of the Bureau of Public Roads was received on July 7, 1965.
- (5) Bertha E. Wallis Property, File No. 19260, on the southerly side of the County Farm-Ashland Section of the Rogue Valley Highway, north of Ashland, in Jackson County, for a change in location of one point of access, 35 feet in width, and unrestricted as to use.
- (6) George and Ruth Chadwick Property, File Nos. 36933 and 37023, on the south side of the Willamette River-Orleans Section of the Corvallis-Lebanon Highway, approximately one mile east of Corvallis, Linn County, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads is not required.
- (7) Union High School District No. 1 Property, File No. 25503, on the west side of the Gold Beach-Hunter Creek Unit of the Oregon Coast Highway in Gold Beach, Curry County, for a change in location and widening to 40 feet of one point of access, unrestricted as to use. This was approved by the Bureau of Public Roads on July 29, 1965.
- (8) Nina B. Cahill, C. E. and Lucille Volz Property, File No. 37198, on the north side of the Willamette River-Orleans Section of the Corvallis-Lebanon Highway, three miles east of Corvallis, in Linn County, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads is not required.
- (9) Robert, Verda and Dan Cannon Property, File No. 18029, on the north side of the Jones Ranch-Mitchell Section of the Ochoco Highway, just outside the west city limits of Mitchell in Wheeler County, for a change in location and widening to 50 feet of two points of access, unrestricted as to use. Approval of the Bureau of Public Roads was received on October 28, 1964.

Two "Grants of Access" were recommended by the Right of Way Engineer. The Commission approved the "Grants" as follows:

- (1) Mr. and Mrs. Gerald Saint Property, File No. 14932, to a frontage road which lies westerly from the Bay Park-Delmar Section of the Oregon Coast Highway, two miles south of Coos Bay, in Coos County, for one point of access, 50 feet in width, and unrestricted as to use. This access, the Right of Way Engineer commented, is to provide an access for the Millington Rural Fire Protection District.
- (2) Kaiser Gypsum Company, Inc. Property, File No. 18841, on the south side of the Gnat Creek-Bradley Park Section of the Columbia River Highway, approximately 19 miles east of Astoria, in Clatsop County, for one point of access, 35 feet in width and restricted to rock production and log hauling use.

Relinquishment of Title to a parcel of land containing 0.07 acres, File No. 11176, on the Pelican City-South Sixth Street Section of the Klamath Falls-Malin Highway in Klamath County, was considered. The Right of Way Engineer explained that the property was acquired as a part of an entire taking in 1944 and as it is no longer needed for highway purposes, he recommended that it be relinquished to Klamath County for the sum of \$1 with the restriction that the property be used for public road purposes only. The Commission approved the relinquishment.

Approval of a demolition contract with Colhouer Construction Company for removal of buildings on a one-block area on the Stadium Freeway in Portland, Multnomah County, was requested by the Right of Way Engineer. The buildings are becoming a hazard and the City has asked that they be disposed of as rapidly as possible. Two bids were received for removal of the buildings, the low bid being that of Colhouer Construction Company in the amount of \$4,800. Based upon his favorable recommendation, the Commission accepted the bid of Colhouer Construction Company and authorized the Secretary to sign the contract in behalf of the Commission.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2110 through 2127," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter dated August 20, 1965, entitled "Recommendations for Condemnation," in the Secretary's Office.)



A tabulation was presented by the Chief Counsel showing results obtained in cases tried in Court since the last Commission meeting. The Commission approved the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4775 Etta May Ober Fleming, et al.	Baker	Old Oregon Trail	Oxman-Benson Creek	\$ 50.00	None	\$ 50.00
L-4723 William C. Gary, et al.	Benton	Alsea	Alsea Mountain	9,200.00	\$15,000.00	13,450.00
L-4715 Mabel I. Pullen, et al.	Clackamas	Mt. Hood	Duncan Road-Sandy	375.00	3,500.00	2,100.00
L-4744 Mabel I. Pullen, et al.	Clackamas	Mt. Hood	Duncan Road-Sandy	2,250.00	13,500.00	3,750.00
L-4731 Alfred F. Stojanik, et al.	Clackamas	Mt. Hood	Anderson Road-Duncan Road	275.00	1,007.80	Voluntary Nonsuit
L-4588 Chester F. Ratti, et al.	Douglas	Pacific	Roberts Mt.-Myrtle Creek	8,020.00	22,000.00	17,350.00
L-4479 Claude Miller, et al.	Jackson	Pacific	Siskiyou Summit-Calif. State Line	6,200.00	35,000.00	6,200.00
L-4678 V. S. Oden, et ux.	Josephine	Pacific	Douglas County Line-Coyote Creek	1,150.00	5,500.00	5,500.00
L-4684 Charles Leathers, et ux.	Multnomah	Mt. Hood	Gully Route Connection	200.00	8,400.00	500.00

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(Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4685 Otto Motejl, et al.	Multnomah	Mt. Hood	Gully Route Connection	\$ 1,100.00	\$10,200.00	\$ 1,500.00
L-4609 May F. Seufert, et al.	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	43,000.00	60,000.00	50,500.00
L-4447 United Grocers, Inc., et al.	Multnomah	Pacific	East Bank Freeway	10,650.00	30,000.00	16,500.00

REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4434 Anna Lauricella	L. R. Chandler, Douglas et al.	Douglas	Negligence	\$45,000.00 general damages 350.00 special damages	Settled \$ 1,500.00
L-4435 Larry Lauricella	L. R. Chandler, Douglas et al.	Douglas	Negligence	35,000.00 general damages 200.00 special damages	Dismissed
L-4437 Rex Kimsey	Louis Trigg	Marion	Negligence	1,780.77 damage to vehicle 1,550.00 loss of use of vehicle	Defendant's Verdict
L-4864 State of Oregon	James Roy Neff	Polk	Negligence	40.00 plus reason- able attorney fees	full

August 23, 1965

(For additional details see the Chief Counsel's letter dated August 16 and his supplemental letter dated August 17, 1965, concerning cases tried in the General Files in Salem.)

A tabulation was also presented by the Chief Counsel showing proposed settlements of condemnation cases. He pointed out that these settlements do not represent substantial increases above appraised values or the increases are not sufficient to warrant the cost of trial in Court. All of the proposed settlements have been approved for Federal-aid. The Commission approved the Report of Cases Settled which is summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
R-37756 Oliver E. Glazebrook, et al.	Coos	Coos Bay- Roseburg	Rink Creek- Myrtle Point	\$ 500.00	\$ 750.00
L-4697 Julius B. Schaffer, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	200.00	550.00 (with tank)
(A settlement in the amount of \$450 was approved March 11, 1965. Subsequently a 1000 gallon underground storage tank was found to be within the right of way. The appraisal for this tank is \$100.)					
L-4852 Loy Yokum et al.	Josephine	Pacific	Coyote Creek- Sexton Mt.	75.00	250.00
L-4801 Lloyd A. Romberg, et al.	Lane	McKenzie	Mill Creek- Belknap Springs	11,500.00	12,000.00
L-4853 Mildred Puerner, et vir.	Polk	Salem- Dayton	Orchard Heights Road-Edgewater Street	200.00	200.00
L-4895 L. D. Shilling Co., Inc.	Jackson	Crater Lake	Biddle Road- Camp White	180.00	180.00
L-4602 Colis R. Grems, et al.	Klamath	Klamath Falls- Lakeview	K.I.D. Canal- Madison Street	400.00	2,250.00

(Jury trials for similar properties averaged over 100% above the offers plus attorney's fees.)

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(Report of Condemnation Cases Settled - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4604 L. D. Gass, et al.	Klamath	Klamath Falls- Lakeview	K.I.D. Canal- Madison Street	\$ 125.00	\$ 500.00
(Jury trials for similar properties averaged over 100% above the offers plus attorney's fees.)					
L-4644 Suburban Lumber Co., et al.	Klamath	Klamath Falls- Lakeview	K.I.D. Canal- Madison Street	1,100.00	3,525.00 with owner moving sign
(Jury trials for similar properties averaged over 100% above the offers plus attorney's fees.)					
L-4768 Henry J. Bisio, et al.	Clackamas	Cascade	Lake Road- Oregon City	2,500.00 )	9,250.00
L-4772 Anton Roskoski, Jr. et al.	Clackamas	Cascade	Lake Road- Oregon City	6,000.00 )	
				8,500.00 )	
L-4593 Lorraine Grimes, et al.	Josephine	Pacific	Sexton Mt.- Jumpoff Joe Creek	655.00	850.00
L-4839 Kathie Mae Henderson	Tillamook	Nehalem Bay State Park		675.00	1,200.00
(Previous jury awards on similar properties were as much as 300% above the offer.)					
L-4840 Phyllis D. Henderson	Tillamook	Nehalem Bay State Park		2,400.00 (revised to 2,700.00)	3,600.00
(Previous jury awards on similar properties were as much as 300% above the offer.)					
L-4841 Susan A. Henderson	Tillamook	Nehalem Bay State Park		675.00	1,200.00
(Previous jury awards on similar properties were as much as 300% above the offer.)					
L-4843 Donald Wallace Wood, et ux.	Tillamook	Nehalem Bay State Park		675.00	900.00
(Previous jury awards on similar properties were as much as 300% above the offer.)					

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4651 Rex McBride, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	\$68,350.00	\$69,000.00
L-4762 Alton F. Grabhorn, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	19,650.00	24,000.00

(High appraisal was \$22,150.)

REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
L-4320 Roy L. Houck Sons Corp.	State of Oregon	Marion	Additional compensation under Contract No. 5592	\$44,608.56	\$17,800.00

(\$10,500 of the settlement is for liquidated damages not approved by the Bureau of Public Roads.)

(For additional details see the Chief Counsel's letter dated August 17, 1965, concerning cases settled in the General Files in Salem.)

The Commission confirmed prior telephonic approval of offers for acquisition of real properties prior to the institution of condemnation proceedings as follows:

BIDDLE ROAD-CAMP WHITE SECTION OF THE CRATER LAKE HIGHWAY

R-37606 - L. D. Shilling Company, Inc. 0.06 acre for right of way purposes. Offer of \$180.00 approved by Mr. Jackson July 8, 1965.

R-37616 - Everett Corey, et ux. 0.29 acre for right of way purposes. Offer of \$1,320.00 approved by Mr. Jackson July 7, 1965.

R-37625 - Barton E. Clemens, et al. 0.61 acre for right of way purposes. Offer of \$4,880.00 approved by Mr. Jackson July 21, 1965.

R-37627 - Arvel L. Nash, et ux. 0.07 acre for right of way purposes. Offer of \$2,800.00 approved by Mr. Jackson July 21, 1965.

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BIDDLE ROAD-CAMP WHITE SECTION OF THE CRATER LAKE HIGHWAY - CONT.

R-37628 - Charles Ashpole, et al. Parcel No. 1: 0.65 acre for right of way purposes; Parcel No. 2: 0.48 acre for permanent easement. Offer of \$5,550.00 approved by Mr. Jackson July 15, 1965.

R-37629 - Ernest Gleason, et ux. 1,150 square feet for right of way purposes. Offer of \$590.00 approved by Mr. Jackson July 16, 1965.

BIG LUCKIAMUTE RIVER BRIDGE SECTION OF THE KINGS VALLEY HIGHWAY

R-37637 - Rowland Maxfield, et ux. 0.10 acre for right of way purposes. Offer of \$600.00 approved by Mr. Jackson July 26, 1965.

BLUE RIVER-MILL CREEK SECTION OF THE MCKENZIE HIGHWAY

R-36900 - Cecile McAlister, et al. Parcel No. 1: 0.37 acres for right of way purposes; Parcel No. 2: 0.17 acre for right of way purposes; Parcel No. 3: 0.15 acre for right of way purposes. Offer of \$625.00 approved by Mr. Jackson July 29, 1965.

CORNELIUS PASS ROAD-MULTNOMAH COUNTY LINE SECTION OF THE SUNSET HIGHWAY

R-33617 - H. R. Watchie & Associates, et al. Parcel No. 1: 3.3 acres for right of way purposes; Parcel No. 2: 0.39 acre for right of way purposes. Offer of \$26,500.00 approved by Mr. Jackson July 26, 1965.

R-33619 - H. R. Watchie & Associates, et al. Parcel No. 1: 4.5 acres for right of way purposes; Parcel No. 2: 0.10 acre for right of way purposes. Offer of \$26,500.00 approved by Mr. Jackson July 27, 1965.

R-33620 - H. R. Watchie & Associates, et al. Parcel No. 1: 2.0 acres for right of way purposes; Parcel No. 2: 750 square feet for right of way purposes. Offer of \$16,000.00 approved by Mr. Jackson July 27, 1965.

GRANDE RONDE RIVER SECTION OF THE WALLOWA LAKE HIGHWAY

R-37367 - The Mt. Harris Sportsmen's Club. Parcel No. 1: 0.9 acre for right of way purposes; Parcel No. 2: 0.02 acre for right of way purposes. Offer of \$1,160.00 approved by Mr. Fridley July 26, 1965.

HARBOR DRIVE-BARBUR BOULEVARD SECTION OF THE PACIFIC HIGHWAY

R-37837 - Irene Keppinger. 4,830 square feet for right of way purposes. Offer of \$500.00 approved by Mr. Jackson August 10, 1965.

HIGHLANDS INTERCHANGE-STADIUM FREEWAY SECTION OF THE SUNSET HIGHWAY

R-37656 - Joe T. Kalberer, et al. 255 square feet for right of way purposes. Offer of \$200.00 approved by Mr. Jackson July 30, 1965.

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HOFFMAN BRIDGE-WHISKEY CREEK SECTION OF THE POWERS HIGHWAY

R-37817 - Stanley Schrag, et ux. Parcel No. 1: 1.1 acres for right of way purposes; Parcel No. 2: 8.0 acres for right of way purposes; Parcel No. 3: 5.2 acres for material source. Offer of \$1,090.00 approved by Mr. Jackson July 26, 1965.

MARYLHURST RADIO SITE

R-37763 - Agnes Jane Thompson. Parcel No. 1: 0.69 acre for radio broadcasting station; Parcel No. 2: 0.16 acre for permanent easement. Offer of \$3,100.00 approved by Mr. Simpson July 26, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-35853 - Ebba Gay. Parcel No. 1: 60.0 acres for right of way purposes; Parcel No. 2: 16.3 acres for right of way purposes; Parcel No. 3: 5.6 acres for right of way purposes; Parcel No. 4: 5.05 acres for permanent easement; Parcel No. 5: 1,500 square feet for permanent easement; Parcel No. 6: 1,500 square feet for permanent easement; Parcel No. 7: 1,500 square feet for permanent easement; Parcel No. 8: 2,000 square feet for permanent easement; Parcel No. 9: 0.67 acre for permanent easement; Parcel No. 10: 1,215 square feet for permanent easement; Parcel No. 11: 0.95 acre for temporary easement; Parcel No. 12: 2.0 acres for temporary easement. Offer of \$18,150.00 approved by Mr. Fridley July 20, 1965.

R-36094 (Revised) - Lowell M. Hursh, et ux. 9.3 acres for right of way purposes. Offer of \$1,100.00 approved by Mr. Fridley August 3, 1965.

R-36901 - Orin Hopkins, et al. Parcel No. 1: 5.4 acres for right of way purposes; Parcel No. 2: 0.3 acre for permanent easement. Offer of \$2,125.00 approved by Mr. Fridley July 26, 1965.

R-37098 - Thomas C. Gannon, et al. 2.0 acres for right of way purposes. Offer of \$700.00 approved by Mr. Fridley July 8, 1965.

PIONEER SUMMIT UNIT, TOLEDO-EDDYVILLE SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-35012 - William R. Shopp, et ux. 0.83 acre for right of way purposes. Offer of \$3,752.00 approved by Mr. Jackson July 30, 1965.

R-36809 - Everette E. Dennis, et ux. 0.48 acre for right of way purposes. Offer of \$3,850.00 approved by Mr. Jackson July 8, 1965.

R-36809 (Revised) - Everette E. Dennis, et ux. 0.48 acres for right of way purposes. Offer of \$3,950.00 approved by Mr. Jackson August 9, 1965.

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RINK CREEK-MYRTLE POINT SECTION OF THE COOS BAY-ROSEBURG HIGHWAY

R-37756 - Oliver E. Glazebrook, et al. 0.03 acre for right of way purposes. Offer of \$500.00 approved by Mr. Jackson August 4, 1965.

SMITH CROSSING-KELLOGG UNIT, ELKTON-SUTHERLIN SECTION OF THE ELKTON-SUTHERLIN HIGHWAY

R-33637 - Stuart Keith Kesterson, et al. 9.3 acres for right of way purposes. Offer of \$5,040.00 approved by Mr. Jackson July 8, 1965.

SOUTH DILLARD BRIDGE SECTION OF THE DILLARD HIGHWAY

R-37957 - Miles H. Feero. 0.25 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson August 2, 1965.

SOUTH UNIT-KELLOGG BRIDGE-TYEE BRIDGE SECTION OF THE ELKTON-SUTHERLIN HIGHWAY

R-37748 - Ada McHugill. Parcel No. 1: 2.0 acres for right of way purposes; Parcel No. 2: 1.38 acres for permanent easement; Parcel No. 3: 26.7 acres for temporary easement. Offer of \$510.00 approved by Mr. Jackson July 27, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-37288 - Elmus W. Beatty. Parcel No. 1: 0.03 acre for right of way purposes; Parcel No. 2: 0.13 acre for right of way purposes. Offer of \$400.00 approved by Mr. Jackson July 8, 1965.

R-37289 - Sam Armenta, et ux. 2.2 acres for right of way purposes. Offer of \$6,000.00 approved by Mr. Jackson July 26, 1965.

R-37290 - Artemus DeRosia, et ux. 1.8 acres for right of way purposes. Offer of \$4,500.00 approved by Mr. Jackson July 26, 1965.

A report was made by the Chief Counsel and accepted by the Commission on orders received from the Public Utility Commissioner concerning railroad crossing matters as follows:

PUX 123: Application of the United States Corps of Engineers to construct a crossing at grade with the relocated tracks and right of way of the Oregon-Washington Railroad and Navigation Company, and its Lessee, Union Pacific Railroad Company, near Seufert Station in Wasco County. The order, as issued, closed the crossing and authorized removal of traffic warning signals. This crossing is near the highway maintenance shop at The Dalles and closing of the crossing was provided for in the State's agreement with Wasco County.

PUX 526: Application of Lane County to construct a crossing at grade with the tracks and right of way with Oregon Electric Railway Company near Eugene in Lane County. The order, as issued, corrected the location of the crossing. The Highway Department's interest in this crossing arises from the fact that the Belt Line Road involved in the order is a part of the Federal-aid Secondary System.

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A brief report was made by the Chief Counsel on legal proceedings which have been commenced since the last Commission meeting as follows:

- (1) Edward S. Roush vs. Burrell Babb (section foreman) and Jean E. Roush vs. Burrell Babb. The plaintiff's claim that loose rock and slick pavement on the Oregon Coast Highway in Curry County without adequate signing caused an accident in which the plaintiffs were injured. Each is asking \$25,000 plus damages for medical expenses and loss of income.
- (2) Ruth L. Cattley vs. Herman Zacharias (equipment operator.) Plaintiff seeks \$17,500 general damages and \$575 special damages arising out of a collision between her car and a State-owned snowplow, north of the Mt. Hood Highway on the road leading to Timberline Lodge.
- (3) Herbert B. Swift vs. Charlie J. White (Highway Department employee), and the Oregon State Highway Commission. Plaintiff seeks \$20,077 special and general damages for injury to his person as a result of the defendant backing a State truck into the plaintiff's vehicle. This accident occurred August 5, 1963, on the Umpqua Highway near Scottsburg in Douglas County.

Appropriate action will be taken, the Chief Counsel stated, and the State's insurance carrier will be notified to proceed with the defense of the Commission's employees. The Commission accepted the report.

The Chief Counsel requested permission to commence a FED action, coupled with the recovery of \$600 rent from John F. McKee, dba O-M Minerals, Inc., on the Fremont Interchange-Sunset Highway Interchange Section of the Stadium Freeway in Portland, Multnomah County. The tenant has not paid rent since December 31, 1964. The Commission granted authority to institute action.

Authority was also requested by the Chief Counsel to commence action against Clackamas Water District to recover costs incurred by the State in relocating the Utility's facilities because of construction on the Lake Road-Oregon City Section of the Cascade Highway in Clackamas County. Reasonable cost to be borne by the District is \$9,889.98. The cost was incurred under a highway construction contract and the Water District has refused to make payment. The Commission authorized legal action.

Following the favorable recommendation of the Chief Counsel, the Commission authorized one step salary increases for J. Robert Patterson, Allan Johansen, and Armand L. Riveness, effective September 1, 1965.

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Chairman Jackson stated that in right of way matters and condemnation proceedings it should be considered that the State Highway Department is entering a new phase of operation in the sense that property values are becoming more important in obtaining right of way. The availability of property and replacement of property taken for highway purposes is becoming an increasingly important factor. It is the Commission's thinking, he said, that more consideration should be given to highway routing to the end that a minimum amount of property be taken in right of way negotiations.

Consideration was given to two supplemental agreements with the U. S. Corps of Engineers concerning Hat Rock State Park in Umatilla County. The Engineer explained that supplemental agreement No. 1 provides for an addition of 66 acres to the park area. Supplemental agreement No. 2 provides that admission or user fees may be charged subject to approval of the District Engineer of the Corps of Engineers. It also provides that fees received may be used for administration, operation or further development of the premises but if not so used, these funds shall be paid to the District Engineer at the expiration of each five-year period of the license. Following the Engineer's favorable recommendation, the Commission approved the two supplemental agreements and authorized the Secretary to sign them in their behalf.

The Commission confirmed its prior action in appointing P. M. Stephenson as a member of the State Parks and Recreation Advisory Committee effective May 1, 1965.

The Engineer presented for the Commission's consideration a survey for reconstruction of the Burnside-Big Creek Section of the Columbia River Highway in Clatsop County. This section, he said, is 3.54 miles in length and the estimated cost of construction is \$2,200,000 plus \$200,000 for rights-of-way. The Commission accepted his recommendation for approval and thereupon adopted "Survey Resolution No. 301," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests for increases in construction project authorizations because of overrun in construction costs were presented by the Engineer. The Commission approved increases in project authorizations as follows:

- (1) Contract No. 6388 for grading, paving and structures on the Airport Road-Irrigon Junction Section of the Columbia River Highway in Morrow County for an increase of \$171,311.28 (7.7%). Major reasons for the overrun were given as increased sprinkling to control dust, and for additional crushed aggregates and additional gravel blanket on unanticipated areas that required protection.
- (2) Contract No. 6528 for grading and oiling on the Jordan Valley-Idaho State Line Section of FAS Route 828 in Malheur County for an increase of \$11,181.75 (12.2%). A very high compaction ratio in subbase

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materials which required the use of additional materials and equipment rental to maintain the roadbed during construction were given as the principal causes of the overrun.

- (3) Contract No. 6620 for grading on the Summer Lake-Valley Falls Section of the Fremont Highway in Lake County for an increase of \$5,554.03 (21.6%). The installation of larger size culvert pipes to provide adequate drainage was listed as the principal reason for the overrun.
- (4) Contract No. 6621 for grading on the Warner Summit-Greaser Reservoir Section of the Warner Highway in Lake County for an increase of \$13,133.33 (34.5%). Major reasons for the overrun were given as use of larger culvert pipes to provide adequate drainage and increased use of dump trucks, front-end loader and flagging labor.
- (5) Contract No. 6591 for dredging the Astoria Ferry Channel in the Columbia River, Clatsop County for an increase of \$4,161.16 (15%). The amount of material to be dredged was underestimated.
- (6) Contract No. 6608 for grading and paving on the Eikton Tunnel-Jack Creek Section of the Umpqua Highway in Douglas County for an increase of \$94,533.43 (37.7%). The overrun was caused by additional quantities of stone base, paving and equipment rental needed to construct the project to the planned width of 32 feet. This action confirms oral approval given July 29, by Chairman Jackson.

The Commission confirmed the Chairman's action of July 19, 1965 by which a seven-mile resurfacing and shoulder paving project on the I.O.N. Highway north of McDermitt in Malheur County was added to the 1965 State Construction Program. The Engineer explained that the project is in a bad state of repair and resurfacing is needed at an estimated cost of \$350,000.

The Commission also confirmed approval given by the Chairman on August 3, 1965, for improvement of the Lakeview-Crane Creek Road Section of the Fremont Highway, southerly from Lakeview, Lake County, as an addition to the 1965 State Construction Program. The Engineer commented that it is desirable to extend this project another mile or so at an estimated cost of \$50,000.

Addition of the Burnside-Big Creek Section of the Lower Columbia River Highway in Clatsop County to Federal-Aid Program IX was recommended by the Engineer. Industrial development in the Wauna area, he said, has caused the Department to make a survey for improvements in the Svenson Junction area. The project will be approximately 3 miles in length and he

estimated the cost at \$2,400,000. Following his favorable recommendation, the Commission approved the project as an addition to Federal-Aid Program IX. The Chairman inquired if this project required transfer of funds from the Camp Rilea project south of Astoria. The Engineer replied transfer of funds is planned. Commissioner Fridley commented that he felt that the project near Rainier is more important. The Engineer said that it is planned to include the Rainier job in the next program.

Consideration was given to a project for the widening of Third Avenue (northbound lane 99W) from "B" Street to Harrison Street in Corvallis, Benton County in cooperation with the City of Corvallis. The Engineer recalled that in March, 1960, the Commission had approved a similar project in which one-third of the cost was to be borne by the State, one-third by the City, and one-third by the abutting property owners. The property owners refused to cooperate and the City has now requested that the project be performed on a 50-50 basis at a total estimated cost of \$75,000. The City will not have funds for the project until the 1966 season but has requested that the work be done at that time. He recommended that the project be approved and the work be done by the City of Corvallis with some design assistance from the Highway Department, and that the State's participation be limited to \$37,500. The Commission approved the project as presented. The Chairman asked if this work is to take the place of the First Street project. He also inquired if right of way had been purchased for the First Street job. The Engineer replied that the work on Third Avenue is not in lieu of the First Street project which is still under consideration and right of way has been acquired by both the State and City of Corvallis.

Requests for increases of time within which to complete highway contracts were presented by the Highway Engineer. He outlined the pertinent facts relating to each contract and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) Beaver State Sand and Gravel, Inc., Contract No. 6562 for rock production on the Canyonville-Tiller Section of the Tiller-Trail Highway in Douglas County, requested that the completion date be advanced from July 15, to July 31, 1965. The Commission denied the request.
- (2) Mann Construction Company, Contract No. 6568 for structure, grading and oiling on the Wood River Bridge Section of the Crater Lake Highway in Klamath County, requested extension of the completion date from June 30, 1965 to July 15, 1965. The Commission approved an extension to July 3, 1965, without assessment of liquidated damages. The Bureau of Public Roads has concurred in this extension.
- (3) Grimstad and Vanderveldt, Inc., Contract No. 6186 for grading on the Jackson Creek-Cape Lookout Section of the Netarts-Sand Lake County Road in



Tillamook County, requested an increase in work-days from 100 to 120 within which to complete the contract without assessment of liquidated damages. The Engineer commented that the contract was completed using 112 workdays. The Commission approved 12 additional workdays without assessment of liquidated damages.

- (4) Rogers Construction Company, Contract No. 6572 for flood damage repair on the Fulton Canyon-Wasco Highway in Sherman County, requested an extension of time for completion from June 15, to July 20, 1965. A letter was presented from the Bureau of Public Roads approving the extension of time as requested. The Commission approved the request without assessment of liquidated damages.
- (5) Tom Lillebo Construction Company, Contract No. 6570 for construction of the Turner Bridge on the Salem-Turner Highway in Marion County, requested an extension of the completion date from July 15, to September 15, 1965. The Commission approved the extension as requested without assessment of liquidated damages.
- (6) Merl C. Howard and Westgaard Construction Company, Contract No. 6521 for construction of the Ashland Maintenance Building in Jackson County, requested that the completion date be advanced from May 31, to July 25, 1965. The Commission approved an extension of 62 days without assessment of liquidated damages.
- (7) Knight Percy, Contract No. 6452 for roadside improvement on the Elkhead Road-Rice Hill Section of the Pacific Highway in Douglas County, requested an extension of the completion date from December 15, 1964 to January 23, 1965. The Engineer commented that a "stop work" order was issued December 17, 1964 to January 20, 1965. The contract was completed January 23, 1965. The Commission approved an extension of 5 days without assessment of liquidated damages.
- (8) Donald M. Drake Company, Contract No. 6331 for construction on the S. W. Broadway-Ross Island Bridge Section of the Stadium and Pacific Highways in Portland, Multnomah County, requested that the completion date be advanced from August 16, 1965 to September 30, 1965. The Commission approved the extension of time as requested without assessment of liquidated damages. The Engineer stated that concurrence in the extension had been approved by the Bureau of Public Roads.

- (9) George Renner Construction Company, Contract No. 6552 for construction of the East Fork Hood River Bridge on the Woodworth County Road FAS 580 in Hood River County, requested that the completion date be extended from May 15, to May 28, 1965. The Commission approved the extension as requested without assessment of liquidated damages. The Engineer stated that the Bureau of Public Roads had also approved the extension of time.

The Engineer reported that Contract Nos. 6186, 6327, 6340, 6398, 6476, 6510, 6560, 6573, 6591, 6594, 6596, and 6604 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 143," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A tabulation describing a Federal-aid Secondary Project in Douglas County was presented by the Engineer. The project, he said, has been investigated and is eligible for construction with FAS funds. The Commission approved the following project, and authorized the Secretary to sign the construction agreement when prepared:

County	FAS No.	Section & Description	Programmed Amount	FAS Funds 1966
Douglas	799	Gardiner Hill Section. 3 structures.	\$ 367,000	
TOTAL.....			\$ 367,000	
SUMMARY BY FISCAL YEARS		1966	Estimated 1967	Total
Allocated Funds		\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (corrected to date)		2,969,000	--	2,969,000
Unprogrammed Balance		983,000	3,952,000	4,935,000
Projects Proposed 8/23/65		367,000	--	367,000
Unprogrammed Balance		\$ 616,000	\$3,952,000	\$4,568,000

At this time, the Engineers from Peru departed to visit the State Capitol.

A speed zone resolution rescinding "Speed Zone Resolution No. 217" dated December 19, 1955, and adopting revised speed zones on the Cape Arago Highway between Coos Bay and the community of Charleston in Coos County was considered. The revised resolution provides for 40 miles per hour from the south city limits of Coos Bay to a point 100 feet north of Joe Ney Road; 35 miles per hour from a point 100 feet north of Joe Ney Road to a point 200 feet west of the westerly connection to Seven Devils Road with the exception of a 20 miles per hour school zone between M. P. 8.82 and M. P. 8.74; and 55 miles per hour from 200 feet west of the westerly connection to Seven Devils Road to a point 100 feet south of Cape Arago Lighthouse Road. Following the Engineer's favorable recommendation, the Commission approved the revised speed zones and thereupon adopted "Speed Zone Resolution No. 492," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A throughway agreement with the City of Tigard pertaining to the Sunset Highway-Pacific Highway Section, including the Tigard Unit, of the Beaverton-Tigard Highway was presented by the Engineer. The agreement provides for interchanges, reconstruction of parts of various roads or streets, street closures, parking restrictions, utility relocation, and other matters pertaining to construction of the project. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to a throughway agreement with Morrow County concerning the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail in Morrow County. The agreement provides, the Engineer said, for highway construction and connections to the Ordnance Interchange in Umatilla County, as well as construction of a frontage road as a connection to the interchange in Morrow County. Various road closures are also covered. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Agreement with City of Portland pertaining to Highlands Interchange-Stadium Freeway Section of the Sunset Highway removed from agenda.

Attention was given to a throughway-abandonment agreement with Baker County concerning the Oxman-Bubbs Ranch Section of the Old Oregon Trail in Baker County. Construction of various ramps and connections to the Durkee and Nelson Interchanges, a frontage road, road closures and other pertinent matters are covered. The agreement also provides that upon completion of the project the State, by resolution, shall formally abandon to Baker County the existing portion of the Old Oregon Trail adjacent to the throughway. Based upon the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A report from Parscors, Brinckerhoff, Quade and Douglas concerning additional designs for the proposed Fremont Bridge on the Stadium Freeway in Portland was presented by the Engineer. He recalled that requests had been made by several groups for the consideration of a stiffened tied arch similar to the one constructed over the Fraser River near Vancouver, British Columbia, and also for a suspension bridge. The firm, he said, has completed its work as contained in the report and he recommended that the report be accepted.

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The Commission accepted the report. Chairman Jackson inquired as to what the next move is on the matter of the Fremont Bridge and if a hearing will be required as to its design. The Engineer replied that the next contemplated action is a joint meeting with Portland City officials, the Bureau of Public Roads and State Highway representatives. A hearing on the design is not contemplated as the State will be consulting with the Portland city officials.

An agreement with J.H. Pomeroy & Company, Inc., and Ben C. Gerwick, Inc., pertaining to a guarantee for pile damage repair on the Desdemona Viaduct Section of the Astoria Bridge at Astoria was brought up by the Engineer. On February 5, 1965, he commented that a strong wind broke one of the contractors pile-driving barges loose from its mooring and it drifted into the piling on the bridge, damaging seven piles. Negotiations with the contractor and the Bureau of Public Roads determined that the cracked piling should be sealed with epoxy coating to prevent salt water from coming in contact with the prestressing wires. The agreement guarantees the repair work for a period of three years. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with Depoe Bay Water District to provide water to Boiler Bay and Rocky Creek Waysides along the Oregon Coast Highway in Lincoln County. Under terms of the agreement, the State is to construct a 2-inch pipe line from the Water District's existing terminus to Boiler Bay and Rocky Creek Waysides and place some other equipment. Minimum rate for water is to be \$50 per month for the first 66,333 gallons used. The Engineer estimated the installation cost to the State at \$2,500 at Boiler Bay and \$8,600 at Rocky Creek. The Commission accepted his recommendation for approval of the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Portland was presented by the Engineer concerning pedestrian-actuated traffic signal facilities on N. E. Portland Secondary Highway, No. 123, at Drummond Avenue and N. Delaware Avenue on N. Lombard Street. This project, he commented is to expedite the flow of traffic and still provide safety for pedestrians. The City of Portland is to revise the existing signals with its forces and bill the State for 50% of the cost. He estimated the State's share at \$2,500 and recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with the City of Portland concerning installation and maintenance of traffic signals on McLoughlin Boulevard (99E) from S. E. Holgate in Portland to Jefferson Street in Milwaukie. Cost of the project was estimated by the Engineer at \$70,000. The City of Portland is to maintain the signals and provide electrical energy for the signals within the city. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with the City of Klamath Falls for the installation of a flashing beacon and illumination at the intersection of Kit Carson Way (US97 Business Route) with Campus Drive, and also at Portland Street. The Engineer estimated the cost of the flashing

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beacon at \$3,700 and the cost of illumination at \$3,000. He recommended approval of the agreement by which the State and the City would share equally (\$1,850 each) the cost of the flashing beacon. The City is to pay the entire cost of the illumination and provide all maintenance and power needs. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission confirmed Chairman Jackson's action of August 4, 1965, approving a small stream runoff study conducted by the U.S. Geological Survey. The Engineer recalled that this study has been under way for several years on a 50-50 matching basis. Because of a shortage of HPS funds, he recommended that the program be continued by using \$5,000 from HPS funds in this year's budget, plus another \$5,000 of State funds to be matched with \$5,000 by the Geological Survey, making a total annual program of \$15,000. The Secretary was also authorized to sign the continuation letter to the Geological Survey.

Annexation of a one-fourth mile section of the Columbia River Highway (80N) and a portion of the Mosier-The Dalles Highway to the City of The Dalles in Wasco County, was brought up by the Engineer. He commented that the annexation is a portion of a larger annexation under consideration and has been requested by the City of The Dalles under City Ordinance No. 1314. He recommended that the Commission consent to the annexation and authorize the Secretary to sign a "Consent to Annexation" document. The Commission accepted his recommendation.

A cooperative construction agreement with the City of Medford pertaining to the Antelope Creek-Medford Section of the Crater Lake Highway in Medford, Jackson County, was discussed. The agreement outlines principally the responsibility for the removing and relocating of utilities. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission approved the minutes of the meeting held July 13, 1965.

The next regular Commission meeting was confirmed for Tuesday, September 28, 1965, in Room 419 of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, November 2, 1965.

The Engineer presented for confirmation bids received by the Commission on July 20 and on which telephonic approval for award had been given on July 22, and for confirmation of bids received August 10 on which telephonic approval for award had been given August 17. The Commission confirmed award of the contracts and authorized the Secretary to sign the contracts as follows:

BIDS RECEIVED IN SALEM JULY 20, 1965

AWARDS MADE JULY 22, 1965

Grading and paving on the Alsea Mountain Section of the Alsea Highway, west of Corvallis, in Benton County. FAP No. S-229. Eight bids were

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received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, at \$823,257.00.

Pier protection on the bridge over the Umpqua River in Reedsport, Douglas County. FAP No. ER-184(1). Three bids were received. The Commission awarded the contract to the low bidder, Tom Lillebo Construction Company, Reedsport, at \$99,971.00.

Sanding material in stockpiles on the Prairie City-Unity Junction Section of the John Day Highway, near Austin, in Grant and Baker Counties. State Project. Two bids were received. The Commission rejected all bids as being too high.

District 4-A Guardrail on the Columbia River, Hood River and The Dalles-California Highways in Hood River, Wasco and Sherman Counties. FAP Nos. ER-96(2), 96(3), 144(1) and 146(1). Two bids were received. The Commission awarded the contract to the low bidder, McWaters Construction Company, Boise, Idaho, at \$12,895.00.

Traffic signal installation at the intersection of North Main Street with West Laurel Street in Ashland, Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Steeck Electric Company, Medford, at \$5,950.00.

Shitike Creek Bridge on the Warm Springs Highway near Warm Springs Agency in Jefferson County. Federal-aid Primary Highway Project No. ER-128(1). Four bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$109,667.00.

Stone base and oiling on the Fulton Canyon Section of the Fulton Canyon-Wasco Highway, east of The Dalles, in Sherman County. FAP No. ER-106(1). Two bids were received. The Commission awarded the contract to the low bidder, Meisel Construction Company, McMinnville, at \$131,522.00.

Roadway illumination at the intersection of West 6th Street with the Columbia River Highway in The Dalles, Wasco County. Federal-aid Interstate Project No. I-80N-3(46)81. Five bids were received. The Commission awarded the contract to the low bidder, Trowbridge Electric Company, Roseburg, at \$8,317.00.

Grading and paving on the Mosier (Washington Street and 3rd Avenue) Section of city streets in Wasco County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, B & D Paving Company, Hood River, at \$11,381.50.

Service Creek-Waldron School Rock Production Project on the Service Creek-Mitchell Highway, south of Service Creek, in Wheeler County. State Project. Two bids were received. The Commission rejected all bids as being too high.

River bank protection on the South Yamhill River Section of the Bellevue-Hopewell Highway, west of Amity, in Yamhill County. FAP No. ER-176(1). Six bids were received. The Commission awarded the contract to the low bidder, Jack Squires, General Contractor, McMinnville, at \$14,655.50.

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Grading and paving on the Devitt Section of the Eddyville-Blodgett Highway, westerly of Corvallis, in Benton County. FAP No. ER-168(1). Six bids were received. The Commission awarded the contract to the low bidder, Frank Lyons & Company, Oregon Limited, Portland, at \$104,472.50.

Sucker Creek Bridges on Holland Loop County Road in Josephine County. Raise and repair RCDG bridge at Bridgeview. Raise, repair and lengthen RCDG bridge near Holland. Federal-aid Project No. ER-102(2). Three bids were received. The Commission rejected all bids as being too high.

Structure, grading and oiling on the Chewaucan River (Gravelly Ford) Bridge Section of the Fremont Highway, north of Lakeview, in Lake County. FAP No. ER-153(2). One bid was received. The Commission awarded the contract to the only bidder, Hamilton Construction Company, Eugene, at \$119,963.00.

Detroit Lake overnight camp extension at the Detroit Lake State Park, southwest of Detroit, in Marion County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Combo Construction Company, Inc., Yreka, California, at \$190,946.70.

Grading and paving on the 12th Street-Allen Avenue Section of the Beaverton-Tualatin Highway in Beaverton, Washington County. State Project. Two bids were received. The Commission elected to accept the low bid of Frady & Nickoloff Construction Company, Portland, in the sum of \$30,723.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way certificate is received from the City of Beaverton.

#### BIDS RECEIVED IN SALEM AUGUST 10, 1965

#### AWARDS MADE AUGUST 17, 1965

Grading and paving on the Rink Creek-Glen Aiken Creek Section of the Coos Bay-Roseburg Highway, south of Coquille, in Coos County. FAP No. F-111(8). Four bids were received. The Commission awarded the contract to the low bidder, S. A. Hutchins & Assoc. Construction Company, Sutherlin, at \$1,329,084.00.

Deschutes River Bridge on the Deschutes-Tumalo Highway at the community of Tumalo in Deschutes County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, T & M Construction Company, Salem, at \$59,586.00.

Roadside improvement on the Sutherlin Junction-Winchester Section of the Pacific Highway, north of Roseburg, in Douglas County. Federal-aid Highway Project No. I-5-3(69)130. Five bids were received. The Commission awarded the contract to the low bidder, Dayton Plumbing & Heating, Inc. & George F. Christofferson, Salem, at \$89,194.90.

Paving on the Brown Bridge Section of FAS 800, south of Umpqua, in Douglas County. FAP No. ER-118(1). One bid was received. The Commission awarded the contract to the only bidder, Roseburg Paving, Inc., Roseburg, at \$13,851.00.

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Grading and paving on the Rogue River (Broadway Street) Section of a city street in Jackson County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Concrete Steel Corporation, Medford, at \$16,930.00.

Grading, paving and signing on the Antelope Creek-Medford Section of the Crater Lake Highway, near Camp White, in Jackson County. FAP No. S-SU 47.9. Six bids were received. The Commission awarded the contract to the low bidder, Warren Northwest, a Division of Warren Brothers Company, Portland, at \$1,465,588.84.

Buck Creek Bridge on the Bear Flat Road, west of Silver Lake, in Lake County. FAP No. ER-187(2). Six bids were received. The Commission elected to accept the low bid of T & M Construction Company, Salem, in the sum of \$40,440.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lake County is received and the sum of \$9,100.00 is deposited by the County.

Grading and paving on the Junction City (Maple Street) Section of a city street in Lane County. State Project. Three bids were received. The Commission elected to accept the low bid of Wildish Construction Company, Eugene, in the sum of \$21,718.30 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Junction City is received and the sum of \$4,850.00 is deposited by the City.

Paving on the Nyssa (King Avenue) Section of a city street in Malheur County. State Project. No bids were received for this project.

Roadside improvement on the Airport Road-Irrigon Junction Section of the Columbia River Highway in Morrow County. Federal-aid Interstate Highway Project No. I-80N-5(17)157. Four bids were received. The Commission awarded the contract to the low bidder, Spragues' Commercial Landscaping, Inc., Lynnwood, Washington, at \$91,372.30.

Rickreall Creek (Fir villa) Bridge, east of Dallas, in Polk County. Federal-aid Secondary Highway Project No. S-547(1). Eight bids were received. The Commission elected to accept and award to the second low bidder, Ross Brothers Construction, Inc., Salem, in the amount of \$50,124.00 when approval of Polk County and \$11,300.00 deposit is received. T & M Construction Company was low bidder on two other contracts - will not accept more.

Grading, stone base and rock production on the Grass Valley Canyon-John Day River Section of the Wasco-Heppner Highway, east of Wasco, in Sherman County. FAP No. ER-138(1). Five bids were received. The Commission awarded the contract to the low bidder, Rogers Construction, Inc., Portland, at \$208,166.40.

Grading on the Cascade Head Section of the Oregon Coast Highway near Otis Junction, in Tillamook County. FAP No. ER-184(3). Two bids were received. The Commission awarded the contract to the low bidder, Slate-Hall, Portland, at \$237,072.50.

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Grading and paving on the Main Street-Grant Street (Enterprise) Section of the Wallowa Lake Highway in Wallowa County. State Project. No bids were received for this project.

Grading and structure on the Tygh Valley and Willowdale Sections, south of The Dalles, in Wasco and Jefferson Counties. FAP No. ER-172(2). Two bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$119,475.00.

Luckiamute River (Kings Valley) Bridge Section on the Kings Valley Highway at the community of Kings Valley, in Benton County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Hamilton Construction Company, Eugene, at \$135,743.00.

Stone base and paving on the Port Orford (Arizona and 14th) Section of city streets in Curry County. This project was withdrawn from the letting.

Grading and paving on the South Dillard Bridge-Myrtle Grove Section of the Dillard Highway, south of Winston, in Douglas County. FAP No. ER-130(1). Four bids were received. The Commission awarded the contract to the low bidder, Groesbeck-Durbin, Inc., Eugene, at \$79,601.00.

Rogue River (Bybee) Bridge repair on Table Rock Road, north of Medford, in Jackson County. FAP No. ER-103(6). No bids were received for this project.

Grade, stone base and oiling on the Culver (5th and B) Section of a city street in Jefferson County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$12,935.00.

Grading and paving on the Hilyard Avenue-Great Northern Railroad Crossing Section of the Midland Highway, south of Klamath Falls, in Klamath County. FAP No. ER-216(1). One bid was received. The Commission elected to accept the only bid of Asphalt Paving Company, Klamath Falls, in the sum of \$128,079.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

Grading and oiling on the Poodle Creek Road Slide Section of FAS 861, west of Cheshire, in Lane County. FAP No. ER-133(2). Three bids were received. The Commission elected to accept the low bid of Groesbeck-Durbin, Inc., Eugene, in the sum of \$103,431.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and the sum of \$23,400.00 is deposited by the County.

Slide correction on the Rocky Creek Slide Section of the Oregon Coast Highway, south of Depoe Bay, in Lincoln County. FAP No. ER-184(2). Four bids were received. The Commission awarded the contract to the low bidder, Pioneer Construction Company, Portland, at \$25,010.00.

Grading and paving on the Jackson Creek Section of the I. O. N. Highway, north of McDermitt, in Malheur County. State Project. Four bids

were received. The Commission awarded the contract to the low bidder, F. H. McEwen, Eugene, at \$290,521.00.

Grading and paving on the Jamieson Road-Raleigh Hills Section of the Beaverton-Hillsdale Highway, near Beaverton, in Multnomah and Washington Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Gary Baker, Contractor, Hillsboro, at \$120,494.40.

Intermittent riprap on the Hebo Section of the Oregon Coast and Three Rivers Highways near Hebo, in Tillamook County. FAP Nos. ER-184(2) and ERFO 178(1). One bid was received. The Commission rejected the only bid of Lowry and Johnston Construction, Portland, at \$19,575.00, as being too high.

Grading, paving and structure on the Grande Ronde River Section of the Wallowa Lake Highway, in Elgin, Union County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Vernie Jarl, Gresham, at \$396,237.00.

Fifteen Mile Creek (Petersburg) Bridge Section of the Petersburg-Fairbanks Road, east of The Dalles, in Wasco County. FAP No. ER-172(2). Three bids were received. The Commission awarded the contract to the low bidder, Rogers Construction Company, Portland, at \$120,062.00.

Grading and paving on the North Plains (Hillcrest Avenue) Section of a city street in Washington County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Gary Baker, Contractor, Hillsboro, at \$14,748.00.

Intermittent grading on the Eagle Point-Salt Creek Section of the Lake of the Woods Highway, north of Medford, in Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Hughes and Dodd Company, Medford, at \$34,485.00.

The Commission confirmed the Engineer's award of contracts which had been referred to him to award when certain conditions had been satisfied. These conditions, he said, have been met on the following contracts:

- (1) South Fork John Day River Bridges on the South Fork John Day River Road in Grant County. Bids received June 29, 1965. Contract No. 6645 awarded July 12, 1965, to R. L. Coats, Bend, low bidder.
- (2) Spruce Street Bridge over the Grande Ronde River in La Grande in Union County. Bids received June 29, 1965. Contract No. 6646 awarded July 12, 1965, to Bechtel Bros., La Grande, low bidder.
- (3) Lone Pine Bridge on Lee-McKinley Road in Coos County. Bids received June 29, 1965. Contract No. 6647 awarded July 20, 1965, to Baughman and Son, Inc., Coos Bay, low bidder.



- (4) Grading and paving on the Orchard Heights Road-Edgewater Street Section of the Salem-Dayton Highway in Polk County. Bids received June 29, 1965. Contract No. 6648 awarded July 20, 1965, to Salem Road and Driveway Company, Salem, low bidder.
- (5) Traffic signal installation at intersection of S. W. 4th Avenue and S. W. 4th Street in Ontario, Malheur County. Bids received June 29, 1965. Contract No. 6649 awarded July 21, 1965, to Trowbridge Electric Company, Roseburg, low bidder.
- (6) Grading, paving and signing on the Southern Pacific Railroad Overcrossing-Pacific Highway West Section of the Beaverton-Tigard Highway in Washington County. Bids received June 29, 1965. Contract No. 6650 awarded July 21, 1965, to Warren Northwest, a Division of Warren Bros. Company, Portland, low bidder.
- (7) Traffic signal installation at intersections of North First Street with Main Street and North First Street with Gladys Avenue in City of Hermiston in Umatilla County. Bids received June 29, 1965. Contract No. 6651 awarded July 22, 1965, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.
- (8) Grading and paving on 12th Street-Allen Avenue Section of the Beaverton-Tualatin Highway in Washington County. Bids received July 20, 1965. Contract No. 6664 awarded August 2, 1965, to Frady and Nickoloff Construction Company, Portland, low bidder.
- (9) Grading and paving on the Junction City (Maple Street) Section in Lane County. Bids received August 10, 1965. Contract No. 6685 awarded in afternoon of August 17, 1965, to Wildish Construction Company, Eugene, low bidder.
- (10) Buck Creek Bridge on Bear Flat Road in Lake County. Bids received August 10, 1965. Contract No. 6686 awarded August 18, 1965, to T & M Construction Company, Salem, low bidder.
- (11) Rickreall Creek (Fir villa) Bridge in Polk County. Bids received August 10, 1965. Contract No. 6687 awarded August 18, 1965, to Ross Bros. Construction, Inc., Salem, second low bidder.

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Attention was given to a permit agreement with the Enterprise Irrigation District in Klamath Falls to construct and maintain a junction box and pipe to carry overflow water into the newly constructed sewer on the Crest Street-Patterson Street Section of the Klamath Falls-Lakeview Highway in Klamath County. The Engineer observed that under the terms of the agreement the District is to pay all costs of construction and maintenance and hold the State harmless from any damage from use of the structure. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a supplemental agreement with Union Pacific Railroad Company in connection with construction of the Hermiston-Hinkle Section of the Hermiston Highway in Umatilla County. The effect of the agreement, the Engineer said, will be to extend the termination date of the original agreement to July 28, 1967. There is no additional cost to the State. Following his favorable recommendation, the Commission approved the agreement.

The Commission also considered a supplemental agreement with Union Pacific Railroad Company and Wasco County concerning relocation and improvement of the Big Eddy-Celilo Section on the Columbia River Highway in Wasco County. The supplemental agreement will allow the Railroad to bill the State on the basis of equipment rental rates set forth in the Railroad's Disbursement Bulletin #14-13 dated July 3, 1964. The Engineer stated that the rates and the agreement have been approved by the Bureau of Public Roads, and the agreement by Wasco County, and he recommended that it be approved by the Commission. The Commission accepted his recommendation.

Attention was given to an agreement with Hood River County for removal of a flume on Old Military Road near the Columbia River Highway in Hood River County. The County wishes to widen old Military Road which will require removal of the flume. The Engineer commented that the flume was installed years ago by the Highway Department but is no longer needed as the highway has been abandoned. Under the agreement, the County is to remove and salvage the flume at county expense. It was his recommendation that the agreement be approved and the Secretary be authorized to sign it for the Commission. The Commission accepted his recommendation.

The Engineer reported that on August 10, 1965, bids had been received for liability insurance covering the Highway Commission, its officers, agents and employees. Five proposals were received as follows:

TABULATION OF INSURANCE BIDS RECEIVED AUGUST 10, 1965

	<u>Three Years</u>
Allstate Insurance Company (E. C. Cinquini)	\$ 69,895.40
Employers Mutuals of Wausau (E. E. Anderson, Resident Vice-President)	140,689.96
Hartford Accident and Indemnity Company (Fisher-Briscoe Insurance)	179,471.00
The American Insurance Company (W. C. Dyer & Sons Insurance Agency, Inc.)	270,000.00
United Pacific Insurance Company (Mansfield & Company)	333,000.00

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An examination of the low bid submitted by Allstate Insurance Company has shown that it does not conform with the specifications issued nor does the bid of Hartford Accident and Indemnity Company. He recommended that all bids be rejected as nonconforming or too high. The Commission approved his recommendation. He stated further that Allstate Insurance Company, low bidder, and Employers Mutuals of Wausau, second low bidder, have been contacted concerning their bids. Allstate Insurance Company has agreed to provide insurance which fully meets the State's specifications for the sum of \$88,771.50. The second low bidder can provide insurance meeting the specifications but has declined to change the amount of their bid. He recommended that the insurance be awarded to Allstate Insurance Company at the negotiated amount of \$88,771.50. This action, he added, has been approved by the Department of Finance and Administration. The Commission awarded the contract to Allstate Insurance Company as recommended.

The Engineer reported that a speed zone study recently completed on the Central Oregon Highway between Bend and the Malheur River west of Vale indicated that the statutory speed of 55 miles per hour for rural areas is unduly low. He recommended that a 70 MPH speed zone be established in Deschutes, Harney, Lake and Malheur Counties from M. P. 4.75 at the junction of the Powell Butte Highway to M. P. 128.00 at the city limits of Hines, and from M. P. 134.08 to M. P. 189.27 at the west city limits of Juntura, and from M. P. 189.85 to M. P. 238.66, at the Malheur River in Malheur County. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 493," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

For the purpose of preparing a comprehensive statewide outdoor recreation plan, the Engineer stated that Mr. John Kenneth Decker of Berkeley, California, had been hired after Chairman Jackson had given his approval on August 20. The overall cost of the work to be performed by Mr. Decker, he said, will be somewhat less than \$10,000 and is subject to reimbursement on a 50-50 basis from the Federal Outdoor Recreation Fund. The Commission confirmed the hiring of Mr. Decker.

Chairman Jackson inquired as to the status of the proposed widening of the Oswego Highway near the Sellwood Bridge in south Portland, and as to whether the plans contemplate widening on the west or the east side. The Deputy Engineer replied that nearly all of the right of way for the improvement is being acquired on the west side and a very small amount on the east side.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Indenture of Access" to the Walker the Weeper, Inc., property on the Medford-Phoenix Section of the Rogue Valley Highway in Jackson County.

"Indenture of Access" to the Fresh Egg Farms, Inc., property on the Newberg-Gearn Corner Section of the Hillsboro-Silverton Highway in Yamhill County.

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"Indenture of Access" to S. J. Agnew property on the Meyers Creek-Brookings Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to Robert C. and Henry C. Martin property on the Grants Pass Section of the Pacific Highway in Josephine County.

"Indenture of Access" to Bertha E. Wallis property on the County Farm-Ashland Section of the Rogue Valley Highway in Jackson County.

"Indenture of Access" to George Grete and Ruth N. Chadwick property on the Willamette River-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Indenture of Access" to Union High School District No. 1 property on the Gold Beach-Cape Sebastian Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to Nina B. Cahill and Claude Erman and Lucille Volz property on the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Indenture of Access" to Robert J., Verda R. and Dan Cannon property on the Jones Ranch-Mitchell Section of the Ochoco Highway in Wheeler County.

"Grant of Access" to Gerald W. and Lornelle K. Saint property covering land on the Bay Park-Delmar Section of the Oregon Coast Highway in Coos County.

"Grant of Access" to Kaiser Gypsum Company, Inc., covering land on the Gnat Creek-Bradley Park Section of the Columbia River Highway in Clatsop County.

"Supplemental Agreement" with Union Pacific Railroad Company providing for construction on the Hermiston-Hinkle Section of the Hermiston Highway in Umatilla County.

"Supplemental Agreement" with Union Pacific Railroad Company and Wasco County concerning the relocation and improvement of the Big Eddy-Celilo Section of the Columbia River Highway in Wasco County.

"Bargain and Sale Deed" to Leland E. and Jane W. Ammerman covering the S. Ashland-Wall Creek Section and Seven Oaks-Ashland Section of the Pacific Highway in Jackson County.

"Bargain and Sale Deed" to Lewis and Esther A. Singer and Merle and Charlotte Bailey for a parcel of land covering the Willamette River-Hayesville Section of the Pacific Highway in Marion County.

"Bargain and Sale Deed" to John E. and Eileen E. Carrigg for a parcel of land covering the Jefferson Junction-Linn County Line Section of the Pacific Highway in Marion County.

"Grant of Easement" to Olympic Pipe Line Company for a parcel of land covering the Sauvie Island Bridge-St. Johns Bridge of the Columbia River Highway in Multnomah County.

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"Ground Lease" to Ochoco Lumber Company for a parcel of land covering the Marks Creek Section of the Ochoco Highway in Crook County.

"Bargain and Sale Deed" to Wesley L. and Leah Matney for a parcel of land covering the Schindler Bridge-Jordan Section of the Albany-Lyons Highway in Linn County.

"Supplemental Agreement" with the U. S. Corps of Engineers concerning Hat Rock State Park for additional land and permission to charge for entrance or other services.

"Throughway Agreement" with the City of Tigard pertaining to the Sunset Highway-Pacific Highway Section including Tigard Unit of the Beaverton-Tigard Highway in Washington County.

"Throughway Agreement" with Morrow County pertaining to the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail in Morrow County.

"Throughway-Abandonment Agreement" with Baker County concerning the Oxman-Bubbs Ranch Section of the Old Oregon Trail in Baker County.

"Agreement" with Depoe Bay Water District providing water to supply Boiler Bay and Rocky Creek Waysides in Lincoln County.

"Agreement" with City of Portland for installation and maintenance of traffic signals at the intersection of S. E. McLoughlin Boulevard and S.E. Holgate Boulevard and revisions to existing traffic signals at the intersection of S. E. McLoughlin Boulevard with S. E. 17th Avenue and intersection of S. E. Harold and S. E. Tacoma Streets.

"Agreement" with City of Klamath Falls for installation of a flashing beacon and illumination at the intersection of Kit Carson Way (US97 Business Route) with Campus Drive and also at Portland Street in the City of Klamath Falls.

"Consent to Annexation" to The Dalles covering about one-fourth mile of Interstate 80N and the Mosier-The Dalles Highway in Wasco County.

"Cooperative Construction Agreement" with the City of Medford pertaining to the Antelope Creek-Medford Section of the Crater Lake Highway in Medford, Jackson County.

"Permit Agreement" with Enterprise Irrigation District in Klamath Falls for depositing overflow water into the State's storm sewer on the Crest Street-Patterson Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Agreement" with Hood River County for removal of a flume on the Old Military Road near the Columbia River Highway in Hood River County.

"Agreement" with J. H. Pomeroy and Company, Inc., and Ben C. Gerwick, Inc. for pile damage repair and guarantee concerning the Desdemona Viaduct Section of the Astoria Bridge.

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"Agreement" with City of Portland for pedestrian-actuated traffic signal facilities on N. E. Portland Highway at the intersections of Drummond Avenue and North Delaware on North Lombard Street.

"Agreement" between the U. S. Geological Survey to continue small stream runoff cooperative work during the fiscal year June 30, 1966.

The Commission, after full discussion with the Chief Counsel, authorized filing of a complaint for a Declaratory Judgment, naming as defendants, DeLong Corporation, Travelers Indemnity Company, United States Steel Corporation, and Raymond International, Inc. The purpose of this suit is to obtain a declaration from the court of the rights and obligations of the parties arising out of the previously declared breach of its contract (No. 6124) by DeLong Corporation to construct the sub-structure for the steel spans for the Columbia River Bridge at Astoria and collateral issues. The form of the complaint is as proposed by the Chief Counsel. Damages for breach of contract in the amount of \$5,000,000 together with \$308,000 as liquidated damages for delay will also be sought from DeLong Corporation and Travelers Indemnity Company, its surety.

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The meeting was recessed at 10:20 a.m., and reconvened at 10:45 a.m.

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Service award pins for 40 and 45 years of service with the State Highway Department were presented by Chairman Jackson to the following people:

45-year

Joseph Toole	Salem
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40-year

L. V. Koons	Salem
Pearl Bairey	Salem
John Harnsberger	Salem
Claude Stamper	Hermiston
Ted Piper	Eugene

The Commission, he said, in presenting these pins is expressing the appreciation not only of the Commission and the Highway Department, but also the thanks and appreciation from the general public for the 245 years of service which the pins represent. The Commission, he added, is aware of the problems that they have had to meet and he complimented them on their fine service record.

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August 23, 1965

A delegation representing the Highway 99W Alternate Association came before the Commission concerning a proposed highway connection to the Longview Bridge and improvements to the Tualatin Valley Highway north of McMinnville. The following people were present: Keith Schrepel, George Zimmerman, R. J. Wulf, Yamhill; Lloyd Gooding, Carl Klinge, William Heesacker, Cecil Koberstein, Gaston; Mr. Max Reeher, Beatrice Seymore, Sen. Arthur Ireland, Merle Bryan, Arnold Franks, R. P. Holliday, Mr. and Mrs. Homer Waltz, Myron Sheelar, Oakland Holroyd, Harry Ford, Arnold Lindstrom, Mrs. Harry Oliver, H. S. Knauts, Carrie McKee, J. P. Wieber, J. M. Goodrick, Daniel Moore, Rep. McGilvra, Daniel Potter, Everett Haney, Mrs. Ted Haney, Rich Hindricks, Earl Seawright, Ken Conroy, Rich Heisler, Ralph Stryker, Forest Grove; Guy I. Thomas, A. G. Ostrander, Lloyd Quinn, Creed Morgan, R. B. Fletcher, Lee Wooden, Dorothy Coldwell, Dave Banta, Rod Norwood, W. C. Rundle, Mrs. Guy Thomas, Doc. T. M. Hobart, Mrs. Tom Batman, E. Mitchell, Mrs. Harold McInty, Mrs. Thomas Hobart, Annie Kamholz, Vernonia; D. Macauly, L. Gillam, Cliff Elliott, McMinnville.

Mr. Homer Waltz introduced Mr. Earl Seawright, Columbia County Judge. Judge Seawright commented that improvement of the 99W Alternate Route is vital to the economy of the Forest Grove, Vernonia area and he mentioned heavy log hauling on the Oak Ranch Creek Road. Columbia County, he said, has placed in good shape the Apiary Road extending south from Rainier to a connection with Route 47 about 9 miles north of Vernonia and the County is prepared to deed this road to the State. He complimented personnel in the County and City Engineer's Office for their efficiency and courtesy in handling matters with the County. Shell Oil Company, he said, is installing new facilities which will require a better road and there is also considerable other industrial development in the area. Longview Bridge, he added, is expected to be toll free by September 15, 1965. He mentioned also that Columbia County has been very active in developing County parks.

Mr. Daniel Potter, City Manager of Forest Grove, read a statement from the Mayor of Forest Grove pointing out that industry is moving into the city and it is no longer serving solely as a bedroom area for Portland. The cities of Forest Grove, McMinnville, Gaston, Banks and other communities all feel the need of an improved north-south highway.

State Representative, Hugh R. McGilvra from Washington County, recalled the early history of the gas tax law and commented that out of the original bond issue of ten million dollars for highway construction, \$800,000 had been authorized for Highway 47. No major construction has been performed on Highway 47 since that time. He also mentioned the narrow shoulders on the highway between Forest Grove and McMinnville and that it contains at least forty-six curves. Construction of Scoggins Dam and Carlton Dam will greatly increase the amount of tourists using the highway. He referred to Highway 47 as "an alley between two main streets", the main streets being the Oregon Coast Highway and the Pacific Highway. He urged early construction on the section from Forest Grove to Washington-Yamhill County Line; that the State take over the Oak Ranch Creek Road from Rainier south through Apiary to Highway 47; and provide access to the Longview Bridge.

Judge Seawright commented that the City of Vernonia recently lost a lumber mill and taxes have gone up. Residents of the city, however, have

done much to improve the city and the Bureau of Land Management is interested in local park development. He mentioned also that the local citizens have taken an active interest in cleaning up the roadside particularly in the removal of old abandoned automobiles. A deed transferring the Apiary Road to the State was presented to the Commission. (Acceptance was declined later)

Chairman Jackson commented that the Commission would be greatly pleased if they could say to the delegation that the Commission could take over the proposed route and perform the requested improvements. However, the Commission does not have funds to do this and it would be useless to place a new road on the State Highway System unless funds were available to improve it. The Commission, he continued, does not wish to encourage traffic on poor roads. The seventeen million dollars available annually for the ABC Highway System is far from adequate and he recalled that the Governor had requested a list of critical highway projects, the total of which amounted to 48 million dollars. Also, the Governor had offered to the 1965 Legislature a program to raise additional funds for highway improvement which had been turned down. Until the public is willing to provide more funds for highways, the Commission will have to parcel out improvements on critical projects as funds are available. The delegations request, he said, will be investigated and the Commission will do the best it can.

Commissioner Simpson complimented the delegation on their presentation and commented that in his opinion it was not over-stated as he had resided for twenty years in the area.

Mr. Robert Platt from Portland representing the Mazamas, and Frances McDuffee from Salem representing the Chemeketaans, came before the Commission concerning recreational facilities along the Columbia River Highway in the Columbia Gorge.

Mr. Platt pointed out that there are few places for tourists to stop and view the scenery along the 70 mile-per-hour interstate highway. He asked the Commission to provide more places where people can stop and view the falls and other scenery in the Gorge. He also commented that in construction of the freeway, access to many of the existing trails is being shut off or made difficult, and he mentioned specifically the Mt. Defiance Trail from Lindsey Creek, the Wygant Trail from Wygant Park and the trail to Munra Point. These trails, he said, are heavily travelled not only by the Mazamas but by the Trails Club, Boy Scouts, Girl Scouts and other organizations. He also urged the Commission to take action for the preservation and identification of historical areas within the Gorge and mentioned the remaining portion of the pioneer wagon road around Shell Rock Mountain and the old military ovens near Starvation Creek Park. He objected to the "slits" which have been cut through the trees along the freeway to allow tourists a fleeting glimpse of the several falls.

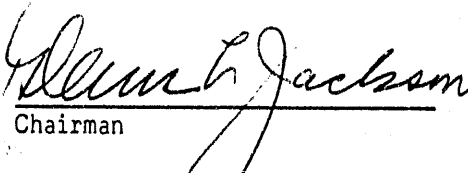
Frances McDuffee emphasized the need for places where tourists can stop in safety and view the scenery. She also pointed out that in the swift moving traffic it is extremely dangerous to slow down in the traffic lanes for viewing purposes.

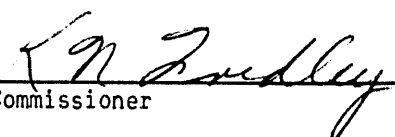
Chairman Jackson stated that the State, the Bureau of Public Roads, and many others are interested in the matters presented by the delegation but there are limits within which highway construction must be conducted. The Commission, he said, will make every effort to meet conservation and recreation needs and will try hard in cooperation with other interested groups to place a constructive program in effect.

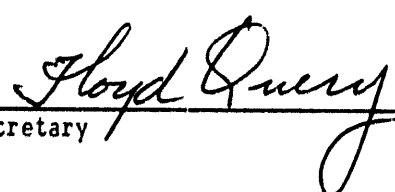
Mr. Willis R. Grafe representing the Bureau of Public Roads stated that it would not be too difficult a matter to provide access to the trails mentioned by Mr. Platt and he expressed the feeling that discussion of the problems would be advantageous. Mr. Platt stated that the Mazamas would be pleased to meet with State Highway, Bureau of Public Roads, Forest Service, and other interested groups and he offered the use of their Club Room facilities in Portland.

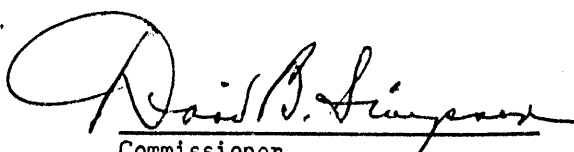
There being no further business to conduct, the meeting was adjourned by the Chairman at 11:40 a.m.

  
State Highway Engineer

  
Chairman

  
Commissioner

  
Secretary

  
Commissioner

August 23, 1965

Salem, Oregon  
September 28, 1965

The Oregon State Highway Commission met in regular session at 9:30 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd Shaw, Assistant State Highway Engineer  
Fred Klaboe, Assistant State Highway Engineer  
Victor Wolfe, Administrative Assistant  
George Rohde, Chief Counsel  
David Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were Ted Dec, Assistant Division Engineer, Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; John Oakes, Assistant Right of Way Engineer; Dennis Clarke, Director of Travel Information Division; Harrison Brown, Assistant Information Officer; and Laurence A. Holt, Administrative Right of Way Agent.

Frank McKinney, Acting Assistant Counsel, was absent as he was appearing in court in place of an attorney who became ill.

The Right of Way Engineer presented for consideration options, pages 1 through 46, secured for acquisition of real properties needed for state highway use or for other purposes. The prices offered for the properties, he said, are based upon careful appraisals and are in proper order for Federal-aid. To the best of his knowledge the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 26", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report for the period of August 16 to September 17, 1965, covering sales of miscellaneous properties and changes in rental status was presented by the Right of Way Engineer. During this period, miscellaneous sales totaled \$6,790.01; land sales \$1,400; timber sales \$11,207.05; and rental receipts for the month of August were \$21,411.68. The Commission accepted the report.

September 28, 1965

Authority to offer at public sale parcels of excess properties was requested by the Right of Way Engineer. He commented that the proposed minimum prices are based upon appraised values or on offers in excess of appraisals. Access provisions and other proposed conditions are consistent with those existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution Nos. 441 and 442", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) 1.74 acres, File No. S-98, located approximately seven miles south of Klamath Falls on the Klamath Falls-Malin Highway in Klamath County, for not less than \$250. No access is to be allowed to the Klamath Falls-Malin Highway. This is a former stockpile site acquired with State funds and approval of the Bureau of Public Roads is not required.
- (2) 39,000 square feet of land, File No. M-45, on the east side of Jefferson Avenue across from the New Beatty Motel in the town of Beatty on the Klamath Falls-Lakeview Highway in Klamath County. The Right of Way Engineer explained that the property was acquired in 1929 from Mrs. Frank Schmitz for the sum of \$1. A fence costing approximately \$300 was constructed by the State. The land is valued at \$450. It is proposed that after subtracting the value of the fence (\$300) from \$450 that the remainder be divided equally between Mrs. Schmitz and the Highway Department. No Federal funds were involved.
- (3) 3.7 acres, File No. Q-279, located approximately three miles east of Walterville on the north side of the old McKenzie Highway in Lane County, for not less than \$2,000. The purchaser is to pay for the relocation of the fence and no access is to be allowed to the old McKenzie Highway. No Federal funds were involved in this property. (See "Real Property Resolution No. 441").
- (4) 0.23 acre, File No. 21076, on the north side of the Grant Smith County Road, westerly from the Shady Interchange on the Pacific Highway in Douglas County, for not less than \$500. Sale is to be made subject to a standard sign restriction clause and access is to be allowed to the County Road. No Federal funds were involved in this property.
- (5) 5.3 acres, File No. 20324, located on the north side of the Columbia River Highway approximately  $5\frac{1}{2}$  miles east of Clatskanie in Columbia County, for not less than \$1,265. One point of access to

the Columbia River Highway, 25 feet in width, restricted to ordinary residential and agricultural use is to be allowed and a standard sign restriction clause is to be imposed. (See "Real Property Resolution No. 442").

Direct sales of three parcels of property no longer required for highway purposes were recommended by the Right of Way Engineer. The recommended price for each is based upon appraised value. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 443", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 0.96 acre, File Nos. 11919, 11919-A and 11920-A, located north of the northerly frontage road in the Troutdale Interchange Section of the Columbia River Highway in Multnomah County, to the Port of Portland for the sum of \$5,000. The sale is to be made subject to the standard sign restriction clause, purchaser is to pay for the cost of moving fence and access is to be prohibited along Airport Road from the centerline of the frontage road northerly for 180 feet, and along the frontage road from the centerline of Airport Road westerly for 160 feet. The Port of Portland plans to use the land for development of the Troutdale Airport. Approval of the sale by the Bureau of Public Roads was made in their letter of September 3, 1965. (See "Real Property Resolution No. 443").
- (2) 0.9 acre, File No. 10367, located approximately 0.4 mile west of the Eugene city limits on the south side of the Mapleton-Eugene Highway just east of Danebo Road in Lane County, to the City of Eugene for the sum of \$500. No restrictions are to be imposed in the sale and no Federal funds were involved.
- (3) 1.52 acres, File No. 4290, located approximately seven miles east of the City of Bandon on the Coquille-Bandon Highway, to the Port of Bandon for the sum of \$250 or one-half of the appraised value. The sale is to be subject to the standard public use clause and a water-line easement. The Port plans to use the property for a small boat moorage and picnic area. No Federal funds were involved.

Four "Indentures of Access" were presented by the Right of Way Engineer who commented that the Indentures provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures":

- (1) Shell Chemical Company Property, File No. 21314-5-6, on the west side of the Lower Columbia River Highway, approximately three miles north of St. Helens, for a cancellation of four points of access and the substitution of two points of access, 50 feet in width, and unrestricted as to use. These changes are to provide service to a proposed commercial chemical plant. Concurrence by the Bureau of Public Roads was received June 10, 1965.
- (2) Mr. and Mrs. Selmar A. Hutchins Property, File Nos. 18883 and 18885, between Myrtle and Westwood Streets on the Elkton-Sutherlin Highway at the west end of Sutherlin, Douglas County, for a correction in the stationing of two points of access, one 35 feet and the other 50 feet in width, unrestricted as to use. Approval of the Bureau of Public Roads was given on January 6, 1965.
- (3) Mr. and Mrs. Everett Corey and Austin L. King Logging Company Property, File No. 37924, for a change in location of two points of access, 35 feet in width, and unrestricted as to use on the west end of the relocated Crater Lake Highway approximately two miles north of Medford, Jackson County. Approval of the Bureau of Public Roads was received on August 6, 1965.
- (4) Mr. and Mrs. A. P. Miller Property, File No. 35187, on the northerly side of the Corvallis-Lebanon Highway approximately six miles east of Corvallis in Linn County, for a change in location of one point of access, 35 feet in width, and unrestricted as to use. Approval of the Bureau of Public Roads is not required.

The granting of two points of access to the J. W. and Maude Culver Property on the north side of the Elkton-Sutherlin Highway just easterly of the Pacific Highway in Douglas County was considered. The Right of Way Engineer explained that in the original acquisition, access had been restricted to one point and the owners had been paid the sum of \$1,595 as damages for the access restriction. It is planned to acquire an additional 25-foot strip of land from the owners for the sum of \$550. Granting of the two additional points of access will eliminate any damage to the owner's property; therefore, the consideration for the grant of access will be \$1,045, or the difference between the original figure of \$1,595 and the \$550 paid for the additional taking. Approval of the Bureau of Public Roads was received July 6, 1965. The Commission approved the grant of access.

Attention was given to an agreement with Bonneville Power Administration concerning their prior right of way crossing at McCord Creek on the McCord Creek-Bonneville Section of the Columbia River Highway in Multnomah County. This agreement, the Right of Way Engineer remarked, provides for the installation of a locked gate and has been approved by the Bureau of Public Roads. The Commission approved the agreement.

September 28, 1965

An exchange of properties with the City of Portland on the Interstate Avenue-Steel Bridge Section of the Pacific Highway West was recommended by the Right of Way Engineer. Under the proposed exchange, the Highway Department will relinquish to the City its interest in the easterly half of Northeast Wheeler Street between Williams Avenue and the Minnesota Freeway, in exchange for the City's sixty per cent interest in the landscaped area lying immediately south of the Broadway Bridge, between the Willamette River and Interstate Avenue. A staff appraiser has inspected the two properties and it is his opinion that the two are of approximately equal value. The Bureau of Public Roads is not involved in this transaction. The Commission approved the exchange of properties.

Approval of a demolition contract on the North Portland Harbor-Russell Street Section of the Pacific Highway in Portland was requested by the Right of Way Engineer. He explained that bids were received September 21 for the demolition of eight houses, three garages, and the filling of eight basements plus rough grading of the area. The buildings could not be disposed of by public auction so it was necessary to receive bids for their demolition. Colhouer Construction Company submitted the low of three bids in the amount of \$2,900. The Commission awarded the contract to Colhouer Construction Company, and authorized the Secretary to sign the contract.

The Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. Right of way maps and other data were also considered. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2128 through 2151", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For details concerning these properties, see the Chief Counsel's letter entitled "Resolutions for Condemnation", dated September 27, 1965, in the Secretary's Office).

A report showing results of cases tried in court since the last Commission meeting was presented by the Chief Counsel. The Commission approved the report which is summarized as follows:

#### REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4740 Arthur V. Lundeen, et al.	Clackamas	Mt. Hood	Duncan Road- Sandy	\$ 4,150.00	\$ 8,500.00	\$ 7,500.00

September 28, 1965



## (Report of Condemnation Cases Tried - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4687 Wolf Creek Lumber Co., Inc.	Josephine	Pacific	Douglas County Line- Coyote Creek	\$176,000.00	\$300,000.00	\$230,000.00
L-4655 F. F. Moser, et al.	Linn	Corvallis- Lebanon	Corvallis- Orleans	3,800.00	8,000.00	5,500.00
L-3993 Lawrence Hamm, et al.	Polk	Willamina- Salem	Bonneville Station- Patterson Avenue	6,050.00	13,500.00	9,000.00
L-4029 T. T. Crozer, et al.	Polk	Willamina- Salem	Bonneville Station- Patterson Avenue	2,900.00	10,000.00	4,100.00
L-4712 E. J. Windle, et ux.	Tillamook	Nehalem Bay	State Park	17,500.00	39,900.00	19,100.00

REPORT OF TRIAL OF OTHER CASES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4617 State High- way Commission	Albert G. Rivas	Klamath	Damages	\$701.03	\$300.00
(The jury found defendant to be negligent and absolved State of contributory negligence but reduced the damages from \$701.03 to \$300.)					
L-4581 State of Oregon	Albert T. King, et ux.	Jackson	Specific Performance	A Decree ordering Specific Performance of an option contract	for Dfts.

September 28, 1965

(For additional details, see the Chief Counsel's letter dated September 23, 1965, concerning Cases Tried in the General Files in Salem.)

The Chief Counsel also commented that the total amount awarded by the courts in these cases is approximately 30% above the total amount offered by the State but is approximately 65% less than the total demanded by the owners.

A tabulation showing proposed settlements of condemnation cases since the last Commission meeting was also presented by the Chief Counsel. He commented that the settlements do not represent substantial increases and also that the settlements are in order for Federal participation. The Commission approved the settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4888 Miles H. Feero, et ux.	Douglas	Dillard	South Dillard Bridge	\$ 300.00	\$ 375.00
L-4886 Arvel L. Nash, et al.	Jackson	Crater Lake	Biddle Road- Camp White	2,800.00	2,800.00
L-4893 T. G. Gannaway, et al.	Jackson	Crater Lake	Biddle Road- Camp White	655.00	655.00
L-4862 Richfield Oil Corp., et al.	Polk	Salem- Dayton	Orchard Heights Road-Edgewater Street	3,600.00 (for two parcels)	2,800.00
(At the request of the owner the taking on Parcel No. 2 was changed from a fee taking to a taking for a slope easement. This caused a reduction in the appraised value of the taking.)					
L-4766 Russell E. Hamachek, et al.	Washington	Beaverton- Tigard	Sunset Highway- Pacific Highway	3,600.00	4,000.00
L-4791 Donald W. Hirschberger, et al.	Washington	Beaverton- Tigard	Sunset Highway- Pacific Highway	39,000.00	41,750.00
L-4875 Jewell J. Johnson, et ux.	Coos	Coos Bay- Roseburg	Rink Creek- Myrtle Point	822.00	1,200.00

September 28, 1965

<u>CLASS</u>	<u>COURSE</u>	<u>INSTRUCTOR</u>	<u>ROLL NO.</u>	<u>STUDENT'S NAME</u>	<u>AMOUNT OF CONTRIBUTION</u>
1945-46	English	Miss Taylor	101	Miss Taylor	\$ 1,000.00
1946-47	English	Miss Taylor	102	Miss Taylor	\$ 1,000.00
1947-48	English	Miss Taylor	103	Miss Taylor	\$ 1,000.00
1948-49	English	Miss Taylor	104	Miss Taylor	\$ 1,000.00
1949-50	English	Miss Taylor	105	Miss Taylor	\$ 1,000.00
1950-51	English	Miss Taylor	106	Miss Taylor	\$ 1,000.00
1951-52	English	Miss Taylor	107	Miss Taylor	\$ 1,000.00
1952-53	English	Miss Taylor	108	Miss Taylor	\$ 1,000.00
1953-54	English	Miss Taylor	109	Miss Taylor	\$ 1,000.00
1954-55	English	Miss Taylor	110	Miss Taylor	\$ 1,000.00
1955-56	English	Miss Taylor	111	Miss Taylor	\$ 1,000.00
1956-57	English	Miss Taylor	112	Miss Taylor	\$ 1,000.00
1957-58	English	Miss Taylor	113	Miss Taylor	\$ 1,000.00
1958-59	English	Miss Taylor	114	Miss Taylor	\$ 1,000.00
1959-60	English	Miss Taylor	115	Miss Taylor	\$ 1,000.00
1960-61	English	Miss Taylor	116	Miss Taylor	\$ 1,000.00
1961-62	English	Miss Taylor	117	Miss Taylor	\$ 1,000.00
1962-63	English	Miss Taylor	118	Miss Taylor	\$ 1,000.00
1963-64	English	Miss Taylor	119	Miss Taylor	\$ 1,000.00
1964-65	English	Miss Taylor	120	Miss Taylor	\$ 1,000.00
1965-66	English	Miss Taylor	121	Miss Taylor	\$ 1,000.00
1966-67	English	Miss Taylor	122	Miss Taylor	\$ 1,000.00
1967-68	English	Miss Taylor	123	Miss Taylor	\$ 1,000.00
1968-69	English	Miss Taylor	124	Miss Taylor	\$ 1,000.00
1969-70	English	Miss Taylor	125	Miss Taylor	\$ 1,000.00
1970-71	English	Miss Taylor	126	Miss Taylor	\$ 1,000.00
1971-72	English	Miss Taylor	127	Miss Taylor	\$ 1,000.00
1972-73	English	Miss Taylor	128	Miss Taylor	\$ 1,000.00
1973-74	English	Miss Taylor	129	Miss Taylor	\$ 1,000.00
1974-75	English	Miss Taylor	130	Miss Taylor	\$ 1,000.00
1975-76	English	Miss Taylor	131	Miss Taylor	\$ 1,000.00
1976-77	English	Miss Taylor	132	Miss Taylor	\$ 1,000.00
1977-78	English	Miss Taylor	133	Miss Taylor	\$ 1,000.00
1978-79	English	Miss Taylor	134	Miss Taylor	\$ 1,000.00
1979-80	English	Miss Taylor	135	Miss Taylor	\$ 1,000.00
1980-81	English	Miss Taylor	136	Miss Taylor	\$ 1,000.00
1981-82	English	Miss Taylor	137	Miss Taylor	\$ 1,000.00
1982-83	English	Miss Taylor	138	Miss Taylor	\$ 1,000.00
1983-84	English	Miss Taylor	139	Miss Taylor	\$ 1,000.00
1984-85	English	Miss Taylor	140	Miss Taylor	\$ 1,000.00
1985-86	English	Miss Taylor	141	Miss Taylor	\$ 1,000.00
1986-87	English	Miss Taylor	142	Miss Taylor	\$ 1,000.00
1987-88	English	Miss Taylor	143	Miss Taylor	\$ 1,000.00
1988-89	English	Miss Taylor	144	Miss Taylor	\$ 1,000.00
1989-90	English	Miss Taylor	145	Miss Taylor	\$ 1,000.00
1990-91	English	Miss Taylor	146	Miss Taylor	\$ 1,000.00
1991-92	English	Miss Taylor	147	Miss Taylor	\$ 1,000.00
1992-93	English	Miss Taylor	148	Miss Taylor	\$ 1,000.00
1993-94	English	Miss Taylor	149	Miss Taylor	\$ 1,000.00
1994-95	English	Miss Taylor	150	Miss Taylor	\$ 1,000.00
1995-96	English	Miss Taylor	151	Miss Taylor	\$ 1,000.00
1996-97	English	Miss Taylor	152	Miss Taylor	\$ 1,000.00
1997-98	English	Miss Taylor	153	Miss Taylor	\$ 1,000.00
1998-99	English	Miss Taylor	154	Miss Taylor	\$ 1,000.00
1999-00	English	Miss Taylor	155	Miss Taylor	\$ 1,000.00
2000-01	English	Miss Taylor	156	Miss Taylor	\$ 1,000.00
2001-02	English	Miss Taylor	157	Miss Taylor	\$ 1,000.00
2002-03	English	Miss Taylor	158	Miss Taylor	\$ 1,000.00
2003-04	English	Miss Taylor	159	Miss Taylor	\$ 1,000.00
2004-05	English	Miss Taylor	160	Miss Taylor	\$ 1,000.00

1952 OF OTHER CASES SETTLED

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BLUE RIVER-MILL CREEK SECTION OF THE MCKENZIE HIGHWAY

R-37853 - Ted E. Shoop. 0.6 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson September 10, 1965.

CHAMPOEG STATE PARK

R-36231 - Joe Zorn and Glenn J. Owen. 2.4 acres for park purposes.  
Offer of \$6,100.00 approved by Mr. Jackson August 16, 1965.

FLORAS CREEK UNIT OF THE OREGON COAST HIGHWAY

R-37804 - Julia G. Anderson. 1.06 acres for right of way purposes.  
Offer of \$1,060.00 approved by Mr. Jackson September 10, 1965.

FOREST GROVE-YAMHILL COUNTY LINE SECTION OF THE TUALATIN VALLEY HIGHWAY

R-36889 - William Heesacker, Jr., et ux. 0.6 acre for right of way purposes. Offer of \$900.00 approved by Mr. Simpson August 24, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-35758 - Olsen Roe Transfer Company. 660 square feet for right of way purposes. Offer of \$7,200.00 approved by Mr. Jackson August 26, 1965.

HIGHLANDS INTERCHANGE-STADIUM FREEWAY SECTION OF THE SUNSET HIGHWAY

R-37657 - Portland General Electric Company. 4,500 square feet for right of way purposes. Offer of \$500.00 approved by Mr. Jackson August 24, 1965.

OXMAN AND OXMAN-BENSON CREEK SECTIONS OF THE OLD OREGON TRAIL

-4877 (R-28118) - Vardell B. Clark; Parcel No. 1: 2.0 acre for right of way purposes; Parcel No. 2: 2.0 acre for right of way purposes; Parcel No. 3: 0.9 acre for right of way purposes; Parcel No. 4: 0.9 acre for right of way purposes; Parcel No. 5: 0.06 acre for right of way purposes; Parcel No. 6: 2.4 acres for right of way purposes; Parcel No. 7: 0.4 acres for right of way purposes; Parcel No. 8: 0.46 acre for right of way purposes; Parcel No. 9: 0.7 acre for temporary easement; Parcel No. 10: 0.75 acre for temporary easement; Parcel No. 11: 0.15 acre for temporary easement. Offer of \$28,250.00 approved by Mr. Fridley September 10.

AT NORTHERN R.R. CROSSING SECTION OF THE MIDLAND HIGHWAY

S. S. Johnson Company. Parcel No. 1: 1.6 acres for  
Parcel No. 2: 0.11 acre for right of way purposes.  
Approved by Mr. Fridley September 2, 1966.

## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4890 Rowland Maxfield, et ux.	Benton	Kings Valley	Big Luckiamute River Bridge	\$ 600.00	\$ 1,000.00
L-4879 Frederick E. Finley, et ux.	Coos	Coos Bay-Roseburg	Rink Creek-Myrtle Point	4,115.00	4,300.00
L-4666 Charles A. Vaughn, et al.	Klamath	Klamath Falls-K.I.D. Canal-Lakeview	Madison Street	1,850.00	2,850.00
(Settlement justified by a number of recent trials. Owner has an appraisal by a local appraiser, frequently used by State, at \$3,940.)					
L-4607 Albert L. Gregory, et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	1,960.00	2,300.00

REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
L-4645 Clifton L. Hanks	Thomas Pomeroy	Marion	Negligence	\$343.67 plus attorney fees and costs	\$200.00
(This action was filed against the operator of a department snow-plow for damages to the plaintiff's automobile. The action was settled by insurance company for \$200.)					

(For additional details see the Chief Counsel's letter dated September 24, 1965, concerning Cases Settled in the General Files in Salem.)

The Commission confirmed telephonic approval of offers made to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

BIDDLE ROAD-CAMP WHITE SECTION OF THE CRATER LAKE HIGHWAY

R-37623 - Hughie P. Jennings, et al. 0.24 acre for right of way purposes. Offer of \$720.00 approved by Mr. Jackson September 2, 1965.

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BLUE RIVER-MILL CREEK SECTION OF THE MCKENZIE HIGHWAY

R-37853 - Ted E. Shoop. 0.6 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson September 10, 1965.

CHAMPOEG STATE PARK

R-36231 - Joe Zorn and Glenn J. Owen. 2.4 acres for park purposes. Offer of \$6,100.00 approved by Mr. Jackson August 16, 1965.

FLORAS CREEK UNIT OF THE OREGON COAST HIGHWAY

R-37804 - Julia G. Anderson. 1.06 acres for right of way purposes. Offer of \$1,060.00 approved by Mr. Jackson September 10, 1965.

FOREST GROVE-YAMHILL COUNTY LINE SECTION OF THE TUALATIN VALLEY HIGHWAY

R-36889 - William Heesacker, Jr., et ux. 0.6 acre for right of way purposes. Offer of \$900.00 approved by Mr. Simpson August 24, 1965.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-35758 - Olsen Roe Transfer Company. 660 square feet for right of way purposes. Offer of \$7,200.00 approved by Mr. Jackson August 26, 1965.

HIGHLANDS INTERCHANGE-STADIUM FREEWAY SECTION OF THE SUNSET HIGHWAY

R-37657 - Portland General Electric Company. 4,500 square feet for right of way purposes. Offer of \$500.00 approved by Mr. Jackson August 24, 1965.

HILL CREEK-OXMAN AND OXMAN-BENSON CREEK SECTIONS OF THE OLD OREGON TRAIL HIGHWAY

L-4677 (R-29119) - Verdell S. Kirby. Parcel No. 1: 38.0 acres for right of way purposes; Parcel No. 2: 2.5 acres for right of way purposes; Parcel No. 3: 0.9 acre for right of way purposes; Parcel No. 4: 41.0 acres for right of way purposes; Parcel No. 5: 0.06 acre for right of way purposes; Parcel No. 6: 2.4 acres for right of way purposes; Parcel No. 7: 8.1 acres for right of way purposes; Parcel No. 8: 0.46 acre for temporary easement; Parcel No. 9: 0.7 acre for temporary easement; Parcel No. 10: 0.75 acre for temporary easement; Parcel No. 11: 0.18 acre for temporary easement. Offer of \$28,250.00 approved by Mr. Fridley September 10, 1965.

HILYARD AVENUE-GREAT NORTHERN R.R. CROSSING SECTION OF THE MIDLAND HIGHWAY

R-38077 - S. S. Johnson Company. Parcel No. 1: 1.5 acres for right of way purposes; Parcel No. 2: 0.11 acre for right of way purposes. Offer of \$2,180.00 approved by Mr. Fridley September 2, 1965.

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HUNTER CREEK-MYERS CREEK SECTION OF THE OREGON COAST HIGHWAY

R-37757 - C. E. Wimer. 2.2 acres for right of way purposes. Offer of \$660.00 approved by Mr. Jackson August 24, 1965.

IRRIGON JUNCTION-UMATILLA COUNTY LINE SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-37574 - Joe Andrews, et al. Parcel No. 1: 69.0 acres for right of way purposes; Parcel No. 2: 14.5 acres for right of way purposes. Offer of \$4,175.00 approved by Mr. Fridley September 2, 1965.

R-37578 - Scott Chapman, et ux. 9.7 acres for right of way purposes. Offer of \$2,150.00 approved by Mr. Fridley September 9, 1965.

R-37579 - Arnold Braat, et ux. Parcel No. 1: 9.6 acres for right of way purposes; Parcel No. 2: 1.41 acres for permanent easement; Parcel No. 3: 1.06 acres for permanent easement. Offer of \$2,150.00 approved by Mr. Fridley September 8, 1965.

NORTH CITY LIMITS-5TH STREET NORTH (LAKEVIEW) SECTION OF THE FREMONT HIGHWAY

R-38261 - Patricia Angland. 935 square feet for permanent easement. Offer of \$300.00 approved by Mr. Fridley September 17, 1965.

R-38263 - John Collins, et ux. Parcel No. 1: 1,160 square feet for permanent easement; Parcel No. 2: 0.11 acre for permanent easement. Offer of \$500.00 approved by Mr. Fridley September 17, 1965.

R-38269 - F. R. Colwell, et ux. 850 square feet for permanent easement. Offer of \$200.00 approved by Mr. Fridley September 17, 1965.

R-38274 - Donald D. Mautz, et ux. 1,500 square feet for permanent easement. Offer of \$200.00 approved by Mr. Fridley September 15, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-36897 - Harold H. Hursh. Parcel No. 1: 49.4 acres for right of way purposes; Parcel No. 2: 55.0 acres for right of way purposes; Parcel No. 3: 2.3 acres for permanent easement; Parcel No. 4: 1.36 acres for permanent easement; Parcel No. 5: 0.5 acre for permanent easement; Parcel No. 6: 0.42 acre for permanent easement; Parcel No. 7: 3.89 acres for temporary easement. Offer of \$12,250.00 approved by Mr. Fridley September 7, 1965.

R-37095 - Mike Hosey and Edith Metzker. Parcel No. 1: 19.9 acres for right of way purposes; Parcel No. 2: 5.6 acres for permanent easement. Offer of \$8,650.00 approved by Mr. Fridley September 3, 1965.

R-38092 - Edna Hindman, et al. 4.7 acres for right of way purposes. Offer of \$3,710.00 approved by Mr. Fridley September 3, 1965.

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PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38199 - John D. Iven, et ux. Parcel No. 1: 7,750 square feet for right of way purposes; Parcel No. 2: 1,650 square feet for right of way purposes. Offer of \$13,200.00 approved by Mr. Jackson August 17, 1965.

SHADY COVE BRIDGE SECTION OF THE CRATER LAKE HIGHWAY

R-37571 - Mary Christina Zimmerlee. Parcel No. 1: 0.1 acre for right of way purposes; Parcel No. 2: 0.3 acre for right of way purposes; Parcel No. 3: 0.15 acre for temporary easement. Offer of \$1,210.00 approved by Mr. Jackson September 10, 1965.

R-37572 - J. C. Barnes, et ux. 0.72 acre for right of way purposes. Offer of \$970.00 approved by Mr. Jackson September 2, 1965.

STAFFORD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-37593 - Paul E. Doty, et ux. 0.46 acre for right of way purposes. Offer of \$4,085.00 approved by Mr. Jackson September 3, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-35734 - A. E. Church, et al. 4.5 acres for right of way purposes. Offer of \$31,100.00 approved by Mr. Jackson September 14, 1965.

The Commission accepted a report submitted by the Chief Counsel concerning orders received from the Public Utility Commissioner regarding railroad crossing matters in which the State Highway Commission has been a party, summarized as follows:

PUX 565: Application by the State Highway Commission to alter a crossing at grade over the tracks and right of way of Southern Pacific Company at the McKenzie Highway-28th Street (Springfield) Grade Crossing Alteration project, in Lane County. Because of reconstruction of the McKenzie Highway to 4-lanes crossing width was increased from 42-feet to 70-feet. The order provides for automatic gates, flashing lights and gongs. This is the first instance in which the State has asked for electronic "predictor" activating equipment for the signals; this was done because of the considerable switching activity.

PUX 566: Application by the State Highway Commission to construct an Overcrossing over the main track of Oregon-Washington Railroad and Navigation Company, Union Pacific Railroad Company, Lessee, known as the Ruckel Overcrossing project on the Columbia River Highway in Multnomah County. The order granted the State's request. No participation by the railroad in the construction cost was requested as no grade crossing is to be replaced.

PUX 568: Application by the State Highway Commission to alter a crossing at grade over the tracks and right of way of Southern Pacific Company, known as the Wallace Road Grade Crossing project, on the Salem-Dayton Highway in Polk County. The order granted the State's request for widening the highway from 2 to 4-lanes. The crossing will be protected by flashing

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light signals on cantilever arms above the crossing and a flashing light assembly along the edge of the right of way with an auxiliary gong. The Railroad is to pay 10% of the cost of the signaling device.

PUX 571: Application by the State Highway Commission to alter a grade crossing on the Columbia River Highway in Wasco County near Celilo. The order granted the State's request which was for the contractor's convenience as a detour while constructing one of the piers for the highway structure. The detour and the altered grade crossing will be abandoned when traffic is routed over the new structure. All costs of altering the crossing are to be borne by the State's contractor.

Concerning the institution of legal proceedings against the Commission, its officers or employees the Chief Counsel reported that since the last meeting the following action has been filed in the Multnomah County Circuit Court:

- (1) Vasiliki T. Kosturos vs. O. Ted Hill and the State of Oregon, by and through its State Highway Commission. The plaintiff seeks to recover from the defendant, O. Ted Hill, the sum of \$664, plus attorney fees and costs for removal of carpets, bathroom cabinets and other permanent fixtures from the Almira Apartments in Portland. To recover his loss, the plaintiff found it necessary to name the State as defendant, since the State was owner of the property at the time the items were removed. The defendant also added a further and separate cause of action in which he named the Commission and claimed that plaintiff and the Commission owed him \$850 for interfering with his removal of personal property.

The Chief Counsel also reported on the case of Barbara Wester vs. Babler Brothers Inc. and the Highway Commission concerning an accident involving personal injuries on the McKenzie Highway near Blue River in Lane County while construction was in progress. The plaintiff alleges negligence in the placing of signs and in other matters and is demanding \$150,000 for injuries. As this case apparently concerns only the contractor, the Chief Counsel stated that he would seek to get the Commission dismissed from the case.

The Chief Counsel recommended settlement of a condemnation case of State vs. Kirby on the Old Oregon Trail (I-80N) in Baker County. Appraised value of this 23 acres of property, he said, had been set at \$30,500 and the owner has now agreed to accept the sum of \$34,500. He explained that this property is located at the end of a construction project and condemnation proceedings had been authorized through about half of the property approximately 2½ years ago. It was his feelings that the Bureau of Public Roads would participate in the settlement. He recommended that the settlement be accepted as in the best interest of the State. The Commission approved the settlement.

Commissioner Simpson brought up the matter of a suit for specific performance of an option to acquire right of way as mentioned in a letter written by the Chief Counsel. The Chief Counsel stated that in his opinion the State is entitled to specific performance on the option as it was obtained in the ordinary manner, without any pressure, and no misrepresentation. The owner, however, has changed his mind about accepting the price mentioned in the option and his attorney has requested that the State file a condemnation action. He also stated that in the past some owners have been allowed to renege on options when conditions were changed and before the options were presented to the Commission. However, there has been no specific court ruling to clarify whether options are enforceable. He felt that in this instance the option is valid and should be enforced.

Chairman Jackson commented that if the option is not enforced it may set a precedent and he inquired as to why the option system is followed. The Chief Counsel replied that the taking of an option indicates a meeting of minds on conditions mutually agreed upon. However, right-of-way agents do not have legal authority to bind the Commission in purchase of property and it is necessary that their actions, in the form of options, be presented to the Commission for approval. The Chief Counsel also commented that options which have been released were all released prior to presenting them to the Commission. In this instance, the option had been presented to the Commission and approved, after which the owner changed his mind.

Commissioner Fridley inquired if there would be additional cost to the State if no appeal is made to enforce the option. The Chief Counsel replied that there probably would be as the owner's appraiser had indicated a value of \$6,300. Commissioner Simpson felt that condemnation proceedings should be used. After some further discussion, the Commission instructed the Chief Counsel to take such action as is necessary for specific performance of the option for \$2,300 taken from Albert T. King and Opal B. King on the Wall Creek-California Line Section of the Pacific Highway in Jackson County.

The Commission confirmed Chairman Jackson's action of August 25, 1965, approving a contract with Northwestern Incorporated for the production of a new state parks film. The Engineer commented that the film is to be not less than 24 minutes in length. It's to be in full color with a sound track for which the State is to pay the contractor \$10,850. The film is to be completed by December 15, 1965. The Commission also authorized the Secretary to sign the agreement in their behalf.

The publication entitled "History of the Oregon State Parks" was presented by the Engineer who recommended that it be accepted by the Highway Commission. He also recommended that a price of \$5.00 per copy be established for those copies which are to be sold. The Commission accepted the publication as recommended and also authorized the distribution of certain free copies as mentioned in the Engineer's letter to the Commission dated September 21. The Chairman complimented Mr. C. H. Armstrong, retired Park Superintendent, who had composed the publication.

The Engineer also presented to the Commission a study entitled "Oregon Outdoor Recreation, A Study of Non-Urban Parks and Recreation" and

"Statewide Comprehensive Outdoor Recreation Plan, Part II". He commented briefly that the Bureau of Outdoor Recreation in mid-August had requested a crash program to develop a statewide study of recreation needs to be used for a one-year period in order to get the Federal-aid Program under way. A more detailed study is to be completed a year from now. Through employment of a consulting expert and the use of two Bureau of Outdoor Recreation Employees, the study was placed in the Seattle office on September 3. The Commission accepted the study.

The Commission confirmed the Chairman's action of September 7, 1965, approving construction of a bridge in the railroad fill at Wyeth on the Columbia River Highway in Hood River County as an addition to the current State Construction Program. The Engineer recalled that on November 3, 1964, the Commission had directed that the bridge be installed as a result of requests from boating and recreation people for access to Wyeth Cove. The project is estimated to cost \$160,000 including engineering.

The Commission also considered the addition of \$31,000 to the 1966 State Construction Budget for revetment repairs at the west end of the Harrisburg Bridge on the Albany-Junction City Highway in Lane County. This project, the Engineer said, is urgent in that considerable damage was done by the high waters last winter and repairs should be made prior to this coming winter. The Commission approved the project.

On Program IX, which is the approved ABC Federal-aid Program for the fiscal year 1966-67 the Engineer stated that \$800,000 was included to purchase right-of-way for an interchange at the intersection of the Beaverton-Hillsdale Highway and Scholls Ferry Road in Washington County. Strong protests were received from representatives in this area who recommended some plan not involving an interchange. Because of the traffic volume he said that he could not recommend an intersection at grade but would continue to observe traffic performance with the possibility that some synchronization might be put into effect. He recommended that the project be withdrawn from Program IX and the allocation of \$800,000 be transferred to construction of the Beaverton-Tigard Highway between Interstate 5 and Tigard. This section is estimated to cost \$1,250,000. He also recommended that the difference be made up with State funds. The Commission accepted his recommendation.

A two-mile extension of construction on the southerly end of the Tygh Valley-Oak Springs Road Section of The Dalles-California Highway in Wasco County was brought up. This is Contract No. 6509 with Rogers Construction Company. Due to an overestimation of paving quantities, the Engineer stated that sufficient materials have been produced to perform the work without an increase in project authorization. This matter, he said, was approved by the Chairman on August 30, 1965. The Commission confirmed extension of the project.

The Engineer reported that for the past year or so the establishment of a nationwide Materials Reference Laboratory has been considered by AASHO. The purpose of the laboratory would be to furnish the states with inspection service and advice so as to incorporate uniformity and quality into inspection practices and to make use of the latest procedures and techniques. Arrangements have been made with the National Bureau of Standards to set up the

laboratory and the Bureau of Public Roads has agreed to underwrite one-third of the cost. He recommended that payment of \$2,466.67 be approved as Oregon's share for the 1966 fiscal year. The Commission approved the payment.

The Engineer requested and the Commission granted an increase in the following project authorization:

- (1) Contract No. 6553, for grading and paving on the Oakridge-Salt Creek Tunnel Project of the Willamette Highway in Lane County, for an increase of \$159,597.63 (9.5%). This contract was made on an equipment rental basis for flood damage repairs and an overrun in equipment time in conjunction with heavy summer traffic were given as the major causes of the overrun.

Requests for extensions of time in which to complete highway contracts were presented by the Engineer. He outlined briefly the pertinent facts relating to each request and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) Hannan Bros. Company, Contract No. 6558, for construction of the West Fork Hood River Bridge on Lost Lake Road (FAS 306), Hood River County, requested an increase of 30 calendar days within which to complete the contract without assessment of liquidated damages. The Commission denied the request and a letter was presented from the Bureau of Public Roads concurring in this action.
- (2) Bud Stump, Contract No. 6620, for grading on the Summer Lake-Valley Falls Section of the Fremont Highway in Lake County, requested an extension of time of 30 days within which to complete the contract without assessment of liquidated damages. The Commission approved an extension of time from August 1 to August 14, 1965. A letter was presented from the Bureau of Public Roads concurring in this action.
- (3) Hughes and Dodd Company, Contract No. 6569, for grading and paving on the Shady Cove Bridge Section of the Crater Lake Highway in Jackson County, requested an extension of time from June 1, 1965, to August 15, 1965, without assessment of liquidated damages. The Commission approved an extension to July 21, 1965. A letter from the Bureau of Public Roads was presented concurring in this extension.

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- (4) Washington Construction Company, Contract No. 6621, for grading on the Warner Summit-Greaser Reservoir Section of the Warner Highway in Lake County, requested that the completion date be extended from August 1, 1965, to September 1, 1965, without assessment of liquidated damages. The Commission approved an extension of time to August 6 (date of completion of the contract). A letter was presented from the Bureau of Public Roads concurring in this action.
- (5) Electric Corporation, Contract No. 6563, for installation of illumination at the North Ashland Interchange-South Ashland Interchange on the Pacific Highway in Jackson County, requested that the specified completion date be extended from June 30, 1965, to July 19, 1965, without assessment of liquidated damages. The Commission approved an extension to July 5, 1965. Concurrence of the Bureau of Public Roads was received in a letter dated August 17, 1965.
- (6) Ausland Construction Company, Contract No. 6623, for construction of box culverts on the Butte Falls-Prospect Road (FAS 287) in Jackson County, requested that the specified completion date be extended from July 31, to September 30, 1965, without assessment of liquidated damages. The Commission approved the request. A letter from the Bureau of Public Roads concurring in this action was presented.
- (7) Don Greene Construction, Inc., Contract No. 6528, for grading and oiling on the Jordan Valley-Idaho State Line Section of FAS 828 in Malheur County, requested an extension of the specified completion date from July 15, 1965, to August 15, 1965, without assessment of liquidated damages. The Commission approved an extension of time to August 5, 1965.
- (8) F. H. McEwen, Contract No. 6520, for grading and oiling on the North Unit, Diamond Junction-Frenchglen Section of the Frenchglen Highway in Harney County, requested an extension of the completion date from October 1, to October 31, 1965, within which to complete the contract without assessment of liquidated damages. The Commission approved the extension.
- (9) Porter W. Yett Company, Contract No. 6581, for grading and stone base on the Powell Boulevard-Ellis Street Section of Southeast 122nd Avenue (FAS 654) in Multnomah County, requested an extension of the

completion date from August 31, 1965, to September 20, 1965, without assessment of liquidated damages. The Commission approved an extension of time to September 10, 1965, (date of completion of the contract).

- (10) Cumming and Webber, Inc., Contract No. 6542, for construction of the Shady Cove Bridge on the Crater Lake Highway in Jackson County, requested an extension of the completion date from June 15, 1965, to July 30, 1965, without assessment of liquidated damages. The Commission approved the request after considering a letter from the Bureau of Public Roads concurring in the extension of time.
- (11) Ross Bros. Construction Company, Contract No. 6566, for construction of the Upper Salt Creek Bridge on the Willamette Highway in Lane County, requested an extension of the completion date from September 15, 1965, to November 6, 1965, within which to complete the contract without assessment of liquidated damages. The Commission approved an extension of time to November 7, 1965. Concurrence of the Bureau of Public Roads has been received.
- (12) Ross Bros. Construction Company, Contract No. 6567, for construction of the Lower Salt Creek Bridge on the Willamette Highway in Lane County, requested an extension of the completion date from August 31, 1965, to September 16, 1965, within which to complete the contract without assessment of liquidated damages. The Commission approved the request. Concurrence of the Bureau of Public Roads has been received.

The Engineer reported that Contract Nos. 6189, 6248, 6333, 6355, 6364, 6367, 6383, 6396, 6401, 6449, 6455, 6482, 6540, 6574 and 6621 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 144", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported completion of a highway location survey on the Forest Grove Section of the Tualatin Valley Highway in Washington County. A public hearing was held on this section July 23, 1964, and no adverse comments were made. He exhibited a map showing the proposed section of 2.62 miles and estimated the cost of construction at \$810,000 plus \$130,000 for right-of-way. Following his favorable recommendation, the Commission approved the survey and thereupon adopted "Survey Resolution No. 302", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Tabulations were presented by the Engineer describing highway construction projects on Coos and Lane County roads. These projects have been investigated and are eligible for construction with Federal-aid Secondary Funds. The Commission accepted his recommendation for approval of the following projects and authorized the Secretary to sign routine construction agreements when they are prepared.

County	FAS No.	Section & Description	Programmed Amount	FAS Funds
Coos	250	16th Street-Coast Highway, grade and pave, 0.4 mile.	\$100,000	1966
Lane	860	SPRR Overcrossing, West Beltline Road, structure.	140,000	1966
Total.....			\$240,000	

SUMMARY BY FISCAL YEARS	1966	Estimated 1967	Total
Allocated Funds	\$3,952,000	\$3,952,000	\$7,904,000
Approved Projects (corrected to date)	3,403,000	--	3,403,000
Unprogrammed Balance	549,000	3,952,000	4,501,000
Projects Proposed 9/28/65	240,000	--	240,000
Unprogrammed Balance	\$ 309,000	\$3,952,000	\$4,261,000

The Commission authorized the Engineer to hold a public hearing and conduct a location survey concerning reconstruction of the Mapleton-Eugene Highway between Noti and Veneta in Lane County.

A report was presented by the Engineer showing the status of emergency flood repair projects as of August 31, 1965. He stated that an additional report will be made within a few months, probably near the first of the year. The Commission accepted the report.

(For details see the Engineer's letter dated September 24, 1965, to which is attached a "Progress Statement - Emergency Relief Program" dated August 31, 1965.)

Consideration was given to changes in the designated speeds on the Sunset Highway between the Oregon Coast Highway and the west city limits of Portland. The Engineer stated that construction completed since the adoption of "Speed Zone Resolution No. 367" on December 8, 1961, has made it feasible to designate a speed higher on some sections than the present 60 mile-per-hour

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limit. He recommended that "Speed Zone Resolution No. 367" dated December 8, 1961, be rescinded and that the following speed zones be established on the Sunset Highway in Clatsop, Tillamook, Washington, Columbia and Multnomah Counties:

45 miles per hour from the junction with the Oregon Coast Highway at M. P. 0.00 to M. P. 0.10

60 miles per hour from M. P. 0.10 to M. P. 19.32

50 miles per hour from M. P. 19.32 to M. P. 19.70

60 miles per hour from M. P. 19.70 to M. P. 61.84

70 miles per hour from M. P. 61.84 to M. P. 64.09

60 miles per hour from M. P. 64.09 to M. P. 64.48

70 miles per hour from M. P. 64.48 to M. P. 68.02

55 miles per hour from M. P. 68.02 to the West City limits of Portland at M. P. 71.95

The Commission approved the recommendation and thereupon adopted "Speed Zone Resolution No. 494", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Resolutions were presented by the Engineer covering the abandonment of old sections of three highways. He explained that because of completion of new construction, the old sections are no longer needed as state highways and can be abandoned to the Counties or to the adjoining property owners as outlined in prior agreements. The Commission approved abandonment of the following highway sections and thereupon adopted "Abandonment and Retention Resolution Nos. 419, 429 and 435", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Rock Creek Section of the Coos Bay-Roseburg Highway in Coos County. (See "Abandonment & Retention Resolution No. 419").
- (2) Airport Road-Irrigon Junction Section of the Columbia River Highway in Morrow County. (See "Abandonment & Retention Resolution No. 429").
- (3) Sundial-Troutdale Interchange, Sundial Road-Rooster Rock Section of the Columbia River Highway in Multnomah County. (See "Abandonment & Retention Resolution No. 435").

The Commission considered abandonment to Marion County of a frontage road located westerly of the Salem Bypass (I-5) from US99E at Hayesville Interchange southerly to its junction with Sunnyview Avenue. The Engineer explained that the abandonment agreement is supplemental to agreements entered

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into with Marion County on February 1, 1952, and December 8, 1953, concerning construction of the Salem Bypass Section of the Pacific Highway. The agreement provides that the State shall convey to the County by deed of relinquishment its interest in the right-of-way of the frontage road. The relinquishment of title, he said, has been prepared and he recommended that it be approved by the Commission as well as the supplemental agreement. The Commission accepted his recommendation and authorized the Secretary to sign the supplemental agreement in their behalf. (The Commission signed the Relinquishment of Title).

An agreement with Champ Bond to plow snow from the Haines-Anthony Highway in Baker County was presented by the Engineer. He commented that a similar agreement has been in effect for the past three years and has proved to be a very satisfactory arrangement. Annual cost for the plowing of snow, he said, has averaged about \$10,000 per year and he recommended that an agreement be entered into with Mr. Bond for the plowing of snow through the 1965-1966 winter season. The Commission approved the agreement and authorized the Secretary to sign it for them.

Payment of \$150 to the City of The Dalles in lieu of patching work was brought up by the Engineer. In the fall of 1964, he explained that the Highway Department had agreed to perform a minor amount of patching on Union Street. The City now wishes to perform a major repair job to the same street and has requested that they be paid in cash in lieu of the patching work. The Engineer recommended that payment be made to them in exchange for a release from the City for the State's commitment on Union Street. The Commission accepted his recommendation.

The Engineer reported that an investigation was recently completed on traffic hazards at the intersection of the Lower Columbia River Highway and Gable Road, south of St. Helens, in Columbia County. Need was found for construction of a left-turn refuge which in turn would require prohibition of parking. He recommended that parking be prohibited on both sides of the highway from a point 75 feet south of Firlok Park Road to a point 0.12 mile north of Gable Road. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 255", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to an agreement with Southern Pacific Company covering alteration of the existing grade crossing on the 28th Street (Springfield) Section of the McKenzie Highway in Lane County. Under the agreement, the railroad is to install planking, crossing gates to replace the existing flashing light signals and other necessary track work. The State is to pay for the flashing light signals, the track work and plank crossing, estimated at \$17,945. Following the Engineer's favorable recommendation, the Commission approved the agreement.

The Commission also considered an agreement with the U. S. Bureau of Land Management and Mr. Jack Shumway for the construction of right-of-way fence on the Central Oregon Highway for a distance of 0.77 mile in Deschutes County. The Engineer explained that this agreement is similar to others which have been executed on this highway in which the three parties involved share the cost. In this instance the Highway Department is to furnish steel

posts estimated to cost \$273. The Bureau of Land Management is to furnish stays and wire costing \$122.28, and Mr. Shumway is to provide labor for installation at an estimated cost of \$302.23. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Hermiston to improve a portion of the Hermiston Highway between the west city limits and North 1st Street was presented. The Engineer reported that the agreement provides that the City is to install curbs, gutters, drainage facilities, clearing and water meter adjustments at an estimated cost of \$44,000. The State is to grade, place base, and pave the project at an estimated cost of \$86,000. The Commission accepted his recommendation that an agreement be approved and the Secretary authorized to sign it in behalf of the Commission. The Commission also added this project to the current State Construction Program.

Consideration was also given to an agreement with Curry County concerning reactivating the lighting system on the Rogue River Bridge on the Oregon Coast Highway north of Gold Beach. The Engineer recalled that lighting originally installed was turned off during blackouts of World War II and was never relighted. Curry County has requested that the portal lights be turned on. He estimated the total cost of the project at \$800 which is to be shared equally between the State and the County. The County is to connect the lighting system to a power source and pay for all electrical energy consumed by the lights. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission approved the minutes of the meeting held August 23, 1965.

The next regular Highway Commission meeting was set for Thursday, November 4, in the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, December 14, 1965.

An agreement with the Confederated Tribes of the Warm Springs Reservation for installation of a blinker light at the intersection of Kah-Nee-Ta Cutoff with Warm Springs Highway in Jefferson County, was presented by the Engineer. The Tribes requested the installation of the blinker light because of traffic hazards at the intersection. An investigation indicates the blinker is warranted and he recommended the installation at an estimated cost of \$300 to the State. The Tribes are to assume all maintenance and electrical energy costs. The Commission approved the installation and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with the City of Oregon City for installation of a pedestrian actuated traffic signal on the Cascade Highway (7th Street) at Polk Street. The Engineer stated that an investigation indicated that the signal is warranted for the protection of school children and he recommended that it be installed at a total estimated cost of \$4,000 from Minor Betterment Funds. The City is to pay one-half the cost of installation and provide all future maintenance and power costs. The Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to an agreement with the City of North Bend covering installation of a traffic signal at Broadway Street and Newmark Street (Cape Arago Highway) and a flashing beacon at the intersection of Railroad Avenue (Oregon Coast Highway) and Newmark Street. Following the request from the City of North Bend, the Engineer said that an investigation was made and the signals are warranted. He estimated the cost of installation at \$15,000. The City is to pay one-half the cost of installation and provide all maintenance and power needs. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with the City of Eugene for the assumption of maintenance and power costs for signals at the intersection of the Pacific Highway West and Roosevelt Boulevard was discussed. The Engineer commented that due to a recent annexation the intersection is now within the City. The City and State are to share equally the cost of a controller estimated at \$1,300. The City is to take over maintenance and power needs for the signals. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Lake Oswego for traffic signals at the intersection of State Street (Oswego Highway) and North Shore Road. The Engineer reported that following a request from the City for the signals, an investigation had been made and it was found that the installation is warranted. The agreement provides that the State will install the signals at an estimated cost of \$12,000 with the City to pay one-half the cost of installation and provide for all maintenance and electrical energy used. The Commission approved the agreement and authorized the Secretary to sign it for them.

A proposed agreement with the City of Portland for additional signal heads at eighteen signalized intersections was presented by the Engineer. Under terms of the agreement, he commented that the additional signals are to be installed by the City and the cost of the installation, \$4,500, is to be shared equally by the City and the State. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions have been fulfilled. These conditions, he said, have been satisfied. The Commission confirmed his award of the following contracts.

- (1) Grading and oiling on the Poodle Creek Road Slide Section of FAS 861 in Lane County. Bids received August 10, 1965. Contract No. 6688 awarded August 25, 1965, to Groesbeck-Durbin, Inc., Eugene, low bidder.
- (2) Grading and paving the Hilyard Avenue-Great Northern Railroad Crossing Section of the Midland Highway in Klamath County. Bids received August 10, 1965. Contract No. 6698, awarded September 8, 1965, to Asphalt Paving Company, Klamath Falls, low bidder.

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- (3) Intermittent riprap on the Hebo Section of the Oregon Coast and Three Rivers Highways in Tillamook County. Bids received August 31, 1965. Contract No. 6699 awarded September 8, 1965, to Lowry and Johnson Construction, Portland, who won the flip of the coin.
- (4) Sucker Creek (Bridgeview and Holland) Bridges on the Holland Loop Road in Josephine County. Bids received August 31, 1965. Contract No. 6700 awarded September 10, 1965, to M. R. Holst and John Gilliland, Oakridge, low bidder.
- (5) Grading and paving on the Tillamook (Front Street) Section in Tillamook County. Bids received August 31, 1965. Contract No. 6701 awarded September 10, 1965, to Frady and Nickoloff Construction Company, Portland, low bidder.
- (6) Grading, oiling and rock production on FAS Route Nos. 313, 665, 666 and 667 between Rufus and Kent in Sherman County. Bids received August 31, 1965. Contract No. 6702 awarded September 16, 1965, to Arthur Simonsen and Co., Inc., Baker, low bidder.
- (7) Rogue River (Bybee) Bridge Repair on Table Rock Road in Jackson County. Bids received August 31, 1965. Contract No. 6703 awarded September 20, 1965, to Concrete Steel Corporation, Medford, low bidder.

The Commission confirmed awards of contracts on bids received August 31, and on which telephonic approval from the Commission had been given on September 7 and authorized the Secretary to sign them for the Commission as follows:

BIDS RECEIVED IN SALEM AUGUST 31, 1965

AWARDS MADE SEPTEMBER 7, 1965

Concrete slope protection on the Zigzag River Bridge Section of the Mt. Hood Highway, near Rhododendron, in Clackamas County. FAP No. ERFO-198(2). One bid was received. The Commission rejected the only bid as being too high.

Grading and paving on the Clackamas River (Carver) Slide Section of FAS Route 131, west of Carver, in Clackamas County. FAP No. ER-164(1). One bid was received. The Commission rejected the only bid as being too high.

Sucker Creek (Bridgeview and Holland) Bridges on the Holland Loop Road, southwest of Grants Pass, in Josephine County. Federal-aid Primary

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Highway Project No. ER-109(2). Four bids were received. The Commission elected to accept the low bid of M. R. Holst & John Gilliland, Oakridge, in the sum of \$87,489.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Josephine County is received and the sum of \$19,700.00 is deposited by the County.

East Fork Illinois River Bridge on the Illinois Valley Road, southeast of Cave Junction, in Josephine County. Federal-aid Primary Highway Project No. ER-109(4). Three bids were received. The Commission awarded the contract to the low bidder, Stach Construction Company, Inc., Grants Pass, at \$103,785.00.

Four Mile Creek Bridge on the West Side County Road, northwest of Klamath Falls, in Klamath County. Federal-aid Primary Highway Project No. ERFO-182(2). Four bids were received. The Commission awarded the contract to the low bidder, Underwood & Richards Construction Company, Bend, at \$38,795.30.

Honey Creek Bridge north of Plush and northeast of Lakeview, in Lake County. County Project. Four bids were received. All bids referred to Lake County Court for award.

Slide correction on the Beverly Beach Slide Section of the Oregon Coast Highway, north of Newport, in Lincoln County. FAP No. ERFO-184(2). One bid was received. The bid submitted August 31, 1965, was deemed excessive. The contract was awarded to Pioneer Construction Company, Portland, on a negotiated reduction of bid prices for the sum of \$15,702.00.

Boardman Safety Rest Area on the Columbia River Highway, near Boardman, in Morrow County. Federal-aid Highway Project No. I-80N-5(15)159. Four bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Portland, at \$158,683.95.

Traffic signal installation on the S. E. Holgate Boulevard-Jefferson Street Section of the Pacific Highway East, in Portland and Milwaukie, Multnomah and Clackamas Counties. Federal-aid Primary Highway Project No. F-168(22). Six bids were received. The Commission awarded the contract to the low bidder, McIntyre Electric, Inc., Portland, at \$72,440.00.

Intermittent grading, oiling and rock production for the Sherman County Flood Damage Repair Project on FAS Route Nos. 313, 665, 666 and 667, between Rufus and Kent, in Sherman County. FAP No. ER-141(1). Two bids were received. The Commission elected to accept the low bid of Arthur Simonsen & Company, Inc., Baker, in the sum of \$76,313.55 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Sherman County is received and the sum of \$17,300.00 is deposited by the County.

Grading on the Neahkahnie Mountain Slide Section of the Oregon Coast Highway, north of Manzanita, in Tillamook County. FAP No. ER-184(2). Seven bids were received. The Commission awarded the contract to the low bidder, Kinnan Logging Company, Camas Valley, at \$72,915.56.

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Grading and paving on the Garibaldi (Driftwood Avenue) Section of a city street in Tillamook County. State Project. One bid was received. The Commission awarded the contract to the only bidder, Frady & Nickoloff Construction Company, Portland, at \$13,520.80.

Grading and paving on the Tillamook (Front Street) Section of a city street in Tillamook County. State Project. One bid was received. The Commission elected to accept the only bid of Frady & Nickoloff Construction Company, Portland, in the sum of \$24,290.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Tillamook is received and the sum of \$7,700.00 is deposited by the City.

Astoria Office Building on the Oregon Coast Highway, in Astoria, Clatsop County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Duoos & Son, Astoria, at \$95,389.00.

Grading, paving and illumination on the Deer Island-Columbia City Channelization Section of the Columbia River Highway, north of Columbia City, in Columbia County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, St. Helens Paving Company, St. Helens, at \$61,395.50.

Rogue River (Bybee) Bridge Repair on the Table Rock Road, north of Medford, in Jackson County. FAP No. ER-103(6). One bid was received. The Commission elected to accept the only bid of Concrete Steel Corporation, Medford, in the sum of \$68,799.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Jackson County and the Bureau of Public Roads is received and the sum of \$40,700.00 is deposited by the County.

Grading and paving on the North City Limits-5th Street North (Lakeview) Section on the Fremont Highway in Lake County. State Project. One bid was received. The Commission elected to accept the only bid of Percy E. Jellum Contractor, Inc., Pendleton, in the sum of \$73,372.50 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired.

Intermittent riprap on the Hebo Section of the Oregon Coast and Three Rivers Highways, near Hebo, in Tillamook County. FAP Nos. ER-184(2) and ERFO 178(1). Two bids were received. The Commission awarded the contract to Lowry & Johnson Construction, Portland, at \$17,400.00 by flip of coin.

The Engineer presented a tabulation showing bids received September 24, 1965. The Commission awarded contracts as follows and authorized the Secretary to sign the contracts in their behalf.

BIDS RECEIVED IN SALEM SEPTEMBER 24, 1965

AWARDS MADE SEPTEMBER 28, 1965

Grading, paving, structures and signing on the Oxman-Bubbs Ranch Section of the Old Oregon Trail Highway, southeast of Baker, in Baker County.

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Federal-aid Highway Project No. I-80N-7(15)320. Nine bids were received. The Commission elected to accept the low bid of Rogers Construction, Inc., Portland, in the sum of \$3,684,689.90 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

Grading, oiling and structure on the Adair-Independence Road Section of FAS 932, north of Corvallis, in Benton County. Federal-aid Secondary Project No. S-549(1). Two bids were received. The Commission elected to accept the low bid of Corvallis Sand and Gravel Company, Corvallis, in the sum of \$100,014.60 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Benton County is received and the sum of \$22,900.00 is deposited by the County.

Traffic signals installation at the intersection of State Street (Oswego Highway) and North Shore Road, in the City of Lake Oswego, Clackamas County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Trowbridge Electric Company, Roseburg, at \$8,459.00.

Nehalem River (Jewell) Bridge Section of the Nehalem Highway, east of the community of Jewell, in Clatsop County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Tom Lillebo Construction Company, Reedsport, at \$251,160.25.

Nehalem River (Vesper) Bridge Section of the Nehalem Highway, west of the City of Birkenfeld, in Clatsop and Columbia Counties. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Roy L. Houck Sons' Corporation, Salem, at \$243,583.67.

Grading, stone base and paving on the Port Orford (Arizona and 14th Streets) Section of city streets in Curry County. State Project. No bids were received for this project.

Prairie City-Unity Junction Section of the John Day Highway, near Austin, in Grant and Baker Counties. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Clarence Braden Construction Company, Walla Walla, Washington, at \$38,160.00.

Railroad Bridge over a boat basin channel on the Cascade Locks-Mitchell Point Section of the Columbia River Highway, east of Cascade Locks, in Hood River County. State Project. Two bids were received. The Commission rejected both bids as being too high.

Union Creek Rock Production Project on the Crater Lake and West Diamond Lake Highways in Jackson and Douglas Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger & Sons, Inc., Medford, at \$45,005.00.

Roadside improvement on the Klamath Falls Section of The Dalles-California Highway, in Klamath Falls, Klamath County. FAP No. U-205(14). Two bids were received. The Commission elected to accept the low bid of Baltz and Son Company, Portland, in the sum of \$72,434.07 and the State Highway

Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading, oiling and structure on the Crystal Springs-Rocky Point Section of FAS 420 in Klamath County. FAS Project No. S-520(2). Six bids were received. The Commission elected to accept the low bid of Cecil James Construction, Medford, in the sum of \$218,937.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Klamath County is received and the sum of \$49,400 is deposited by the County.

Traffic signal installation on Pacific Highway West of Belt Line Road, north of Eugene, in Lane County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Trowbridge Electric Company, Roseburg, at \$10,846.00.

Traffic signal installation on Belt Line Road at Prairie Road, north of Eugene, in Lane County. County Project. Four bids were received. The Commission referred all bids to Lane County Board of Commissioners.

Grading and paving on the Yaquina River Slide Section of FAS 584, south of Toledo, in Lincoln County. FAP No. ER-136(4). Three bids were received. The Commission elected to accept the low bid of Smith Transfer Inc., Toledo, in the sum of \$47,977.90 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lincoln County is received and the sum of \$11,200.00 is deposited by the County.

Intermittent slide correction on the Skunk Creek-Skalada Creek Section of the Siletz Highway, north of Siletz, in Lincoln County. FAP Nos. ERFO-152(2) and ER-152(1). Four bids were received. The Commission elected to accept the low bid of Lowry and Johnson Construction, Portland, in the sum of \$180,308.40 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

Sand storage shed at the Minto Creek Stockpile site on the North Santiam Highway, southeast of the city of Detroit, in Linn County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, C. A. Lantz Construction Company, Salem, at \$16,464.00.

Big Rock Creek Bridge Section on County Road No. 813, east of Mill City, in Linn County. County Project. Three bids were received. The Commission referred all bids to Linn County Court.

Santiam Junction Rock Production Project on the North Santiam, Santiam and Clear Lake Highways, east of Salem, in Linn and Jefferson Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Saxton-Stevenson, Inc., Salem, at \$30,250.00.

Intermittent fencing on the North Jefferson Interchange-North Albany Interchange Section of the Pacific Highway, near Albany, in Marion and Linn Counties. FAP No. ER-149(3). One bid was received. The Commission elected to accept the only bid of J. C. Denton and Sons, Inc., Beaverton, in



the sum of \$12,400.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Revetment construction on the Santiam River Overflow (M.P. 60.07) Section of the Pacific Highway, north of Albany, in Marion County. Federal-aid Primary Highway Project No. ER-149(3). One bid was received. The Commission elected to accept the only bid of Ross Brothers Construction, Inc., Salem, in the sum of \$27,120.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

McNamars Camp-Banks Junction Rock Production Project on the Wilson River Highway in Tillamook and Washington Counties. State Project. One bid was received. The Commission awarded the contract to the only bidder, Saxton-Stevenson, Inc., Salem, at \$41,960.00.

Whiskey Creek Culvert on FAS 489, east of Wallowa, in Wallowa County. FAS Project No. S-548(1). Two bids were received. The Commission rejected all bids as being too high.

Sand storage shed at the State Highway maintenance yard on the Columbia River Highway at The Dalles, in Wasco County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Mid-State Construction Company, The Dalles, at \$20,230.00.

Beaverton-Tualatin Highway Undercrossing on the Beaverton-Tigard Highway, near the northerly city limits of Tigard, in Washington County. Federal-aid Secondary Highway Project No. SU-466(5). Eight bids were received. The Commission awarded the contract to the low bidder, Tom Lillebo Construction Company, Reedsport, at \$291,278.40.

Service Creek-Waldron School Rock Production Project on the Service Creek-Mitchell Highway, south of Service Creek, in Wheeler County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Cody Logging Company, Tygh Valley, at \$31,900.00.

Phillips Creek Bridge on the Summerville-Weston Road, west of Elgin, in Union County. Federal-aid Highway Project No. ER-157(1). Two bids were received. The Commission elected to accept the low bid of Underwood and Richards Construction Company, Bend, in the sum of \$26,680.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Union County and the Bureau of Public Roads is received and the sum of \$6,000 is deposited by the County.

The Engineer presented a cooperative construction agreement with the City of Madras for improvement of the Myrtle Street-"A" Street Section of the Warm Springs and The Dalles-California Highways. He explained that the agreement provides for the normal ratio of 25% cooperation by the City and 75% by the State. He estimated the cost of the project at \$120,000 including right-of-way, grading, base, paving and the structure over Willow Creek. The City is to pay \$5,000 annually until their estimated share of \$30,000 is paid. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

September 28, 1965

The Engineer recalled that when bids were received August 31, 1965, M. R. Holst and John Gilliland had submitted a joint venture bid of \$80,489 for reconstruction of two bridges on the Holland Loop County Road in Josephine County. On September 9, the bidders submitted a statement that they had made an error in their bid on Item 12. The bidding proposal submitted by them showed \$2,000 for this item and the work sheet submitted later showed \$20,000. The Engineer pointed out that their bid was approximately \$18,000 under the State's estimate of \$105,155 and he recommended that the bidders be released from the contract and that the project be readvertised. He also stated that this recommendation has been approved by the Bureau of Public Roads and by the Chairman. The Commission confirmed the action.

Attention was given to a request from the City of Salem that the Commission consent to annexation to the City of an area along the Salem Bypass Section of the Pacific Highway between Sunnyview Road and a point approximately 2,000 feet south of Silverton Road. The Engineer stated that the request has been investigated and he recommended that the Commission give their consent. The Commission accepted his recommendation and authorized the Secretary to sign a consent form.

The Commission also considered a request from the City of Tigard for consent to annexation of areas on both sides of the Pacific Highway West between Bull Mountain Road and a point approximately one mile southwesterly from the Tualatin River crossing. The Engineer stated that there is no reason to object to the request, and he recommended that it be given approval. The Commission approved the annexation and authorized the Secretary to sign a consent form in their behalf.

A Grant of Access Road Easement to the Bureau of Land Management across the Whittaker Creek Quarry in Lane County was discussed. The Engineer explained that although the State has title to this property, the United States had previously received construction and road use rights across the entire section on which the State's property lies. Granting of the Access will not restrict the use of quarry material for future highway needs. The Commission approved the "Grant of Access".

The Engineer presented a request from Raymond International, Inc., for an extension of time within which to complete substructure work on the Astoria Bridge, Contract No. 6467, without assessment of liquidated damages. He explained the conditions that are involved and recommended an extension of 30 days within which to complete the work on Unit 2. This would leave a balance of 16 days on which liquidated damages will be assessed. The Commission approved the extension of time as presented.

A 1966 State Construction Program totaling \$4,450,000 was presented by the Engineer. He explained briefly some of the projects and recommended that the program be adopted. The Commission adopted the following program:

(Program on following page)

September 28, 1965

1966 STATE CONSTRUCTION PROGRAM

County	Highway	Section	Kind of Work	Amount
Wasco	The Dalles-Calif. Wapinitia	M.P. 41.3 to 42.7 M.P. 25.0 to 26.2	Overlay ) Overlay )	\$150,000
Sherman	Sherman	M.P. 4.6 to 6.6	Overlay	100,000
Morrow	Heppner	M.P. 42.5 to 46.1	Overlay	150,000
Umatilla	Pendleton-John Day	M.P. 30.83 to 33.0	Overlay	100,000
Union	Wallowa	Island City-Conley (M.P. 2.64 to 5.82)	Overlay	150,000
Wallowa	Wallowa	M.P. 59.96	Reconst. Br. & App.	150,000
Jefferson	Warm Springs	M.P. 107.8 to 109.3+	Passing Lanes	150,000
Crook	Ochoco	M.P. 13.0 to 16.3	Overlay	150,000
Grant	Beach Creek Sec.	M.P. 0.0 to 5.35	G. S.	250,000
Wheeler	Service Creek- Mitchell		G. S.	100,000
Baker	Sumpter Valley	M.P. 0.0 to 2.7	Const., G.S.	150,000
Malheur	Central Oregon I.O.N.	M.P. 180.0 to 185.6 M.P. 27.5 to 31.5	Overlay Overlay	450,000 200,000
Harney	Central Oregon	M.P. 91.0 to 100.0	Overlay	450,000
Lake	Fremont	M.P. 83.0 to 86.0 M.P. 152.0 to 157.7	Overlay Overlay	150,000 250,000
Deschutes	The Dalles-Cal.	South of Bend	Overlay	450,000
Klamath	Lake of the Woods	M.P. 36.2 to 39.0	Overlay	100,000
Hood River	Hood River Sec.	M.P. 3.85 to 5.09	Overlay	100,000
Gilliam	John Day	M.P. 1.0 to 4.0	Overlay	150,000
Deschutes	The Dalles-Cal.	M.P. 140.15 C.O.I. Canal	Reconst. Br.	50,000
Klamath	K.F.-Malin	Lost River Diversion Canal (M.P. 3.81)	Reconst. Br.	100,000

(Program continued on following page)

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## (1966 State Construction Program - cont.)

County	Highway	Section	Kind of Work	Amount
Grant	John Day	M.P. 134.36	Reconst. Br.	\$250,000
Malheur	I.O.N.	M.P. 25.0 to 28.4	Overlay	150,000
				\$4,450,000

Adjustments in Construction Program 9 to use 1966-1967 fiscal year funds were recommended by the Engineer. The Commission approved the following projects:

CONSTRUCTION PROGRAM 9 ADJUSTMENTSPriority I

Highway	Section	Cost (In Thousands)
Beaverton-Tigard	Tigard-Baldock	\$ 500 (Plus additional funds)
Columbia River	Delena-Rainier	3,700
Corvallis-Newport	Toledo Bypass	2,500
Hillsboro-Silverton	Mt. Angel-Silverton	1,700
Eugene-Springfield	Highbanks Rd.-McKenzie Hwy.	2,500
		\$10,900

Concerning these projects, the Engineer stated that the Delena-Rainier Section and the Highbanks Road-McKenzie Highway Section were included provided I-205 is approved on the West Linn-96th Route. He also recalled that under Agenda Item 3-D, the Commission had approved a transfer of \$800,000 from the Raleigh Hills Interchange project to the Beaverton-Tigard Highway. Chairman Jackson inquired as to when it is planned to receive bids on these projects. The Engineer replied that it would be after the first of the year.

The Chief Counsel stated that the defendant in the DeLong Case on Contract No. 6124 had moved to remand the case to a Federal Court. Action will be taken, he said, to move that the case be placed in a State Court.

An agreement with the Washington State Highway Commission for a study concerning the route for Interstate 82 was presented. The State of Washington is to select an engineering consultant to perform the study subject to approval by the State of Oregon. The State of Washington is also to obtain approval from the Bureau of Public Roads for aid on the study on a 90% participation basis, if possible, otherwise on a 50% basis. Costs not reimbursed through Federal-aid are to be paid 75% by the State of Washington and 25% by the State of Oregon. The Commission approved the agreement and authorized the Engineer to sign it for them.

September 28, 1965

The Commission authorized the Engineer to determine which State Parks shall be open to the public during the winter months.

The Commission signed or authorized the Secretary to sign the following papers:

"Indenture of Access" to Shell Chemical Company Property on the Goble-St. Helens Section of the Columbia River Highway in Columbia County.

"Indenture of Access" to Mr. and Mrs. Selmar A. Hutchins Property on the Calapooya Creek-Sutherlin Section of the Elkton-Sutherlin Highway in Douglas County.

"Indenture of Access" to Mr. and Mrs. Everett Corey and Austin L. King Logging Company Property on the Biddle Road-Camp White Section of the Crater Lake Highway in Jackson County.

"Indenture of Access" to Mr. and Mrs. A. P. Miller Property on the Willamette River-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Grant of Access" to J. W. and Maude Culver covering land on the Calapooya Creek-Sutherlin Section of the Elkton-Sutherlin Highway in Douglas County.

"Agreement" with Bonneville Power Administration for their prior right of way crossing at McCord Creek on the Columbia River Highway.

"Agreement" with Southern Pacific Company covering alteration of existing grade crossing on 28th Street (Springfield) Section of the McKenzie Highway in Lane County.

"Grant of Access Road Easement" to the Bureau of Land Management across the Whittaker Creek Quarry in Lane County.

"Bargain and Sale Deed" to Silas A. and Ethel M. Keith for a parcel of land on the Oxman-Bubbs Ranch Section of the Old Oregon Trail Highway in Baker County.

"Abandonment Agreement" with Marion County relinquishing a frontage road westerly of the Salem Bypass (I-5) from US99E at Hayesville Interchange southerly to its junction with Sunnyview Avenue in Marion County.

"Agreement" with Champ Bond to plow the snow from the Haines-Anthony Highway between the foot of hill and resort at Anthony Lakes in Baker County.

"Agreement" with Bureau of Land Management and Mr. Jack Shumway covering fencing on Central Oregon Highway in Deschutes County.

"Agreement" with City of Hermiston to improve a portion of Hermiston Highway between west city limits and North First Street in Umatilla County.

"Agreement" with Curry County covering the reactivation of lighting system of Rogue River Bridge on the Oregon Coast Highway north of Gold Beach in Curry County.

September 28, 1965

"Agreement" with the Confederated Tribes of Warm Springs Reservation for installation of a blinker light at the intersection of the Warm Springs Highway and Kah-Nee-Ta Cutoff.

"Agreement" with the City of Oregon City for installation of a pedestrian actuated traffic signal on the Cascade Highway (7th Street) at Polk Street.

"Agreement" with North Bend covering installation of a traffic signal at intersection of Broadway Street and Newmark Street and a flashing beacon at intersection of Railroad Avenue and Newmark Street.

"Agreement" with City of Eugene covering the transfer of maintenance and power bill responsibility on traffic signal at Pacific Highway West and Roosevelt Boulevard.

"Agreement" with Lake Oswego for traffic signal installation at intersection of State Street and North Shore Road.

"Agreement" with City of Portland for additional signal heads at 18 signalized intersections.

"Cooperative Construction Agreement" with City of Madras pertaining to Myrtle St.-"A" St. Section of Warm Springs and The Dalles-California Highways (4th and 5th Streets Couplet).

"Consent to Annexation" to the City of Salem covering an area on the Salem Bypass between Sunnyview Road and a point approximately 2,000 feet south of Silverton Road.

"Consent to Annexation" to the City of Tigard covering areas on both sides of Pacific Highway West between Bull Mountain Road and a point approximately one mile southwesterly of the Tualatin River crossing.

There being no other business to conduct, the meeting was adjourned at 10:50 a.m.

Forrest Cooper  
State Highway Engineer

Glen Jackson  
Chairman

R. N. Dudley  
Commissioner

Floyd Query  
Secretary

Paul B. Higgins  
Commissioner

September 28, 1965

Salem, Oregon  
November 4, 1965

The Oregon State Highway Commission met in regular session at 9 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
F. B. Klaboe, Assistant State Highway Engineer  
Victor Wolfe, Administrative Assistant  
Frank McKinney, Acting Assistant Counsel  
David Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were Ted Dec, Assistant Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; John Earley, Information Officer; Ralph Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; and Harrison Brown, Assistant Information Officer.

Forrest Cooper, State Highway Engineer, and George Rohde, Chief Counsel, were excused as they were in Washington, D. C. on State Highway business.

The Right of Way Engineer presented for consideration options, pages 1 through 44, secured for acquisition of real properties needed for state highway use or for other purposes. The prices offered for these properties, he said, are based upon careful appraisals and are in proper order for federal-aid. To the best of his knowledge, the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 27", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Property Manager's report for the period of September 17, 1965, to October 28, 1965, covering sales of miscellaneous properties and changes in rental status was presented by the Right of Way Engineer. Miscellaneous sales during this period amounted to \$10,763.50; land sales \$2,185; timber sales \$49,735.73; and rental receipts for September totaled \$21,620.25. The Commission accepted the report.

Authority to offer parcels of excess properties at public sale was requested by the Right of Way Engineer. The proposed minimum prices, he said, are based upon appraised values or on offers in excess of appraisals. Access

November 4, 1965

provisions and other conditions of sale are consistent with conditions existing in the vicinity of each property. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolution No. 444", which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 1.1 acres, File No. 21490, adjacent to a frontage road on the easterly side of the Pacific Highway, approximately 1.6 miles north of Divide in Lane County, for not less than \$880. No access is to be allowed to the Pacific Highway, but access will be granted to the frontage road. The sale also is subject to a sign restriction clause. The property was acquired in 1956 for borrow purposes and as it lies outside of the right of way line, approval of the Bureau of Public Roads is not required.
- (2) 3.9 acres, File No. 2200, approximately two miles west of the town of Wallowa, on the Wallowa Lake Highway in Wallowa County, for not less than \$100. This property was acquired for a quarry site. Federal funds were not used in the acquisition of this property so approval of the Bureau of Public Roads is not required.
- (3) 0.10 acre, File No. 1352-A, in the southwest quadrant of the Canyon Road Interchange on the Barnes Road-Multnomah County Line Section of the Sunset Highway in Washington County, for not less than \$2,800. The sale is to be subject to a standard sign restriction clause and no access is to be allowed to the Sunset Highway or to the frontage road. Approval of the Bureau of Public Roads is not required as the property lies outside the normal right of way line. (See "Real Property Resolution No. 444".)

Direct sales of three parcels of property no longer needed for highway purposes were recommended by the Right of Way Engineer. He explained that in each instance, conditions restrict advantageous sale to one person. The recommended sale price for each property is based upon appraised value. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 446", which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 10 acres, File No. 30455, on the Pilot Butte Section of the Central Oregon Highway in Deschutes County, to Bend School District No. 1, for \$10,000 which is 50 percent of the appraised value. Sale is to be subject to a public use clause. (See "Real Property Resolution No. 446".)

- (2) 0.97 acre, File No. Q-327, located approximately  $3\frac{1}{2}$  miles east of Waldport on the Alsea Highway in Lincoln County:

Parcel No. 1 containing 0.75 acre to the adjacent owner, Mr. and Mrs. Ramon L. Pankey, for the sum of \$275. The property is for use as an access road and the sale is to be subject to an easement favoring the City of Waldport for an existing pipeline.

Parcel No. 2 containing 0.22 acre to Lincoln County for road purposes for the sum of \$1.

No federal funds were used in the acquisition of these two parcels.

- (3) 0.54 acre easement and 2.29 acres in fee, File No. 4287, located southerly from the Jordan Valley Highway at Jordan Valley in Malheur County, to Malheur County for the sum of \$10. Sale is to be subject to the standard public use clause. No federal funds were used in acquiring this property.

Several "Indentures of Access" were presented by the Right of Way Engineer. These "Indentures" provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit of the property owners. The Commission approved the following "Indentures":

- (1) Westgate Shopping Center Company Property, File No. 36663, on the westerly side of the Salem-Dayton Highway between Seventh and Bassett Streets in West Salem, Polk County, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Concurrence of the Bureau of Public Roads is not required.
- (2) Merit E. and Mary E. Smith Property, File No. 35934, on the north side of Sixth Street on the Crest Street-Patterson Avenue Section of the Klamath Falls-Lakeview Highway in Klamath County, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads is not required.
- (3) William J. and Mildred A. Holly Property, File No. 30719, on the Mohawk Road-McKenzie Highway Section of the Eugene-Springfield Highway in Lane County, where the proposed 53rd Street will join the south side of the McKenzie Highway, for a change in location

of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads was given on October 12, 1965.

- (4) Thomas and Lucy Leffler, as Trustees, File No. 34167, on the North Unit, Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County, for a change in location of three points of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads is not required.
- (5) W. R. Smith Property, File Nos. 11442 and 9953, on the south side of the Eugene Section of the Pacific Highway in Lane County, for two points of access, 30 feet in width and unrestricted as to use. In consideration of these two points of access, the owner is to convey to the State all rights of access to the portions of his frontage not previously controlled. Approval of the Bureau of Public Roads is not required.
- (6) Harris H. and Jane Porter Property, File No. 17949, on the west side of The Dalles-California Highway, approximately one-half mile southwest of Crescent, in Klamath County, for a change in location of one point of access. Approval of the Bureau of Public Roads was given September 28, 1965.

Transfer of an easement to the Hawthorne Investment Company covering 3,195 square feet of land along the Pacific Highway East adjacent to and southerly of the Highway headquarters in Milwaukie was discussed. The Right of Way Engineer explained that the Investment Company and officials from the Southern Pacific Company had requested the easement in order to run a spur track to the Investment Company warehouse. Under the terms of the easement, the Investment Company is to pay to the State \$2,875 and is to salvage and reinstall the existing fence on the new right of way line. No federal funds were involved in acquiring this property. Based upon the Right of Way Engineer's favorable recommendation, the Commission approved the easement and thereupon adopted "Real Property Resolution No. 445", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered and upon the favorable recommendation of the Right of Way Engineer approved a demolition contract with Iversen Construction Company in the amount of \$4,620 for removal of buildings in Portland on the North Portland Harbor-Russell Street Section of the Pacific Highway, Multnomah County. The Commission also authorized the Secretary to sign the contract in their behalf.

Attention was given to a five-year lease covering 11,000 square feet of land located just southerly of Broadway on the westerly side of Interstate Avenue of the Pacific Highway West in Portland. The Right of Way Engineer commented that the Thunderbird Motel, which owns adjacent property,

has offered to pay \$125 per month for use of the area as a parking lot. Also they are to pay the State \$750 for landscaping previously performed on the area. Following his favorable recommendation, the Commission approved the lease and authorized the Secretary to sign it in their behalf.

The matter of vacating that portion of Sundial Road lying south of the Columbia River Highway was presented by the Right of Way Engineer. He recalled that when the Columbia River Highway was reconstructed in the late 1950's, Sundial Road was severed. The portion lying southerly of the highway has been abandoned as a public road as it is not needed for access to other properties. It was his recommendation that this section be abandoned to Multnomah County so that in turn it might be abandoned to the adjacent owners. As an adjacent owner, the Highway Department will come into ownership of one-half of the roadway. The Commission approved the abandonment and thereupon adopted "Abandonment and Retention Resolution No. 438", which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also approved a Consent to Vacation form and authorized the Secretary to sign it for them.

The matter of sending sixteen Right of Way Agents to attend the Appraisal Institute Course I at Portland State College was brought up by the Right of Way Engineer. The course is to be given in January and February, 1966, over a two-week period. Tuition will be \$121 per person for a total of \$1,936. He recalled that Right of Way Agents have attended similar courses for several years past as a part of a continuing program to upgrade the appraisal staff. He also remarked that at the present time approximately 93 percent of appraisal work is performed by Highway employees. The Commission approved attendance at the course and payment of tuition.

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The Assistant Chief Counsel presented to the Commission a list of properties needed for the uses indicated therein. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put, and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2152 through 2173", which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

(For additional information, see the Chief Counsel's letter dated November 4, entitled "Recommendations for Condemnation", in the Salem Office General Files.)

A report of condemnation and other cases which have been tried in court since the last Commission meeting was presented by the Assistant Counsel. The Commission approved the report, which is summarized as follows:

(Report of Condemnation Cases Tried on following page)



REPORT OF CONDEMNATION CASES TRIED

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-4726 Gertrude Mead, et al.	Baker	Old Oregon Trail	Oxman-Bubbs Ranch	\$ 9,450.00	\$16,500.00	\$10,335.00
L-4743 Gresham Berry Growers, et al.	Clackamas	Mt. Hood	Duncan Road-Sandy	4,050.00	10,000.00	6,000.00
L-4894 Ada McHugill, et al.	Douglas	Elkton-Sutherlin	South Unit-Kellogg Bridge-Tyee Bridge	510.00	None	510.00
L-4700 W. D. Converse, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	1,800.00	12,650.00	5,000.00
L-4691 F. Billie Steward, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	1,600.00	13,500.00	4,500.00
L-4654 Robert Beach, et al.	Linn	Corvallis-Lebanon	Corvallis-Orleans	1,580.00	10,460.00	2,580.00
L-3944 Frank Finney, et al.	Polk	Willamina-Salem	Bonneville Station-Patterson Avenue	700.00	2,200.00	900.00
L-4647 Robert S. Miller, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	3,500.00	17,800.00	5,500.00
L-4773 Bernard O. Bordeaux, et al.	Douglas	Pacific	Canyonville-Josephine County Line	100.00	4,200.00	2,000.00

November 4, 1965

## (Report of Condemnation Cases Tried - Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-4702 W. B. Garrett, et al.	Douglas	Pacific	Canyonville-Josephine County Line	\$ 2,450.00	\$ 6,500.00	\$ 3,750.00
L-4680 George F. Weaver	Josephine	Pacific	Douglas County Line-Coyote Creek	5,525.00	15,000.00	5,500.00

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-4770 Clifford N. Jones	State, et al.	Clackamas	Negligence. Plaintiff sought to recover for personal injuries allegedly sustained when a section of 99E, near Milwaukie, washed out beneath his pickup during the December, 1964 flood.	\$17,500.00	Involuntary Nonsuit

(The Commission and the State were dismissed as defendants also Messrs. Jackson, Cooper and Rohrbough. Our insurance company defended all defendants.)

L-4889 Herbert B. Swift	Charlie J. White and State Highway Commission	Coos	Negligence. Plaintiff brought this action, based on an accident on August 5, 1965, near Scottsburg; when State's driver allegedly backed into plaintiff's vehicle.	20,000.00 general damages 77.00 special damages plus costs	Commission's Motion to Quash sustained
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(The Commission and State were dismissed as defendants. The action will now proceed against White, State's driver, with defense furnished by insurance company.)

(For additional details, see the Chief Counsel's letter dated October 29, 1965, entitled "Report of Cases Tried" in the Salem Office General Files.)

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In summarizing the cases tried, the Assistant Counsel remarked that the total of verdicts as awarded was 36% over the appraisals but 218% under the demands made by the owners. Chairman Jackson pointed out that the pattern of awards has remained much the same in that juries consistently award more than the appraisals. He inquired if more liberal appraisals might reduce the number of cases that have to go to court. The Assistant Counsel replied that higher appraisals would most likely reduce cases tried, but he also pointed out that in most cases the amounts have to be approved by the Bureau of Public Roads. The Chairman then inquired if damages to remaining property, severance and other items are considered when the appraisal figures are determined. The Assistant Counsel replied that these items are all taken into account and that appraised figures are submitted to the Review Board. In reply to the Chairman's inquiry if the Bureau of Public Roads sits in with the Review Board; the reply was no. Chairman Jackson then stated that he felt appraisals are not realistic when the courts consistently award verdicts considerably higher than the appraisals. He requested that a review with the Bureau of Public Roads be made of appraisal practices to see if some procedures could be worked out to reduce the number of cases going to court.

A tabulation showing proposed settlements of condemnation cases since the last Commission meeting was also presented by the Assistant Counsel. These settlements, he said, do not represent substantial increases and are in order for Federal participation. The Commission approved settlements which are summarized as follows:

#### REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4438 James C. Ingwersen, et al.	Multnomah	Sunset	Highland Interchange- Stadium Freeway	\$ 100.00	\$ 500.00
L-4785 Janet G. Drake, et al.	Multnomah	Stadium Freeway	Fremont Interchange- Marquam Bridge	120,800.00	130,000.00
L-4526 Drake Investment Company	Washington	Beaverton- Tigard	Sunset High- way-Pacific Highway	1,000.00	3,800.00
					133,800.00
					(Insubstantial increase as the states' high appraisal was \$128,450.00 subject to approval by Bureau of Public Roads.)
L-4677 Verdell S. Kirby, et al.	Baker	Old Oregon Trail	Hill Creek- Oxman and Oxman-Benson Creek	28,000.00	34,500.00
					(Approved NOA at the September 28, 1965 Commission meeting. High appraisal was \$30,500.00.)

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#### (Report of Condemnation Cases Settled - Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
R-35110 Marvin E. Collins, et al.	Multnomah	Stadium Freeway	Fremont Inter- change-Marquam Bridge	\$160,000.00	\$175,000.00
					(Revised appraisal in 1965 raised to \$170,200.00.)
L-4810 Ernest J. Perasso, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	1,285.00	2,800.00
L-4705 Jack R. Smith, et ux.	Douglas	Pacific	Canyonville- Josephine County Line	265.00 for 3.1 acres	850.00
					(For entire taking.)
L-4568 H. R. Watchie & Assoc. (Bechen property)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	33,675.00 (1962-63 Appraisals)	69,000.00
					(1965 appraisal \$60,300.00.)
L-4568 H. R. Watchie & Assoc. (Smith property)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	26,500.00 (1962-63 Appraisals)	35,000.00
					(1965 appraisal \$31,100.00. These five cases are all conditioned upon acceptances of all.)
L-4568 H. R. Watchie & Assoc. (Shallberger property)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	2,675.00 (1962-63 Appraisals)	12,500.00
					(1965 appraisal \$11,550.00.)
L-4568 H. R. Watchie & Assoc. (Meier property)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	9,400.00 (1962-63 Appraisals)	33,500.00
					(1965 appraisal \$29,775.00.)
L-4568 H. R. Watchie & Assoc. (Park City property)	Washington	Sunset	Cornelius Pass Road-Multnomah County Line		4,500.00
					(This settlement previously reported and approved, but defendant has refused to close claiming misunderstanding. This settlement also includes waiver of any further rights to contest the original agreement due to misunderstanding.)

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REPORT OF OTHER CASES SETTLED

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Settlement</u>
L-4468 Clarence Braden	State	Marion	Additional compensation under grading and structure contract	\$28,064.68 plus 2,800.00 liquidated damages	\$5,000.00

(Contractor's claim on Contract No. 6010.)

(For additional information, see the Chief Counsel's letter dated October 29, 1965, entitled "Report of Cases Settled", in the General Files in the Salem Office.)

The Commission confirmed telephonic approval of offers made to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

ESTACADA-CAZADERO DAM SECTION OF THE CLACKAMAS HIGHWAY

R-37040 - Gary L. Amas, et ux. 0.3 acre for right of way purposes. Offer of \$75.00 approved by Mr. Simpson October 1, 1965.

FLORAS CREEK UNIT OF THE OREGON COAST HIGHWAY

R-37233 - John H. Chenoweth, et ux. 3.3 acres for right of way purposes. Offer of \$2,750.00 approved by Mr. Jackson October 13, 1965.

GATEWAY STATE WAYSIDE

R-37105 - Lew F. Krauss, et al. 285 acres for park purposes. Offer of \$82,500.00 approved by Mr. Jackson October 18, 1965.

HIGHLANDS INTERCHANGE-STADIUM FREEWAY SECTION OF THE SUNSET HIGHWAY

R-37658 - David B. Charlton, et ux. 1,350 square feet for right of way purposes. Offer of \$1,000.00 approved by Mr. Jackson September 20, 1965.

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IRRIGON JUNCTION-UMATILLA COUNTY LINE SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-37576 - Northern Pacific Railway Company. 29.0 acres for right of way purposes. Offer of \$1,660.00 approved by Mr. Fridley, October 26, 1965.

LAKE ROAD-OREGON CITY SECTION OF THE CASCADE HIGHWAY

R-37405 - Jacob Vaetz. 4.0 acres for right of way purposes. Offer of \$21,100.00 approved by Mr. Jackson October 25, 1965.

MADRAS SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-38180 - J. B. Sturgill, et ux. Parcel No. 1: 0.15 acre for right of way purposes; Parcel No. 2: 900 square feet for temporary easement. Offer of \$10,500.00 approved by Mr. Fridley October 13, 1965.

MORROW COUNTY LINE-STANFIELD JUNCTION SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-38103 - Orville L. Carpenter. 4.6 acres for right of way purposes. Offer of \$33,750.00 approved by Mr. Fridley October 18, 1965.

R-38105 - Aage E. Jensen. Parcel No. 1: 0.3 acre for right of way purposes; Parcel No. 2: 1.85 acres for right of way purposes. Offer of \$3,675.00 approved by Mr. Fridley October 22, 1965.

R-38134 - David Helfenbein, et ux. 0.6 acre for right of way purposes. Offer of \$8,400.00 approved by Mr. Fridley October 21, 1965.

NORTH CITY LIMITS-5TH STREET NORTH (LAKEVIEW) SECTION OF THE FREMONT HIGHWAY

R-38272 - Wilbur S. Mautz, et ux. 2,500 square feet for permanent easement. Offer of \$300.00 approved by Mr. Fridley September 27, 1965.

NYBERG ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-36137 - Zira Howard. 0.79 acre for right of way purposes. Offer of \$4,000.00 approved by Mr. Jackson October 27, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-36901 - Orin Hopkins, et al. Parcel No. 1: 5.4 acres for right of way purposes; Parcel No. 2: 0.3 acre for permanent easement; Parcel No. 3: 1,250 square feet for temporary easement; Parcel No. 4: 0.52 acre for temporary easement; Parcel No. 5: 0.24 acre for temporary easement. Offer of \$2,200.00 approved by Mr. Fridley October 28, 1965.

PIONEER SUMMIT UNIT OF THE TOLEDO-EDDYVILLE SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-35029 - William Smouse, et ux. Parcel No. 1: 0.42 acre for right of way purposes; Parcel No. 2: 0.85 acre for permanent easement. Offer of \$875.00 approved by Mr. Jackson October 1, 1965.

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SKUNK CREEK-SKALADA CREEK SECTION OF THE SILETZ HIGHWAY

R-38119 - Vernon R. Steele, et ux. 2.9 acres for right of way purposes. Offer of \$500.00 approved by Mr. Jackson October 1, 1965.

R-38123 - Lewis H. Lunstedt. 1.2 acres for right of way purposes. Offer of \$385.00 approved by Mr. Jackson October 13, 1965.

SUTHERLIN-SHADY SECTION OF THE PACIFIC HIGHWAY

R-37810 - Laurence R. Rauschl, et ux. Parcel No. 1: 2.7 acres for right of way purposes; Parcel No. 2: 2.2 acres for permanent easement. Offer of \$300.00 approved by Mr. Jackson September 29, 1965.

VALLEY OF THE ROGUE STATE PARK

R-37237 - Elizabeth P. White. Parcel No. 1: 5.6 acres for park purposes; Parcel No. 2: 0.05 acre for permanent easement; Parcel No. 3: 1.05 acres for permanent easement. Offer of \$3,275.00 approved by Mr. Jackson October 21, 1965.

A report was presented by the Assistant Counsel on an order received from the Public Utility Commissioner regarding a railroad crossing in which the State Highway Commission is concerned, summarized as follows:

PUX 574: Application of Spokane, Portland and Seattle Railway Company for authority to construct a crossing at grade of the Columbia River Highway near Deer Island in Columbia County. The grade crossing is to serve the Shell Chemical plant near Columbia City. The order was granted with provision that it is to be lighted and equipped with automatic crossing gates, flashing lights and gongs.

The Assistant Counsel reported briefly on legal proceedings commenced since the last Commission meeting in which the Commission or its employees are involved. The Commission accepted the report as follows:

- (1) Harold T. Hill and Marion R. McSmith vs. City of Bend and the State Highway Commission to recover from the City of Bend and the Highway Commission the sum of \$30,000, plus attorney fees, for alleged damages to their property caused by alleged diverting of natural drainage of the area in constructing streets and highways.
- (2) Bruce V. Deardorff and Western Tree Farms, Inc., vs. the State Land Board and the State Highway Commission for a suit to quiet title to approximately 320 acres of wooded land in the Columbia River Gorge, adjacent to Wygant State Park and Seneca Fouts Memorial State Park. This land, he said, was acquired from Hood River County by quitclaim deeds without consideration in 1933

through 1935. The County had come into possession because of tax foreclosures. The plaintiff alleges that the tax foreclosures were faulty.

A quarterly report of property damage claims collected from July 1, 1965, through September 30, 1965, was presented by the Assistant Counsel. The sum of \$21,360.54 was collected.

The Assistant Counsel commented concerning the DeLong Case on Contract No. 6124 for construction of piers for the Astoria Bridge, that the Supreme Court had thrown out the appeal of DeLong that the case be tried in a Federal Court. He said that the DeLong attorneys have indicated that they are now willing to file the case in a State Court. The Chairman inquired when the case might be brought to trial. The Assistant Counsel stated that it would probably be several months because of the many motions, depositions and other legal maneuvers that would be undertaken. The Chairman then inquired if the amount of damages claimed by the State because of DeLong's default included interest. The Assistant Counsel replied that it is planned to ask the court for interest on the amount of damages if it is deemed by the court as a compensable item.

An agreement with Anna Hyatt Huntington and Lincoln City concerning a statue of Abraham Lincoln in Lincoln City was presented by the Deputy Engineer. He explained that Anna Hyatt Huntington, a sculptress, has donated the statue to Lincoln City on condition that some branch of State Government will accept responsibility for it. The Governor has requested the State Highway Commission to do this. The agreement, he continued, provides that the statue will be under the custody of Lincoln City so long as the City will provide and maintain a proper site. The State would not be liable unless the City fails to carry out the terms of the agreement. Following his favorable recommendation, the Commission approved the agreement.

As an addition to the current State Construction Program, the Deputy Engineer recommended that three bridge projects be added totaling \$715,000. The Commission approved the following projects:

- (1) White Bridge on the Powers Secondary Highway near Powers for replacement at an estimated cost of \$325,000.
- (2) Widening of a narrow bridge on the Central Oregon Highway about seven miles west of Vale at the Malheur River Crossing in Malheur County at an estimated cost of \$215,000.
- (3) Widening of the bridge over Elk Creek on the Drain-Yoncalla Secondary Highway in Drain at an estimated cost of \$175,000.

As an addition to the current Construction Program, the Deputy Engineer presented a project which would make the Joseph Street Interchange on the North Santiam Highway, east of Salem, in Marion County, a four-way facility. The Marion County Board of Commissioners, he said, is much interested in this and have offered to pay \$10,000, or 20% of the cost, whichever is the lesser amount. He estimated the cost of the project at \$50,000 and recommended that it be approved and that authority be granted to acquire the necessary right of way. The Commission accepted his recommendation.

The matter of participating in the National Cooperative Highway Research Program was brought up by the Deputy Engineer. He explained that the work is carried on by the Highway Research Board and is financed by a portion of the State's Federal-aid apportionment allocated to highway planning and research. Oregon's share has been determined to be \$49,375 for the 1967 fiscal year and no State match money is required. The procedure was approved by the Chairman on October 4. The Commission confirmed the procedure.

A survey covering the West Extension of the Pendleton Section of the Old Oregon Trail (I-80N) in Umatilla County was presented by the Deputy Engineer. He explained briefly that the section extends from the westerly end of the Pendleton Section, which was approved on April 23, 1964, to the top of Reith Hill, a distance of 1.89 miles. It is desirable to construct this section under the same contract with the Pendleton Section. Following his favorable recommendation, the Commission approved the survey and thereupon adopted "Survey Resolution No. 303", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A tabulation was presented by the Deputy Engineer showing proposed FAS projects in Jackson and Marion Counties. These projects, he said, have been investigated and are eligible for Federal-aid Secondary Funds. The Commission approved the following projects and authorized the Secretary to sign construction agreements when they are prepared:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Jackson	925	Sams Valley Highway-Tolo. Location survey, 3.2 miles.	\$ 18,000	1966
Marion	176	Halls Ferry School-Oroville. Location survey, 1.5 miles.	7,000	1966
TOTAL.....			\$ 25,000	
SUMMARY BY FISCAL YEARS				
		1966	1967	Total
Allocated Funds		\$3,952,000	\$3,953,000	\$7,905,000
Approved Projects (Corrected to date)		3,584,000	--	3,584,000
Unprogrammed Balance		\$ 368,000	\$3,953,000	\$4,321,000
Projects Proposed 11/4/65		25,000	--	25,000
Unprogrammed Balance		\$ 343,000	\$3,953,000	\$4,296,000

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A tabulation was also presented by the Deputy Engineer showing the allocation of 1967 Federal-aid Secondary Funds to the individual counties. The allocations have been computed in accordance with the formula developed by the Association of Oregon Counties using the official 1960 census and the January 1, 1965, county road mileages. Following his favorable recommendation, the Commission approved the following allocations to counties:

#### FISCAL YEAR 1967 FAS ALLOCATION TO COUNTIES

County	Federal Funds	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Baker	\$ 38,327	\$ 65,000
Benton	48,359	81,000
Clackamas	157,516	262,000
Clatsop	42,170	70,000
Columbia	47,252	79,000
Coos	80,753	134,000
Crook	37,356	62,000
Curry	38,249	64,000
Deschutes	42,688	71,000
Douglas	110,199	184,000
Gilliam	26,964	45,000
Grant	33,553	56,000
Harney	37,893	63,000
Hood River	37,921	63,000
Jackson	85,112	142,000
Jefferson	33,959	57,000
Josephine	49,686	83,000
Klamath	70,551	118,000
Lake	36,569	61,000
Lane	162,764	271,000
Lincoln	48,512	81,000
Linn	87,206	145,000
Malheur	69,739	116,000
Marion	137,125	228,000
Morrow	36,519	61,000
Multnomah	237,819	396,000
Polk	48,427	81,000
Sherman	26,011	43,000
Tillamook	47,163	79,000
Umatilla	79,789	133,000
Union	36,833	61,000
Wallowa	35,093	58,000
Wasco	39,917	67,000
Washington	139,782	233,000
Wheeler	23,680	40,000
Yamhill	60,194	100,000
Total.....	\$2,371,650	\$3,953,000

(Fiscal Year 1967 FAS Allocation to Counties continued on following page)

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SUMMARY, ENTIRE STATE - FISCAL YEAR 1967 COUNTY FAS FUNDS

Total Federal Funds for Construction

(50% of Oregon's apportionment less Planning Survey funds).....\$2,371,650

Plus estimated required match money.....State Funds 790,675

.....County Funds 790,675

TOTAL COUNTY FAS FUND.....\$3,953,000

NOTE: Above funds allocated to individual counties on basis of formula (25% equally, 60% on rural population, and 15% on total county road mileage) proposed by Association of Oregon Counties and approved by Highway Commission. Federal funds are estimated to represent approximately 60% of total county road FAS fund with State and County funds estimated to be approximately 20% each.

The Deputy Engineer requested and the Commission approved increases in the following contract project authorizations:

- (1) Contract No. 6660 for bank protection on the South Yamhill River on the Bellevue-Hopewell Highway in Yamhill County, for an increase of \$2,061.98 (12.4%). The overrun was caused by increased quantities of riprap on embankment and around a bridge pier and footing.
- (2) Contract No. 6557 for grading and paving on the Sardine Creek-North Santiam River Project on the North Santiam Highway in Marion and Linn Counties, for an increase of \$108,188.94 (6.51%). Major reasons for the overrun were additional labor and equipment rental and additional surfacing material to maintain the roadway and detours under summer traffic. Also additional clearing work was required by the U. S. Forest Service and another riprap source had to be developed.
- (3) Contract No. 6488 for construction of the Willow Creek Bridge on the Columbia River Highway in Gilliam County, for an increase of \$27,115.50 (17%). Flood conditions in the winter of 1964-1965 changed stream bed conditions which required lowering the footings for two bents and protecting them from scour with a blanket of heavy riprap.
- (4) Contract No. 6676 for grading and paving on the South Dillard Bridge-Myrtle Grove Section of the Dillard Highway in Douglas County, for an increase of \$14,289.20 (15.66%). Slide correction work was the cause of the overrun.

The Commission reappointed Forrest Cooper as State Highway Engineer for a four-year term beginning December 8, 1965, and thereupon adopted "Appointment Resolution No. 22a", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission reappointed Floyd Query as Secretary to the Highway Commission for a four-year term beginning November 1, 1965, and thereupon adopted "Appointment Resolution No. 20b", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests for extensions of time within which to complete highway contracts were presented by the Deputy Engineer. He outlined briefly the pertinent facts relating to each request and made his recommendation as to action to be taken. After considering his recommendation and other available information, the Commission took action as follows:

- (1) Roy Norquist, Contract No. 6592, for grading and structures on the Ochoco and Paulina Highways in Crook, Wheeler and Grant Counties, requested an extension of the completion date from August 15 to September 14, 1965, without assessment of liquidated damages. The Commission denied the request.
- (2) Floyd Gramh Construction Company, Contract No. 6601, for grading and riprap on the Digger Creek-North Fork Alsea River Section of the Alsea Highway in Benton County, requested an increase from 60 to 66 workdays without assessment of liquidated damages. The Commission denied the request.
- (3) Schrader Construction Company, Inc., and L. S. Matusek, Contract No. 6513, for grading, paving and structure on the Minam Section of the Wallowa Lake Highway in Wallowa County, requested an extension of the specified completion date from August 31 to September 30, 1965, without assessment of liquidated damages. The Commission denied the request.
- (4) Earl L. McNutt Company, Contract No. 6372, for grading, paving, structure and signing on the Willow Creek-Airport Road Section of the Columbia River Highway in Morrow County, requested an increase of 38 workdays without assessment of liquidated damages. The Commission approved an extension of 21 workdays without assessment of damages. A letter from the Bureau of Public Roads was presented concurring in this action.
- (5) George A. Moore and Associates, Inc., Contract No. 6632, for grading and paving on a slide correction project on the Siletz Highway in Lincoln County, requested an extension of the date of completion from September 1 to September 15, 1965, without assessment of liquidated damages. The Commission denied the request.

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- (6) Percy E. Jellum Contractor, Inc., Contract No. 6611, for grading and paving on the Lakeview-Crane Creek Road Section of the Fremont Highway in Lake County, requested an extension of the specified completion date from October 15 to November 15, 1965, without assessment of liquidated damages. The Commission approved extending the completion date to November 15, 1965, without damages.
- (7) Asphalt Paving Company, Contract No. 6505, for grading, paving and structure on the Crest Street-Patterson Street (Klamath Falls) Section of the Klamath Falls-Lakeview Highway in Klamath County, requested an extension of the specified completion date from September 1 to October 1, 1965, without assessment of liquidated damages. The Commission approved an extension of the completion date to September 6, 1965.
- (8) Peter Kiewit Sons' Company, Contract No. 6470, for grading, paving and signing on the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway in Josephine County, requested an extension of the completion date from October 1 to November 15, 1965, without assessment of liquidated damages. The Commission denied the request.
- (9) Erickson Paving Company, Contract No. 6401, for grading the Alsea Mountain Section of the Alsea Highway in Benton County, requested an extension of the specified completion date from July 1 to August 1, 1965, without assessment of liquidated damages. The Commission approved an extension of the completion date to July 15, 1965.
- (10) S. A. Hutchins and Associates Construction Company and McNutt and Sons, Inc., Contract No. 6312, for grading and paving on the Fairgrounds Road-Shady Section of the Pacific Highway in Douglas County, requested an increase from 160 to 190 workdays without assessment of liquidated damages. The Commission denied the request.
- (11) American Bridge Division, U. S. Steel Corporation, Contract No. 6332, for steel superstructure on the Marquam Bridge on the Pacific Highway in Portland, Multnomah County, requested an extension of 110 workdays without assessment of liquidated damages. The Commission approved an extension of 75 workdays without damages.

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- (12) Olson Electric Company, Inc., Contract No. 6550, for illumination on the Smith Point channelization project on the Oregon Coast Highway in Clatsop County, requested an extension of the specified completion date from June 30 to July 14, 1965, without assessment of liquidated damages. The Commission denied the request.
- (13) Spragues' Inc. of Washington, Contract No. 6474, for roadside improvement on the South Unit, Minnesota Freeway Section of the Pacific Highway in Multnomah County, requested an extension of the specified completion date from June 30 to July 31, 1965, without assessment of liquidated damages. The Commission approved the request. A letter was presented from the Bureau of Public Roads concurring in this action.
- (14) Madson and Stokes Electrical Contractors, Contract No. 6651, for traffic signal installation at the intersections of North First Street with Main Street and Gladys Avenue in Hermiston on the Umatilla-Stanfield and Hermiston Highways in Umatilla County, requested that the specified completion date of September 30 be advanced to October 30, 1965, without assessment of liquidated damages. The Commission approved extension of the completion date to October 15, 1965, without damages.
- (15) Inland Construction Company, Contract No. 6355, for structure, grading and paving on the Willamette River Bridge on the Corvallis-Lebanon Highway in Benton and Linn Counties, requested 11 additional workdays without assessment of liquidated damages. The Commission approved the request.
- (16) Donald W. Thompson, Contract No. 6561, for construction of overnight camping facilities in Bullards Beach State Park in Coos County, requested an extension of the specified completion date from August 31 to November 8, 1965, without assessment of liquidated damages. The Commission extended the completion date to November 1, 1965, without damages.

The Engineer reported that Contract Nos. 6378, 6444, 6521, 6550, 6554, 6559, 6562, 6565, 6569, 6579, 6583, 6590, 6593, 6599, 6601, 6615, 6620, 6622, 6626, 6628, 6631, 6639, 6644, and 6677 for highway construction have been completed in accordance with the requirements of the contracts or modifications thereof and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 145", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Revision of a speed zone on the Columbia River Highway near Spanish Hollow Creek in Sherman County was discussed. The Deputy Engineer commented that because of construction of the Biggs Rapids Toll Bridge and considerable roadside development it is desirable to extend the existing 40 mile-per-hour speed zone. He recommended that "Speed Zone Resolution No. 210", dated September 22, 1955, be rescinded and that a 40 mile-per-hour speed zone be established on the Columbia River Highway between a point 0.29 mile west of the Sherman Highway and a point 0.24 mile west of Spanish Hollow Creek. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 495", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered revision of designated speeds on the Cascade Highway between Portland and Oregon City. The Deputy Engineer stated that because of improvements to the highway it is feasible to increase the designated speed in some areas. He recommended that "Speed Zone Resolution No. 446", be rescinded and 35 to 70 mile-per-hour speed zones be established between the south city limits of Portland at M. P. 6.73 and the north city limits of Oregon City at M. P. 14.19. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 496", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Deputy Engineer stated that James B. Putnam, Superintendent of the Colton Public Schools, had requested that parking be prohibited in the community of Colton on the Woodburn-Estacada Highway in Clackamas County. An investigation has revealed that sight distance can be improved by prohibiting parking and should improve the operation of the intersection. He recommended that parking be prohibited on the south side of the Woodburn-Estacada Highway No. 161 from a point 100 feet west of the west property line of Wall Street to the west line of Wall Street. The Commission approved his recommendation and thereupon adopted "No Parking Resolution No. 256", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to the prohibition of parking on a portion of the Klamath Falls-Lakeview Highway at the east side bypass intersection southeast of Klamath Falls. The Deputy Engineer stated that in order to develop sufficient lane space for left-turn refuges it is necessary that parking be prohibited on both sides of the Klamath Falls-Lakeview Highway between Engineer's Station 74+65 (M. P. 3.22) and Engineer's Station 80+00 (M. P. 3.34) and he so recommended. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 257", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A fencing agreement with the U. S. Bureau of Land Management, Lee Williams and Joseph W. Altnow was considered. The Bureau of Land Management, the Deputy Engineer stated, has requested that fencing be provided on the Central Oregon Highway through the Williams and Altnow properties from a point just easterly of the road to Drewsey and extending easterly through the Drinkwater Pass area and down Chimney Creek for a distance of 5.4 miles in Harney and Malheur Counties. It was his opinion that the safety of the traveling public would be enhanced by installing the fence. A standard type

of agreement has been prepared in which the State pays for the posts at an estimated cost of \$1,400 and the other parties furnish the wire and labor. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to the extension of an agreement with Union Pacific Railroad Company to conduct surveys across Railroad property in the Albina District in Portland, in connection with the preparation of plans for construction of Interstate Route 405 from the proposed Fremont Bridge easterly to a connection with Interstate 5. The Deputy Engineer commented that the present permit expires November 25, 1965, and he recommended that it be extended another calendar year. The Commission approved the extension of the agreement.

An agreement with the City of Portland concerning the installation of a traffic signal controller at the intersection of S. E. Powell Boulevard and S. E. 33rd Avenue, and for installation of a supervisory cable interconnecting the signals on N. E. and S. E. 82nd Avenue between N. E. Prescott Street and S. E. Flavel Street was considered. The estimated cost of the installation, the Deputy Engineer stated, is \$22,000. The agreement provides that the City shall do the work, pay one-half the cost of the installation and provide for all maintenance and electrical energy used. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with the City of Tillamook covering installation of a traffic signal at the intersection of Main Avenue (Oregon Coast Highway) and First Street (Wilson River Highway). The Deputy Engineer estimated the cost of the installation at \$7,000 and explained that under the agreement the State is to install the signal. The City is to pay one-half the cost of the installation and provide for all of the maintenance and electrical energy costs. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A resolution was presented by the Deputy Engineer redesignating the Burns-Crane Primary Highway No. 24 and the Crane-Scotts Butte Secondary Highway No. 442 as one secondary highway to be known as the Steens Secondary Highway No. 442, including the Crane Spur. The Steens Highway No. 442 is described as follows:

"That the existing route of the Burns-Crane Highway from its intersection with the Central Oregon Highway at M. P. 131.50 in the City of Burns to its junction with the Crane-Scotts Butte Highway at M. P. 28.23 at the community of Crane, together with the existing Crane-Scotts Butte Highway No. 442 from its intersection with the Burns-Crane Highway at Crane southerly and easterly to its junction with the I.O.N. Highway at M. P. 61.64 are hereby redesignated as the Steens Highway, State Secondary Highway No. 442".

The Commission approved the redesignation and thereupon adopted "Secondary Highway Designation Resolution No. 68", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to an agreement with the Oregon State Board of Higher Education, on behalf of Oregon State University, to conduct a research project to study fillet welds on structural steel as an aid to inspection methods. The Deputy Engineer stated that the estimated cost is \$2,200 to come from HPR Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission approved the minutes of the meeting held September 28, 1965.

The next regular Highway Commission meeting date was confirmed for Tuesday, December 14, 1965, in the State Highway Building in Salem. A tentative date for the following meeting was set for January 25, 1966.

A supplemental agreement with Washington County concerning closures of certain streets and providing for construction of a half interchange at S. W. 72nd Avenue and a service road on the Sunset Highway-Pacific Highway Section of the Beaverton-Tigard Highway in Washington County was discussed. The Deputy Engineer stated that the supplemental agreement revises the closures of S. W. Hunziker Street and S. W. Varns Street in addition to the half interchange and service road. He recommended that the agreement be approved and the Secretary authorized to sign it for the Commission. The Commission accepted his recommendation.

The Deputy Engineer reported that the Engineer had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. These conditions, he said, have been satisfied. The Commission confirmed award of the following contracts:

- (1) Grading and paving on the North City Limits-5th Street North (Lakeview) Section of the Fremont Highway in Lake County. Bids received August 31, 1965. Contract No. 6716 awarded September 30 to Percy E. Jellum Contractor, Inc., Pendleton, low bidder.
- (2) Grading, oiling and structure on the Crystal Springs-Rocky Point Section of FAS 420 in Klamath County. Bids received September 24, 1965. Contract No. 6717 awarded September 30 to Cecil James Construction, Medford, low bidder.
- (3) Grading and paving on the Yaquina River Slide Section of FAS 584 in Lincoln County. Bids received September 24, 1965. Contract No. 6718 awarded October 5 to Smith Transfer, Inc., Toledo, low bidder.

- (4) Phillips Creek Bridge on Summerville-Weston Road in Union County. Bids received September 24, 1965. Contract No. 6719 awarded October 7 to Underwood and Richards Construction Company, Bend, low bidder.
- (5) Intermittent fencing on the North Jefferson Interchange-North Albany Interchange Section of the Pacific Highway in Marion and Linn Counties. Bids received September 24, 1965. Contract No. 6720 awarded October 8 to J. C. Denton and Sons, Inc., Beaverton, low bidder.
- (6) Revetment construction on the Santiam River Overflow (M. P. 60.07) Section of the Pacific Highway in Marion County. Bids received September 24, 1965. Contract No. 6721 awarded October 8 to Ross Bros. Construction, Inc., Salem, low bidder.
- (7) Roadside improvement on the Klamath Falls Section of The Dalles-California Highway in Klamath County. Bids received September 24, 1965. Contract No. 6722 awarded October 8 to Baltz and Son Company, Portland, low bidder.
- (8) Grading, oiling and structure on the Adair-Independence Road Section of FAS 932 in Benton County. Bids received September 24, 1965. Contract No. 6723 awarded October 13 to Corvallis Sand and Gravel Company, Corvallis, low bidder.
- (9) Intermittent slide correction on the Skunk Creek-Skalada Creek Section of Siletz Highway in Lincoln County. Bids received September 24, 1965. Contract No. 6727 awarded October 19 to Lowry and Johnson Construction, Portland, low bidder.
- (10) Sucker Creek (Bridgeview and Holland) Bridges on the Holland Loop Road in Josephine County. Bids received October 12, 1965. Contract No. 6728 awarded October 22, to Stach Construction Co., Inc., Grants Pass, low bidder.
- (11) Grading, paving, structures and signing on the Oxman-Bubbs Ranch Section of the Old Oregon Trail in Baker County. Bids received September 24, 1965. Contract No. 6729 awarded October 22 to Rogers Construction, Inc., Portland, low bidder.

The Commission confirmed awards of contracts on bids received October 12, 1965, and on which telephonic approval from the Commission had been given on October 14, 1965. The Commission authorized the Secretary to sign the contracts in their behalf.

BIDS RECEIVED IN SALEM OCTOBER 12, 1965

AWARDS MADE OCTOBER 14, 1965

Construction of tunnel, one rigid frame structure, retaining walls and miscellaneous street and roadwork on the Vista Ridge East Bound Tunnel Section of the Sunset Highway in Portland, Multnomah County. Federal-aid Urban Project No. U-318(10). Seven bids were received. The Commission elected to accept the low bid of Donald M. Drake & Winston Bros. Company, Portland, in the sum of \$4,181,131.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Reinforced concrete slope protection on the Zigzag River Bridge Section of the Mt. Hood Highway, near Rhododendron, in Clackamas County. FAP No. ERFO-198(2). Three bids were received. The Commission awarded the contract to the low bidder, Cumming & Webber, Inc., Portland, at \$27,646.00.

Widen existing bridge on the Klaskanine River Bridge on the Nehalem Highway, southeast of Astoria, in Clatsop County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, at \$54,885.00.

Grading, stone base and structure on the Marks Creek (MP 37.1 and MP 39.4) Section of the Ochoco Highway, east of Prineville, in Crook County. FAP No. ER-111(2). Seven bids were received. The Commission awarded the contract to the low bidder, Kinnan Logging Company, Camas Valley, at \$95,515.20.

Revetment on the Harrisburg Bridge Section of the Albany-Junction City Highway, near Harrisburg, in Lane County. FAP No. 160(1). No bids were received for this project.

Sucker Creek (Bridgeview and Holland) Bridges on the Holland Loop Road, southwest of Grants Pass, in Josephine County. Federal-aid Primary Highway Project No. ER-109(2). Two bids were received. The Commission elected to accept the low bid of Stach Construction Company, Inc., Grants Pass, in the sum of \$131,050.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Josephine County and the Bureau of Public Roads is received and the sum of \$29,500.00 is deposited by the County.

The Deputy Engineer presented a tabulation showing bids received for highway construction projects on November 2, 1965. The Commission awarded contracts as follows and authorized the Secretary to sign the contracts in their behalf.

November 4, 1965

BIDS RECEIVED IN SALEM NOVEMBER 2, 1965

AWARDS MADE NOVEMBER 4, 1965

Grading, paving, structure and signing on the Lime-Malheur County Line Section of the Old Oregon Trail, near Huntington, in Baker and Malheur Counties. Federal-aid Interstate Highway Project No. I-80N-7(18)341. Nine bids were received. The Commission elected to accept the low bid of Murphy Brothers, Inc., Spokane, Washington, in the sum of \$4,818,210.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

Cabin Creek Safety Rest Area on the Pacific Highway, north of Roseburg, in Douglas County. Federal-aid Interstate Highway Project No. I-5-3(71)145. Two bids were received. The Commission awarded the contract to the low bidder, Oosterwyk Nurseries, Inc., Kirkland, Washington, at \$123,701.10.

Grading, paving, structure and signing on the Willow Creek Section of the Columbia River Highway, east of Arlington, in Gilliam and Morrow Counties. Federal-aid Interstate Highway Project No. I-80N-5(19)145. Seven bids were received. The Commission elected to accept the low bid of S. A. Hutchins & Assoc. Construction Company, Sutherlin, in the sum of \$410,418.15 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the U. S. Army Engineers and the Bureau of Public Roads is received.

Railroad Bridge over a boat basin channel on the Cascade Locks-Mitchell Point Section of the Columbia River Highway, east of Cascade Locks, in Hood River County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Cumming & Webber, Inc., Portland, at \$169,230.00.

Valley of the Rogue State Park addition on the Pacific Highway, easterly of Rogue River, in Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, S. A. Hutchins & Assoc. Construction Company, Sutherlin, at \$149,311.20.

Roadway illumination installation on the North Ashland and South Ashland Interchange on the Pacific Highway, near Ashland, in Jackson County. Federal-aid Interstate Highway Project No. I-51(60)12. Five bids were received. The Commission awarded the contract to the low bidder, Madson and Stokes Elec. Contr., Roseburg, at \$29,288.00.

Crooked Creek Bridge on the Fremont Highway, near Valley Falls, in Lake County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Stach Construction Company, Inc., Grants Pass, at \$32,440.00.

Gettings Creek Safety Rest Area on the Pacific Highway, south of Eugene, in Lane County. Federal-aid Interstate Highway Project No. I-5-3(68)178. Two bids were received. The Commission awarded the contract to the low bidder, Oosterwyk Nurseries, Inc., Kirkland, Washington, at \$79,193.78.

November 4, 1965

Grading on the Dorena Dam Slide Section of FAS 231 (Row River County Road), east of Cottage Grove, in Lane County. FAP No. ER-133(1). Six bids were received. The Commission elected to accept the low bid of Groesbeck-Durbin, Inc., Eugene, in the sum of \$26,881.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and the sum of \$6,100.00 is deposited by the County.

Grading and paving on the Toledo Slide Correction Section of the Corvallis-Newport Highway, in Toledo, Lincoln County. FAP No. ER-168(1). Four bids were received. The Commission elected to accept the low bid of Morse Bros., Inc., Lebanon, in the sum of \$97,544.80 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading, paving and signing on the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail, west of Pendleton, in Morrow County. Federal-aid Interstate Highway No. I-80N-5(18)167. Ten bids were received. The Commission elected to accept the low bid of Rogers Construction, Inc., Portland, in the sum of \$1,095,943.80 and the State Highway Engineer is directed to award the contract to said bidder as soon as necessary right of way is acquired and approval of the Bureau of Public Roads is received.

Clearing on the Northwest Thurman Street-Southwest Jefferson Street Section of the Stadium Freeway, in Portland, Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(12)302. Five bids were received. The Commission awarded the contract to the low bidder, Steelman-Duff, Inc., Portland, at \$160,265.00.

Bridal Veil, Cascade Locks and The Dalles Sections of the Columbia River Highway in Multnomah, Hood River and Wasco Counties. Federal-aid Interstate Highway Project Nos. I-80N-2(33)26 and I-80N-3(48)79. Three bids were received. The Commission elected to accept the low bid of Oosterwyk Nurseries, Inc., Kirkland, Washington, in the sum of \$12,770.00 and the State Highway Engineer is directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Roadside improvement on the Orchard Heights Road-Taybin Road Section of the Salem-Dayton Highway, in West Salem, Polk County. FAS Project No. SU-252(4). Four bids were received. The Commission awarded the contract to the low bidder, Knight Percy, Salem, at \$10,815.25.

Grading, paving, structures and signing on the Celilo-Rufus Section of the Columbia River Highway, east of The Dalles, in Sherman and Wasco Counties. Federal-aid Interstate Highway Project No. I-80N-3(47)95. Five bids were received. The Commission awarded the contract to the low bidder, Rogers Construction Company, Portland, at \$3,811,370.35.

Shaniko Rock Production Project on The Dalles-California, Sherman and Shaniko-Fossil Highways, near Shaniko, in Wasco County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, Arthur Simonsen & Company, Inc., Baker, at \$40,360.00.

Service Creek Bridge on the Service Creek-Mitchell Highway, south of Fossil, in Wheeler County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Wayne Jacobs, Redmond, at \$25,991.10.

Grading, paving and structure on the Myrtle Street-"A" Street (Madras) Section of The Dalles-California and Warm Springs Highways, in Madras, Jefferson County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$126,720.00.

Deep Creek and Twenty Mile Creek Bridge reconstruction on the Warner Highway, east of Adel, in Lake County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Stach Construction Company, Inc., Grants Pass, at \$73,050.00.

Authority was requested by the Deputy Engineer to negotiate with Chilton Research Services to provide statistical data in regard to private sector-outdoor recreation. He explained that the Bureau of Outdoor Recreation has contracted with Chilton Research Services for field and statistical work. The State, in preparation of its comprehensive outdoor recreation plan, is required to provide data covering the entire State. This material can be obtained from the Chilton Research Services on a statistically acceptable basis on 19 counties which can be expanded to cover the entire State. Total cost of the study, he said, will be not more than \$8,000 of which \$4,000 will be reimbursable through the Bureau of Outdoor Recreation and the Land and Water Conservation Fund. Using the material available, he said, will cost far less than if secured through some other means. The Commission authorized negotiation with Chilton Research Services by means of an agreement for the statistical material at a cost not to exceed \$8,000 and also authorized the Secretary to sign the agreement in their behalf.

Removed from the Agenda.

Attention was given to a cooperative construction agreement with the City of Grants Pass concerning a project on the S. W. 3rd Street-West City Limits Section of the Rogue River Loop Highway No. 260 in Grants Pass. It is proposed to receive bids for the project at the March, 1966, bid letting. The Deputy Engineer estimated the cost to the State at \$100,000 and the City cost at \$150,000. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with Rogue River Valley Irrigation District for the reconstruction of certain irrigation facilities conflicting with construction of the Antelope Creek-Medford Section of the Crater Lake Highway in Jackson County. The Deputy Engineer estimated the cost to the State at \$19,200. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission considered a price agreement with Astoria Navigation Company to cover increased costs for the operation of the Astoria Ferries after November 30, 1965, and continuing until the Astoria Bridge is open to traffic. The Deputy Engineer explained that the contractor for the ferry services had negotiated a contract with the several unions involved in the ferry operation for a three-year period ending November 30, 1965. This



labor contract was based on the assumption that the Astoria Bridge would be completed in mid-year 1965. The contractor has reached a basis of settlement with the Unions for an extension of his labor contract which will amount to an increased cost of approximately \$80,000. The Deputy Engineer recommended that a price agreement be entered into with the contractor to be effective for one year from November 30, 1965, although it is expected that the bridge will be open to traffic by July 1, 1966. The Chairman inquired if the State is legally liable for these costs. Assistant Highway Engineer Edwards replied that the State is liable, as the contract for the ferry service mentioned completion of the bridge as of mid year 1965. The Chairman then inquired if this additional cost would be included in the State's claim against DeLong. Mr. Edwards replied affirmatively. Commissioner Simpson inquired if the State had any claim prior to November 30, 1965, pointing out that no ferry services would have been required if the bridge had been completed on schedule. Mr. Edwards replied negatively. The Commission approved the price agreement.

A throughway agreement with Baker County concerning the Lime-Malheur County Line Section of the Old Oregon Trail (I-80N) in Baker County was discussed. This agreement, the Deputy Engineer remarked, defines responsibilities of the State and County on this project on which bids were received November 2, 1965, and recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

Following the favorable recommendation of the Deputy Engineer, the Commission approved extension of an agreement with the Army Corps of Engineers from June 30, 1965, to June 30, 1967, pertaining to preparation of plans for bridges and interchanges through the John Day Reservoir project.

The Deputy Engineer brought up the matter of the vacation of a portion of N. E. 6th Avenue in East Portland, adjacent to Block 113 owned by the State. He commented that the Oregon-Columbia Chapter, National Electrical Contractors Association, a non-profit corporation, had petitioned the city for the vacation. The State will suffer no loss if the vacation is granted and he recommended that the Commission give its consent. The Commission accepted his recommendation and authorized the Secretary to sign a Consent form in their behalf.

As an addition to Federal-Aid Program IX, the Deputy Engineer recommended the improvement of a portion of the Oregon Coast Highway known as "Nutters Curve", south of Bandon in Coos County, at an estimated cost of \$93,000 including right-of-way. The Commission approved the project as recommended.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Bargain and Sale Deed" with Bend School District No. 1 for 10 acres on Pilot Butte Section of the Central Oregon Highway in Deschutes County.

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"Indenture of Access" to West Gate Shopping Center property on the Orchard Heights Road-Edgewater Street Section of the Salem-Dayton Highway in Polk County.

"Indenture of Access" to Merit and Mary Smith property on the Crest Street-Patterson Avenue Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to William and Mildred Holly property on the Mohawk Road-McKenzie Highway Section of the Eugene-Springfield Highway in Lane County.

"Indenture of Access" to Thomas and Lucy Leffler, Trustees, property on the North Unit, Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County.

"Indenture of Access" to W. R. Smith property on the Eugene Section of the Pacific Highway in Lane County.

"Indenture of Access" to Harris and Jane Porter property on the Crescent-Odell Junction Section of The Dalles-California Highway in Klamath County.

"Extension Agreement" to November, 1966 with Union Pacific Railroad Company to conduct surveys across Railroad property in the Albina District for preparation of plans for construction of I-405 in Portland.

"Supplemental Agreement" to extend from June 30, 1965 to June 30, 1967 with Army Corps of Engineers for preparation of plans for bridges and interchanges through the John Day Reservoir Project.

"Bargain and Sale Deed" to Harry L. and Jessie O. Simmons for a parcel of land on the Goshen-Divide Section of the Pacific Highway in Lane County.

"Bargain and Sale Deed" to Port of Portland for a parcel of land on the Troutdale Interchange Section of the Columbia River Highway in Multnomah County.

"Bargain and Sale Deed" to City of Portland for a tract of land on the Russell Street-Curry Street Section of the Pacific Highway in Multnomah County.

"Bargain and Sale Deed" to Port of Bandon for a parcel of land on the Fat Elk Creek-Lampa Creek Section of the Coquille-Bandon Highway in Coos County.

"Bargain and Sale Deed" to Harry R. Waggoner and Jack C. Prock for a parcel of land on the Dixon Pit Section of the Klamath Falls-Malin Highway in Klamath County.

"Bargain and Sale Deed" to City of Eugene for a parcel of land on the Eugene-Oak Hill Section of the Mapleton-Eugene Highway in Lane County.

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"Lease and Sale of Road Materials" to John Warren and Patricia Priddy for a portion of land on the Willowdale-Antelope County Road in Wasco County.

"Lease and Sale of Road Materials" to John D. and Elizabeth N. Gray for a parcel of land on the Polallie Creek-Mt. Hood P.O. on the Mt. Hood Highway.

"Deed" with United States of America for a parcel of land on the Foster Reservoir Section of the Santiam Highway.

"Agreement" with United States of America, Department of the Interior acting by and through the Bonneville Power Administrator for relocation of the transmission line on the Judkins Point-Goshen Section of the Pacific Highway.

"Transmission Line Easement and Partial Release" to United States of America for a strip of land to relocate the Goshen-Springfield transmission line on the Pacific Highway.

"Demolition Contract" with Iverson Construction Company in the amount of \$4,620 removing buildings on the North Portland Harbor-Russell Street Section of the Pacific Highway in Multnomah County.

"Five year Lease" to Thunderbird Motel covering 11,000 square feet of land on the Grand Avenue Section of the Pacific Highway West in Multnomah County.

"Fence Agreement" with Bureau of Land Management, Lee Williams and Joseph W. Altnow covering fencing on the Central Oregon Highway in Harney and Malheur Counties. State to pay for cost of posts at \$1,400.

"Agreement" with City of Portland covering installation of semi-actuated traffic signal controller at the intersection of S. E. Powell Boulevard and S. E. 33rd Avenue and for installation of a supervisory cable interconnecting signals on N. E. and S.E. 82nd Avenue between N. E. Prescott Street and S. E. Flavel Street.

"Agreement" with City of Tillamook covering traffic signal at intersection of Main Avenue and First Street.

"Agreement" with Oregon State Board of Higher Education on behalf of Oregon State University to conduct a research project studying fillet welds on structural steel.

"Supplemental Agreement" with Washington County revising closures of certain streets and providing for construction of a half interchange at S. W. 72nd Avenue and a service road on the Sunset Highway-Pacific Highway (I-5) Section of the Beaverton-Tigard Highway.

"Agreement" with Grants Pass for a cooperative construction project on the S. W. 3rd Street-West City Limits Section of the Rogue River Loop Highway in Grants Pass.

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"Agreement" with Rogue River Valley Irrigation District providing for the reconstruction of certain irrigation facilities conflicting with the construction of the Antelope Creek-Medford Section of the Crater Lake Highway in Jackson County.

"Throughway Agreement" with Baker County covering the Lime-Malheur County Line Section of the Old Oregon Trail (I-80N) in Baker County.

"Permit" to owners of Smart Ranch, Les and Dorothy Schwab, for maintaining the fences contracted and constructed by the Highway Department on their land and adjacent to public land they have under the Taylor Grazing Act.

A delegation from the City of Powers came before the Commission concerning realignment and straightening of curves on the Powers Secondary Highway from Rhoda Creek to Powers. The following persons were present: Howard Lentz, John Bushnell, G. Pinson, Mrs. Lillian Pinson, Leon Moxon, R. Stevens, Ken Stevens, Wilma Wakkila, R. Rolfe, Ethel Anderson, Mary Warner, Elsie Hansen, Margaret Wyland, Lillian Ross, Mrs. V. Gilmore, Mrs. M. Shepherd, Harry Rolfe, Irwin Elder and Harold Ross, all from Powers.

Mr. Lentz commented that the presentation to be made is based on real needs and he mentioned that the average daily traffic had increased from 900 to 1,500 vehicles in about one year. A large percentage of these vehicles are logging trucks and he mentioned one company that plans to make approximately 7,300 trips in 1966. Straightening of curves, he said, is much more important to safety than the vertical grade as log trucks now have a great amount of power. He also mentioned that in this section there are over 200 curves. Mayor Stevens pointed out that the City of Powers does not have a doctor or hospital and that it is difficult to treat emergency cases because of the bad road. He also mentioned that in transporting athletic teams over the road many of the athletes become car sick. Mr. Bushnell remarked that he had lived in this area 40 years and had seen a great many accidents involving injury and fatalities. Mr. Elder, a school administrator in the Powers School System, called attention to the fact that it is difficult to get teachers in Powers largely because of the poor condition of the highway. He also observed that a 60-passenger school bus must stop at some of the curves if it meets a log truck. Athletic teams which go out of town to compete become car sick if the bus goes over 30 miles-per-hour. Mr. Stevens mentioned that the U. S. Forest Service is developing recreational sites which can be reached only by using the Powers Secondary Highway. People seeking recreation in these areas will increase the amount of traffic on the highway. Mayor Stevens commented on the considerable increase in people coming into the Powers area in 1964 over the number that came in 1963. It was his feeling that the number would be considerably higher in 1965. Mrs. Rolfe also mentioned that children riding in cars or busses over the highway become car sick and that it is difficult to get to doctors, dentists, or hospitals. Mr. Lentz recalled that about a year and a half ago the Commission had been invited to travel over the road and since that time the traffic volume is up considerably. He urged the Commission to consider improvement.

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Chairman Jackson stated that the Commission is aware of the problem but it did not appear that small corrective measures would be a good remedy. He mentioned that the country through which the highway traverses is very rugged and reconstruction is estimated to cost approximately 5½ million dollars. He suggested that the delegation ask the County authorities to set up a priority list of projects so that the Commission would know which work is considered most important when funds are available. He mentioned pressure on the Commission to complete Highway 42 and the construction of a new highway easterly from Coos Bay. The Commission, he said, is sympathetic with the community needs but adequate funds are just not available.

Mr. Lentz observed that in his opinion about half of the curves could be eliminated or satisfactorily improved without major realignment and he asked that this matter be investigated. He thanked the Commission for the highway improvement between Myrtle Point and Coquille. The Chairman said that his request concerning the curves would be referred to the engineers.

A group of people from the Maywood area in East Portland came before the Commission regarding the proposed route of I-205 through the Rocky Butte-Maywood Area. The following people were present: Mr. Ernest Burrows, Forrest Fry, Frank Beyer, Geo. Hansen, Emil Leitz, James Nisbet, Al Swanson, Eldon Snow and N. C. Margulies. Mr. Burrows, who acted as spokesman, stated that the delegation represents 385 homeowners and the Jason Lee School District. He recalled that the Multnomah County Commissioners had indicated a preference for the I-205 route through Maywood and that highway engineers had stated that they would favor the route selected by the county officials. It was his opinion that the Rocky Butte route is not the best route and he mentioned that some parts of it would be 140 feet above ground level. He also mentioned that blasting by the county in this neighborhood had been stopped by legal action. The Rocky Butte route, he said, is approximately one-half mile longer than the route through Parkrose and is expected to cost about 3 million dollars more. Noise of traffic will disrupt the peace of the Grotto of the Sorrowful Mother. Elevated traffic is particularly noisy and he urged that the Commission not accept the route through Maywood solely on the recommendation of the County officials. Mr. Hansen presented and read a copy of a letter signed by Mr. A. M. Holloway representing the Sanctuary of our Sorrowful Mother. The letter, which was addressed to Governor Hatfield, asked that a review be made of the I-205 route and careful attention be given to the damage that would be done to the scenery and the Grotto. Mentioned particularly was the magnified noise of traffic caused by the reflecting rock face of the Butte which would disrupt its serenity because of the noise. Doctor Snow stated that although his home is in the proposed route he was interested particularly in saving the area for its aesthetic value. Mr. Kenneth Klarquist stated that in his opinion if I-205 were routed on 109th rather than 96th less damage would be done. He referred to the additional cost of \$1,300,000 as being in effect a subsidy of \$9,000 for each home which would be removed on the 109th Street route.

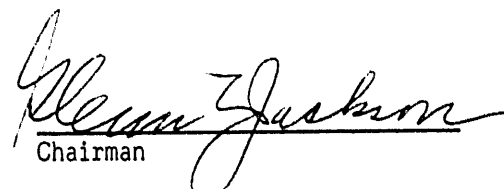
Chairman Jackson commented that whatever route is selected it will be necessary to take some properties. The Commission is faced with a very difficult situation in determining values for the various factors that are involved in the location of a route. The route, he concluded, is still under consideration.

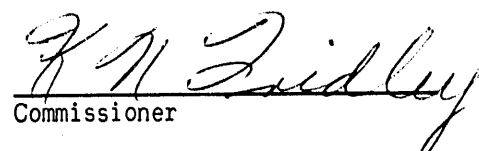
November 4, 1965

Mr. Elmer Calef representing the Parkrose Civic Club appeared before the Commission to oppose the I-205 route through Parkrose. He pointed out that if the highway is routed through Parkrose it will cause the removal of 180 more homes than would have to be removed if the highway is built on the Rocky Butte Route. It was his feeling that less damage would be done to property if the Rocky Butte route is used. He also mentioned that if the Parkrose route is used it would sever school and water districts and that these districts are in favor of the Rocky Butte route. The Chairman stated that it is impossible to select a route which will not inconvenience some people. The Commission, he continued, will consider all factors very carefully before making a decision.

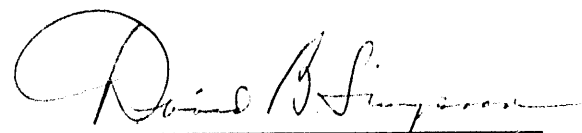
As there was no further business to consider, the Chairman adjourned the meeting at 11:45 a.m.

  
State Highway Engineer

  
Chairman

  
Commissioner

  
Secretary

  
Commissioner

November 4, 1965

Salem, Oregon  
November 19, 1965

The Oregon State Highway Commission met in special session at 9 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd P. Shaw, Assistant State Highway Engineer  
Fred B. Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
G. E. Rohde, Chief Counsel  
Frank McKinney, Acting Assistant Counsel  
David H. Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Highway Commission; L. H. Young, Office Engineer; E. S. Hunter, Maintenance Engineer; R. B. Sipprell, Liaison Engineer; John J. Earley, Information Officer; John Oakes, Assistant Right of Way Engineer; and Laurence A. Holt, Administrative Right of Way Agent.

The Right of Way Engineer presented for consideration options, pages 1 through 17, secured for acquisition of real property needed for state highway use or for other purposes. The prices offered for the properties, he said, are based upon careful appraisals and are in proper order for federal-aid. To the best of his knowledge the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein and thereupon adopted "Right of Way Resolution No. 28", which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

A report showing proposed settlement of court cases since the last Commission meeting was presented by the Chief Counsel. The Commission approved the report which is summarized as follows:

(Report of Condemnation Cases Settled on following page)

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REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-4846 Donald Avery, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	\$20,300.00	\$23,000.00 owner to re- tain and re- move building salvage value \$600.00
(Later appraisal at \$23,500.00.)					
L-4902 John D. Iven, et al.	Clackamas	Clackamas	Pacific Highway 13,200.00 East-Cascade Highway	16,500.00	
(\$13,200.00 for partial taking. \$16,450.00 for entire taking.)					
L-4649 Pacific Ventures, Inc.	Josephine	Pacific	Sexton Mountain- 1,600.00 Jumpoff Joe Creek	6,500.00	
(Re-appraisal of the taking and damages for the reconstruction of access resulted in higher appraisal at \$6,935.00.)					
L-4753 Marie R. Hurley, et al.	Douglas	Pacific	Canyonville- 91,000.00 Bear Gulch	88,000.00	
(Original appraisal \$92,800.00. Subsequent appraisal \$85,550.00.)					

(For additional details, see the Chief Counsel's letter dated November 18, 1965, regarding cases settled in the General Files, Salem.)

The Commission considered the adoption of a route for Interstate I-205 through the Portland Metropolitan Area beginning at a junction with the Pacific Highway (I-5) at Avery Road in Washington County and extending easterly and northerly through West Linn, across the Willamette River, through Oregon City, through Gladstone and northerly along 82nd, 92nd - 96th Avenues and across the Columbia River over Government Island. The Chairman asked the Engineer to review the status of the route under consideration.

The Engineer recalled that public hearings on this route were held in West Linn, September 22, 1965; in Oregon City, September 23, 1965; in Portland, September 30, 1965; and in Beaverton, October 5, 1965. Seven governmental agencies through which the proposed route is to pass have been contacted and all have approved the route with the exception of the Washington County Court who have neither approved nor disapproved the route. The City of Portland, City of Gladstone, Oregon City, City of West Linn, Clackamas County and Multnomah County have all given their approval. Multnomah County,

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he added, considered two routes: one along 104th and 106th Avenues, and another on Rocky Butte on or near 96th Avenue. The County voted in favor of the Rocky Butte Route.

The Chairman remarked he had heard that residents of the Maywood District in the Rocky Butte Area have started proceedings to incorporate as a city. He inquired as to what effect this might have on the selection of a route. The Engineer stated that he had been advised that the filing of articles of incorporation at this time would have no effect as the State had dealt with Multnomah County and there is no other legal political entity. The Chairman then inquired if the Multnomah County Commissioners are still in favor of the route. The Engineer replied that they have not rescinded their prior affirmation. Commissioner Fridley asked if there is any formal agreement in effect with the City of Portland regarding the Mt. Hood Corridor Route. The Engineer replied negatively.

Commissioner Simpson inquired as to what would be the effect of Washington County in neither approving nor disapproving the route. The Engineer replied that Bureau of Public Roads officials had indicated that approval of Washington County would not be necessary. He also commented that the proposed route in Oregon is approximately 29 miles in length and cost of construction is estimated at 80 million dollars.

The Chairman then pointed out that he has an owner's interest in land which lies approximately  $\frac{1}{2}$  mile from the proposed route, and he inquired if there could be a conflict of interest in designating the proposed route. The Chief Counsel stated that he had looked into the matter and could see no conflict of interest. Mr. Parsons of the Bureau of Public Roads stated that an investigation made by the Bureau had shown that there is no proposed connection between the property owned by Mr. Jackson and the I-205 Route. The Engineer commented that there will be no change in the present access to the property because of the freeway construction and the nearest proposed interchange is about two miles distant.

Commissioner Simpson then raised the question as to what would be done if Washington County does not approve the route. The Engineer stated that every reasonable effort will be made to secure their approval but no reply has been received to a letter he delivered to them about two months ago. The Chief Counsel observed that if there are no county roads affected by the Interstate Route there is no statutory requirement for an agreement with Washington County.

The Chairman commented that studies of various routes had been under way for a long time and had caused a great deal of turmoil and uncertainty. Selection of a route, he said, can not be delayed much longer without endangering the Commission's position with the Bureau of Public Roads and the public. He inquired if there are any negative factors which have not been considered. The Engineer replied that there will be problems on any route and adjustments will probably have to be made, but in his opinion he felt that the proposed route is the best that can be selected.

The Chairman then asked if in considering this route all necessary actions had been taken to conform with State and Federal Laws. The Chief Counsel replied that to the best of his knowledge the Commission has fully complied with the laws.

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Commissioner Simpson commented that he had some misgivings about selecting the route without approval of Washington County but he would not block approval. The Chairman observed that there is only about 3/4 of a mile in Washington County and to the County it is probably a minor matter. Commissioner Fridley stated that in his opinion it is time to select a route. In reviewing the matter, the Chairman pointed out that it is up to the Commission to make a decision and that all of the governmental agencies involved, except one, have indicated approval of the route. He moved that the Commission approve the route for I-205 as proposed. The motion was seconded by Commissioner Fridley and made unanimous by Commissioner Simpson. The Commission then adopted "Survey Resolution No. 304", which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered a guardrail project between Midland and Worden on The Dalles-California Highway in Klamath County as an addition to the 1966 State Construction Program. The Engineer explained that the project which has been started should be completed for the safety of the traveling public. He estimated the cost for completion of approximately 9,500 feet of guardrail at \$30,000. The Commission approved the project as a part of the 1966 State Construction budget.

Consideration was also given to a cooperative project with the City of Eugene for the widening of 6th and 7th Avenues between Oak and Jefferson Streets. These streets, the Engineer said, are used for carrying US99 traffic and the congestion is almost intolerable. The total cost of the project he estimated at \$170,000 and the City has agreed to pay 25% of this amount. He recommended approval of the project in the current State Construction Program with work to be undertaken during the 1966 construction season. The Commission approved the project and authorized the Secretary to sign a construction agreement.

As an addition to Highway Construction Program IX, the Engineer recommended a project on the Central Oregon Highway at Cairo Junction south of Ontario in Malheur County as a safety spot improvement project in furtherance of the President's program. The improvement at this location will consist of lane widening, channelization and pavement overlay at an estimated cost of \$50,000 to correct a bad traffic condition. The Commission approved the project.

An agreement with the City of Ashland covering installation of luminaire units at the North and South Ashland Interchanges on the Pacific Highway in Jackson County was discussed. The City and County are to install, maintain and pay for electrical energy for the luminaire units in their respective jurisdictions between the interchanges and the existing lineal illumination in the City of Ashland. The County is to pay for electrical energy for the luminaire units at the interchanges. The Engineer estimated the cost to the State for installing the illumination at the two interchanges at \$42,000 and recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer presented a supplemental agreement with Union Pacific Railroad Company concerning construction of the Brewery Grade connection on

The Dalles Bypass Section of the Columbia River Highway in Wasco County. The effect of the supplement, he said, is to correct the record to reflect minor changes made during construction. There is no additional cost to the State. Following his favorable recommendation, the Commission approved the agreement.

A throughway agreement with the Umatilla County Court pertaining to the Morrow County Line-Umatilla River Section of the Old Oregon Trail (I-80N) in Umatilla County was brought up by the Engineer. The agreement, he explained, provides for construction of the throughway, its interchanges and connections, and the relocation or reconstruction of several County roads. Bids are scheduled to be received in January, 1966. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer gave to the Commission copies of a brochure prepared by the Legal and Right of Way Division outlining assistance available to property owners whose property is to be acquired for highway purposes.

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The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers:

"Supplemental Agreement" with Union Pacific Railroad Company concerning construction of the Brewery Grade connection on The Dalles Bypass Section of the Columbia River Highway in Wasco County.

"Bargain and Sale Deed" to Ethel and Veston H. Casey for lots containing 39,000 square feet on the Maintenance Site at Beatty on the Klamath Falls-Lakeview Highway in Klamath County.

"Agreement" with City of Ashland and Jackson County covering installation of luminaire units at the North and South Ashland Interchanges on Interstate 5 in Jackson County.

"Throughway Agreement" with the Umatilla County Court pertaining to Morrow County Line-Umatilla River Section of the Old Oregon Trail (I-80N) in Umatilla County.

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There being no further business to consider, the meeting was adjourned by the Chairman at 9:55 a.m.

Forrest Cooper  
State Highway Engineer

Glenn L. Jackson  
Chairman

K. N. Fridley  
Commissioner

Floyd Query  
Secretary

David B. Simpson  
Commissioner

Salem, Oregon  
December 14, 1965

The Oregon State Highway Commission met in regular session at 10:15 a.m., in Room 419 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman  
K. N. Fridley, Commissioner  
David B. Simpson, Commissioner  
Forrest Cooper, State Highway Engineer  
R. L. Porter, Deputy State Highway Engineer  
Tom Edwards, Assistant State Highway Engineer  
Lloyd Shaw, Assistant State Highway Engineer  
Fred Klaboe, Assistant State Highway Engineer  
Victor D. Wolfe, Administrative Assistant  
George Rohde, Chief Counsel  
Frank McKinney, Acting Assistant Counsel  
David Moehring, Right of Way Engineer  
C. H. Maison, Controller  
Floyd Query, Secretary

Others present were A. W. Parsons, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; David Talbot, Parks Superintendent; Ralph Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; Dennis Clarke, Travel Information Director; John Earley, Information Officer; Harrison Brown, Assistant Information Officer; and D. N. Harwell, County and City Office Engineer.

The Right of Way Engineer presented for consideration options, pages 1 through 48, secured for acquisition of real property needed for state highway use or for other purposes. The prices offered for these properties, he said, are based upon careful appraisals and are in proper order for Federal-aid. To the best of his knowledge, the firm of Norris, Beggs and Simpson, of which Commissioner Simpson is a member, is not involved in any of these transactions. After carefully considering the options as presented, Chairman Jackson and Commissioner Fridley approved closing the options at the prices mentioned therein, and thereupon adopted "Right of Way Resolution No. 29," which resolution by this reference is made a part hereof and filed in the Secretary's Office. Commissioner Simpson abstained from voting to avoid any possible conflict of interest.

The Commission discussed the acquisition of 847 acres, more or less, from Mr. Barney Lucas for the sum of \$255,000 for park purposes. The Right of Way Engineer commented that the acreage is located along the Clackamas River near Estacada in Clackamas County in Sections 18, 19 and 20, Township 3 South, Range 4 E., W.M., and in Sections 13 and 24, Township 3 South, Range 3 E., W.M. Also being acquired is Mr. Lucas' interest in a 40-foot roadway easement. The property is subject to an existing 10-foot pipeline easement with a reservation to the grantor of a 10-foot utility easement. In the discussion it was brought out that the land is ideally



located to serve the Portland Metropolitan Area and that its acquisition has been endorsed by State and County officials in Clackamas County. Prior telephone approval of the purchase was given by Commissioner Simpson on November 30, 1965, and by Commissioner Fridley on December 1, 1965. The Commission unanimously confirmed purchase of the Lucas property.

The Property Manager's report for the period from October 28 to December 3, 1965, covering sales of miscellaneous properties and rentals was presented by the Right of Way Engineer. During this period, receipts from miscellaneous sales totaled \$9,086.00; land sales \$12,455.00; timber sales \$2,200.67; and rental receipts for November amounted to \$20,444.25. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale a number of properties no longer needed for highway purposes. The proposed minimum prices, he said, are based upon appraised values or on offers in excess of appraisals. Access provisions and other conditions of sale are consistent with those existing in the vicinity of each property. The Commission authorized sale of the following properties and thereupon adopted "Real Property Resolution Nos. 447 through 451," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Sale of water rights on  $8\frac{1}{2}$  acres of land, File No. 22980, along Slate Creek approximately  $\frac{1}{4}$  mile west of Wilderville on the Redwood Highway in Josephine County, for not less than \$850. These water rights were acquired as a part of an acquisition of irrigated land in 1962 and are not needed for highway purposes. No Federal funds were involved in the purchase of these rights.
- (2) 2,900 square feet of land, File No. 32239, on the west extension of "D" Street in Bay City along the Oregon Coast Highway in Tillamook County, for not less than \$200. No access is to be allowed to the Oregon Coast Highway and the sale is subject to a standard sign restriction clause. Approval of the Bureau of Public Roads was received in a letter dated November 16, 1965.
- (3) 0.19 acre, File No. 18313, located southerly from First Street in Phoenix and westerly from the north-bound lane of the Rogue Valley Highway in Jackson County, for not less than \$1,245. Access will be allowed to First Street but no access is to be granted to the highway, and no access to the easterly 50 feet of the property. Approval of the Bureau of Public Roads was received in their letter dated September 27, 1965. (See "Real Property Resolution No. 447".)

- (4) 2.3 acres, File No. 18281, on the easterly side of the Salem Bypass Section of the Pacific Highway in Marion County, about 800 feet north of the Pringle Road Overpass, for not less than \$1,400. No access is to be allowed to the Pacific Highway and the sale is subject to a standard sign restriction clause. The property is located outside the normal right of way line and approval of the sale is not required by the Bureau of Public Roads. (See "Real Property Resolution No. 448".)
- (5) 1.15 acres, File No. 6482, between Louise and O'toole Streets on the south side of the North Santiam Highway in the community of Gates, Marion County, for not less than \$1,500. This property was acquired from Marion County for the sum of \$1 and proceeds from the sale are to be turned over to the County after deducting advertising costs. No restrictions are imposed. The Bureau of Public Roads was not involved in this property. (See "Real Property Resolution No. 449".)
- (6) 33,540 square feet of land, File No. 26688, located at the corner of 10th Street and Quinalt Street in the City of Springfield on the Eugene-Springfield Highway in Lane County, for not less than \$12,000. No access is to be allowed to the Eugene-Springfield Highway and the sale is to be subject to a standard sign restriction clause. Approval of the Bureau of Public Roads is not required as all of the parcel lies outside of the normal right of way line. (See "Real Property Resolution No. 450".)
- (7) 1.263 acres, File Nos. 15796 through 15805, consisting of nine parcels of land located in the first addition to Holladay Park Addition and lying north of the Railroad between N. E. 25th and N. E. 27th Avenues along the Columbia River Highway in Portland, for not less than \$11,200. No access is to be allowed to the Columbia River Highway and the sale is subject to a sign restriction clause. Also the purchaser is to assume the obligation to provide an adequate connection at grade between the Simpson Timber Company property and the existing roadway in the event the same is reconstructed, and also to provide access rights for the Simpson Timber Company in and to the existing roadway located on the easterly portion of the property conveyed to the State of Oregon. The property was originally acquired to provide access to the Doernbecker Furniture Company loading dock. The Bureau of Public Roads was not involved in this property. (See "Real Property Resolution No. 451".)

Direct sales of two parcels of property no longer needed for highway purposes were recommended by the Right of Way Engineer. Peculiar conditions, he said, restrict sale of these properties to one person. The recommended sale price for each property is based upon appraised value. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 452," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 1,450 square feet of land, File Nos. 26724, 26725 and 27310, located between S. W. Slavin Road and Seymour Street at S. W. Water Avenue along the Pacific Highway in the City of Portland, to James J. Praggastis, an adjacent owner, for the sum of \$220. The sale is subject to a standard sign restriction clause and access is to be permitted to Slavin Road. Approval of the Bureau of Public Roads was received in their letter dated November 17, 1965.
- (2) 3,139 square feet of land, File No. 35629, located on the northeast corner of Montgomery and S. W. 13th Avenue on the Stadium Freeway in the City of Portland, to Portland State College, for the sum of \$19,600. The sale is to be subject to a standard sign restriction clause. Approval of the Bureau of Public Roads is not required as the parcel lies outside the normal right of way line. (See "Real Property Resolution No. 452".)

Several "Indentures of Access" were presented by the Right of Way Engineer. These "Indentures" he commented, provide for changes in location and widening of points of access for the protection of the traveling public and for the benefit and convenience of the property owners. The Commission approved the following "Indentures":

- (1) Cloake Property, File Nos. 35942 and 35944, for a change in location of two points of access, 40 feet in width and unrestricted as to use, on the south side of the Klamath Falls-Lakeview Highway, approximately  $1\frac{1}{2}$  miles east of Klamath Falls, Klamath County. The changes are needed for more appropriate access to a proposed service station facility. Approval of the Bureau of Public Roads is not required.
- (2) Buffington and Rice Property, File No. 25518, on the east side of the Oregon Coast Highway in the City of Gold Beach in Curry County, for a change in location of an existing point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads was given on August 16, 1965.

- (3) Keefe Property, File No. 17935, on the west side of The Dalles-California Highway approximately eight miles north of Crescent in Klamath County, to correct the public record on the location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads was given on October 7, 1965.
- (4) Chapman and Swanson Property, File No. 17935, on the east side of The Dalles-California Highway approximately eight miles north of Crescent in Klamath County, for a change in location of two points of access, 35 feet in width and unrestricted as to use. The change is to provide better approaches to business establishments. Approval of the Bureau of Public Roads was given on August 16, 1965.
- (5) Berger Property, File No. 35188, on the northerly side of the Corvallis-Lebanon Highway in Linn County, approximately  $3\frac{1}{2}$  miles east of Corvallis, for a change in location of one point of access, 35 feet in width and unrestricted as to use. Approval of the Bureau of Public Roads is not required as the access is within an active secondary project.
- (6) Holiday Farm, Inc., Property, File No. 35674, on the south side of the McKenzie Highway, approximately  $5\frac{1}{2}$  miles east of Blue River in Lane County, for a change in location of two points of access, 35 feet in width and unrestricted as to use. Approval was given by the Bureau of Public Roads on September 28, 1965.
- (7) City of Pendleton Property, File No. 24979, on the east side of the Pendleton-John Day Highway in the City of Pendleton, Umatilla County, for a change in location and an increase in width to 60 feet of one point of access to accommodate an extension of S. W. Marshall Street. The Bureau of Public Roads approved this change on August 6, 1963.

Consideration was given to a proposed Grant of Access to William G. and Pearle A. Hewitt for one point of access, 35 feet in width and unrestricted as to use located on the southerly side of the Coburg Road leg of the Ferry Street Intersection of the Eugene-Springfield Highway in Lane County opposite Highway Engineer's Centerline Station E59+73. The Right of Way Engineer explained that the owners of the property are required to pay to the State the sum of \$5,062.50, which is the amount paid to the owners for restriction of access when the property was originally acquired. Approval of the Bureau of Public Roads was given on June 23, 1965. Following the favorable recommendation of the Right of Way Engineer, the Commission approved the access.

The Commission considered a proposed Grant of Easement to Edwin R. and Estelle Ann DeGraw covering a 20-foot wide strip across the easterly edge of the Goldson Maintenance Site on the Siuslaw Highway in Lane County. The Right of Way Engineer commented that a like easement was granted in 1961 to L. Z. Cline who paid the State \$100. The easement to Mr. DeGraw provides he pay \$50 and that the easement be subject to the existing rights of others to use the 20-foot strip for roadway purposes. The roadway apparently has been in use for about 70 years and the Grant of Easement will concur in the public status attained by its long usage. The Commission accepted his recommendation for approval.

The matter of relinquishing to the City of Woodburn the title to a parcel of land containing 1,300 square feet within the Highway Department's maintenance site at Woodburn on the Pacific Highway East in Marion County, was presented by the Right of Way Engineer. He explained that the City has constructed a well within the maintenance site and wishes to build a fence around the well. Included in the 1,300 square feet is a 10-foot strip of land necessary for access. He recommended that the Relinquishment of Title with a public use clause be approved for a consideration of \$10. The Commission accepted his recommendation.

Attention was given to extension of a lease granted to Standard Oil Company for exploration of gas and oil under a 108.4 acre tract in Douglas County. The Right of Way Engineer recalled that the Commission had entered into a 10-year lease with the Company on January 31, 1963. One of the terms of the lease was that exploration drilling must be commenced within three years. The Company has now requested a three-year extension in the time for drilling. The original amount of 50 cents per acre per year to be paid by the Company will prevail under the terms of the extension. The Commission approved the extension as presented.

Concerning authority granted by the Commission for the condemnation of property, Commissioner Simpson inquired if the granting of this authority means that condemnation action is taken on all of the properties. The Right of Way Engineer replied that condemnation proceedings are started only after negotiations break down, and that a considerable number of the properties on which condemnation is authorized are eventually settled by negotiation. The Chief Counsel commented that the resolution which accompanies the list of properties to be condemned declares the necessity of these properties for public use and that condemnation will be started only when negotiations are unsuccessful.

The Chief Counsel presented a list of properties needed for the uses indicated therein. He requested the Commission to declare by resolution the necessity of said properties for the special uses to which they are to be put, and to authorize the Legal and Right of Way Division to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2174 through 2185," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

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(For additional information, see the Chief Counsel's letter dated December 13, 1965, entitled "Recommendations for Condemnation" in the Salem Office General Files).

A tabulation showing cases which have been tried in court since the last Commission meeting was presented by the Chief Counsel. He pointed out that the awards averaged about 34% above the offers made by the State. The Commission approved the "Report of Cases Tried", which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-4837 Donald H. Farr, et al.	Coos	Coos Bay-Roseburg	Rink Creek-Myrtle Point	\$10,200.00	\$20,000.00	\$16,500.00
L-4686 William Ashby, Jr.	Josephine	Pacific	Douglas County Line-Coyote Creek	4,050.00	13,500.00	7,250.00
L-4676 Clyde Crissman, et al.	Josephine	Pacific	Douglas County Line-Coyote Creek	1,235.00	5,400.00	2,075.00
L-4808 Louis W. Boesel, Sr., et al.	Linn	Corvallis-Lebanon	Orleans-Lake Creek	2,125.00	8,400.00	5,500.00
L-4824 Mary Uglesich Paydak, et al.	Multnomah	Stadium Freeway	Fremont-Interchange-Marquam Bridge	17,225.00	23,000.00	21,322.00
L-4554 Unknown Heirs of A. K. Townsend, et al.	Multnomah	Stadium Freeway	Fremont-Interchange-Marquam Bridge	None	None	Voluntary Nonsuit
L-4872 Harvey Quistad, et al.	Polk	Salem-Dayton	Orchard Heights-Edge-water Street	6,450.00	20,000.00	8,206.00
L-4926 Cedar Mill Bible Church	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	16,000.00	598,272.00	16,000.00

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## (Report of Condemnation Cases Tried - Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-4897 Vancouver Federal Savings and Loan Association	Washington	Sunset	Cornelius Pass Road- Multnomah County Line	\$ 2,500.00	\$27,875.00	\$ 2,500.00
L-4199 Verdell S. Kirby, et al.	Baker	Old Oregon Trail	Hill Creek- Oxman	28,000.00	FOR RECORD ONLY Case dismissed -- incorporated with L-4677	

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-4856 Elmer L. Woods, et al.	State	Douglas	To recover damages for failure to replace fence in accordance with obligation in option	\$990.00	\$700.00
(Appropriate action will be taken to recover this sum from the contractor who was at fault.)					
L-4933 State	Peyton Fowler	Multnomah	Injunction against Trespass	Injunction against Trespass	Dismissed
L-4953 State	Peyton Fowler	Multnomah	Forced Entry and Detainer	Possession of Premises	Possession of Premises

(For additional details, see the Chief Counsel's letter dated December 9, 1965, entitled "Report of Cases Tried", in the Salem Office General Files.)

A tabulation was also presented by the Chief Counsel showing proposed settlements of condemnation cases since the last Commission meeting. He pointed out that the settlements do not represent substantial increases and are in order for Federal participation. He also mentioned that the average of the settlements is approximately 7.9% above the offers. The Commission approved settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4779 H. L. Sheppard, et al.	Douglas	Pacific	Canyonville- Josephine County Line	\$ 3,750.00	\$ 5,500.00

(Review Appraisal \$4,950.00.)

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## (Report of Condemnation Cases Settled - Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4675 Alexander Kline, et ux.	Josephine	Pacific	Douglas County Line-Coyote Creek	\$ 665.00	\$ 2,000.00
(Revised Appraisal \$1,850.00.)					
L-4797 Bob Ashley, et ux.	Multnomah	Pacific	North Portland Harbor-North Russell Street	4,200.00	5,500.00 for entire tract
(Appraised at \$4,630.00 for partial taking and damages. \$5,000.00 for entire tract.)					
L-4785 Janet G. Drake Sprague, et al.	Multnomah	Stadium Freeway	Fremont Inter-change-Marquam Bridge	120,800.00	129,700.00
L-4526 Drake Investment Co., Inc.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	1,000.00	3,450.00
					133,150.00
(Subject to approval of Bureau of Public Roads. These two settlements are to be considered as a package in that each is contingent on the other. The properties are held in a common ownership.)					

REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demand of Plaintiff	Settlement
L-4309 Hebener & Jenkins	State	Marion	Additional compensation and damages under rock production contract	\$17,216.20	\$2,500.00

(For additional information, see the Chief Counsel's letter dated December 9, 1965, entitled "Report of Cases Settled", in the Salem Office General Files.)

Unauthorized cutting of timber in Morton State Park in Lane County was brought up by the Chief Counsel. In reviewing the matter he commented that in the latter part of November, 1965, the State Parks Superintendent had advised him that a Mrs. Carole McClintock was cutting timber in the State Park and had been told to stop. However, cutting was not stopped immediately

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and upon closer examination it was found that approximately 187,000 FBM had been delivered to the Rosboro Lumber Company of Springfield and there was approximately 70,000 FBM of fallen timber still on park property. A Timber Land Owner's Lien was filed against the Rosboro Lumber Company. Mrs. McClintock has signed a timber sale contract for double the regular stumpage rate (as provided by law) for Douglas fir and other timber which had been cut. The stumpage in this instance amounted to \$50.00 FBM which is twice the regular \$25.00 rate. The Commission approved the method of settlement.

The Commission confirmed telephonic approval of offers made to the owners for acquisition of real property prior to the institution of condemnation proceedings as follows:

#### BANDON STATE PARK

R-19495 - Paul Victor McElwain. 7.0 acres for park purposes. Offer of \$1,000.00 approved by Mr. Jackson November 10, 1965.

#### BURLINGTON-SAUVIE ISLAND BRIDGE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-31646 - James Connor. 12,000 square feet for right of way purposes. Offer of \$240.00 approved by Mr. Jackson December 6, 1965.

R-37518 - Arnold Schallberger. Parcel No. 1: 0.02 acre for right of way purposes; Parcel No. 2: 0.3 acre for permanent easement. Offer of \$250.00 approved by Mr. Jackson November 30, 1965.

#### COVE PALISADES STATE PARK

R-37953 - Frederick Schneiter, et ux. 36.57 acres for park purposes. Offer of \$1,850.00 approved by Mr. Fridley December 6, 1965.

#### COYOTE CREEK-SEXTON MOUNTAIN SECTION OF THE PACIFIC HIGHWAY

R-36864 - Edward Bailey, et ux. 0.5 acre for right of way purposes. Offer of \$200.00 approved by Mr. Jackson November 26, 1965.

#### DELENA-RAINIER SECTION OF THE COLUMBIA RIVER HIGHWAY

R-37870 - Donald R. Clark, et ux. 1.83 acres for right of way purposes. Offer of \$600.00 approved by Mr. Simpson December 3, 1965.

R-37880 - Leo B. Bunker, et ux. 5.20 acres for right of way purposes. Offer of \$1,850.00 approved by Mr. Simpson November 26, 1965.

#### EAST BANK FREEWAY SECTION OF THE PACIFIC HIGHWAY

R-28591 - Portland General Electric Company. Parcel No. 1: 1.22 acres for permanent easement; Parcel No. 2: 0.34 acre for permanent easement; Parcel No. 3: 0.26 acre for permanent easement; Parcel No. 4: 1,450 square feet for permanent easement; Parcel No. 5: 0.2 acre for permanent easement. Offer of \$107,265.00 approved by Mr. Jackson November 9, 1965.

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#### FLAT CREEK-FIELDS CREEK SECTION OF THE JOHN DAY HIGHWAY

R-35524 - Tom Weaver. Parcel No. 1: 1.8 acres for right of way purposes; Parcel No. 2: 1.3 acres for permanent easement; Parcel No. 3: 1.3 acres for permanent easement. Offer of \$50.00 approved by Mr. Fridley November 30, 1965.

#### FLORAS CREEK UNIT OF THE OREGON COAST HIGHWAY

R-37224 - Jack Whalen, et ux. 0.25 acre for right of way purposes. Offer of \$28,000.00 approved by Mr. Jackson November 10, 1965.

R-37230 - Raymond E. Deets, et ux. 4.95 acres for right of way purposes. Offer of \$8,500.00 approved by Mr. Jackson November 10, 1965.

#### FOREST GROVE-YAMHILL COUNTY LINE SECTION OF THE TUALATIN VALLEY HIGHWAY

R-36888 - Carl Klinge. 0.10 acre for right of way purposes. Offer of \$27,300.00 approved by Mr. Simpson November 26, 1965.

#### FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-36108 - Premier Gear & Machine Works Inc. Parcel No. 1: 10,000 square feet for right of way purposes; Parcel No. 2: 400 square feet for right of way purposes. Offer of \$25,300.00 approved by Mr. Jackson November 16, 1965.

R-36110 - W. J. Lofstedt. 10,000 square feet for right of way purposes. Offer of \$21,500.00 approved by Mr. Jackson November 17, 1965.

#### JASON ROAD-IMBLER SECTION OF THE WALLOWA LAKE HIGHWAY

R-37947 - Edwin Lampkins, et ux. 0.18 acre for right of way purposes. Offer of \$230.00 approved by Mr. Fridley November 16, 1965.

#### MAYER STATE PARK

R-37917 - John H. Skirving, et ux. 13.09 acres for park purposes. Offer of \$5,000.00 approved by Mr. Fridley December 2, 1965.

#### MORROW COUNTY LINE-STANFIELD JUNCTION SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-37964 - Maggie Mae Green. 5.62 acres for right of way purposes. Offer of \$4,825.00 approved by Mr. Fridley November 18, 1965.

R-37977 - Ollie Walker, et ux. Parcel No. 1: 1.4 acres for right of way purposes; Parcel No. 2: 0.15 acre for temporary easement. Offer of \$17,750.00 approved by Mr. Fridley December 2, 1965.

R-37986 - Don A. Parrish, et ux. 0.43 acre for right of way purposes and acquisition of access. Offer of \$775.00 approved by Mr. Fridley December 3, 1965.

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MORROW COUNTY LINE-STANFIELD JUNCTION SECTION OF THE OLD OREGON TRAIL HIGHWAY CONTINUED

R-37987 - William B. Buck, et ux. 2.2 acres for right of way purposes. Offer of \$48,525.00 approved by Mr. Fridley November 10, 1965.

R-38104 - A. M. Teninty. Parcel No. 1: 0.55 acre for right of way purposes; Parcel No. 2: 1.0 acre for right of way purposes. Offer of \$1,240.00 approved by Mr. Fridley November 10, 1965.

R-38135 - Jess Correa, Jr., et ux. Parcel No. 1: 0.31 acre for right of way purposes; Parcel No. 2: 0.85 acre for right of way purposes; Parcel No. 3: 1.8 acres for right of way purposes. Offer of \$15,800.00 approved by Mr. Fridley December 3, 1965.

NORTH PORTLAND HARBOR-NORTH RUSSELL STREET SECTION OF THE PACIFIC HIGHWAY

R-33309 - Portland Meadows, Inc. 24,000 square feet for right of way purposes. Offer of \$4,500.00 approved by Mr. Jackson November 30, 1965.

OLNEY-JEWELL SECTION OF THE NEHALEM HIGHWAY

R-37484 - Bruce A. Jurgensen, et ux. 5.6 acres for stockpile site. Offer of \$3,375.00 approved by Mr. Jackson October 19, 1965.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-35852 - Theodore N. Bokides, et ux. Parcel No. 1: 32.3 acres for right of way purposes; Parcel No. 2: 0.33 acre for permanent easement; Parcel No. 3: 1.2 acres for temporary easement. Offer of \$830.00 approved by Mr. Fridley October 29, 1965.

R-35853 - Ebba Gay, et al. Parcel No. 1: 60.0 acres for right of way purposes; Parcel No. 2: 16.3 acres for right of way purposes; Parcel No. 3: 5.6 acres for right of way purposes; Parcel No. 4: 5.05 acres for permanent easement; Parcel No. 5: 1,500 square feet for permanent easement; Parcel No. 6: 1,500 square feet for permanent easement; Parcel No. 7: 1,500 square feet for permanent easement; Parcel No. 8: 2,000 square feet for permanent easement; Parcel No. 9: 0.67 acre for permanent easement; Parcel No. 10: 1.11 acres for temporary easement; Parcel No. 11: 2.0 acres for temporary easement. Offer of \$18,175.00 approved by Mr. Fridley November 1, 1965.

R-37110 - J. R. Dyer, et ux. Parcel No. 1: 21.2 acres for right of way purposes; Parcel No. 2: 0.64 acre for permanent easement; Parcel No. 3: 0.7 acre for temporary easement. Offer of \$3,220.00 approved by Mr. Fridley November 30, 1965.

R-37111 - Ronald Elmer Ferney, et ux. Parcel No. 1: 9.9 acres for right of way purposes; Parcel No. 2: 0.3 acre for permanent easement; Parcel No. 3: 0.32 acre for temporary easement. Offer of \$1,750.00 approved by Mr. Fridley November 30, 1965.

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OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL HIGHWAY - CONTINUED

R-38657 - Theodore N. Bokides, et ux. Parcel No. 1: 2.0 acres for right of way; Parcel No. 2: 0.75 acre for right of way. Offer of \$240.00 approved by Mr. Fridley November 2, 1965.

PIONEER SUMMIT UNIT OF THE TOLEDO-EDDYVILLE SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-35010 - Francis L. Boyd, et ux. 0.02 acre for right of way purposes. Offer of \$50.00 approved by Mr. Jackson November 10, 1965.

R-35015 - Joe Rogers, et ux. 0.08 acre for right of way purposes. Offer of \$610.00 approved by Mr. Jackson November 10, 1965.

R-35018 - Howard Eugene Logsdon, et ux. 0.13 acre for right of way purposes. Offer of \$200.00 approved by Mr. Jackson November 10, 1965.

R-35022 - Robert C. Blower, et ux. 1.04 acres for right of way purposes. Offer of \$2,700.00 approved by Mr. Jackson December 2, 1965.

R-37358 - Wineberg Properties, Inc. 0.58 acre for right of way purposes. Offer of \$1,900.00 approved by Mr. Jackson November 19, 1965.

ST. HELENS ROAD-N. W. 21ST AVENUE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-37933 - Henry T. Brown. 7,540 square feet for right of way purposes. Offer of \$2,000.00 approved by Mr. Jackson November 16, 1965.

SUNSET HIGHWAY-PACIFIC HIGHWAY SECTION OF THE BEAVERTON-TIGARD HIGHWAY

R-37841 - C. H. Parkway Company. Parcel No. 1: 6.2 acres for right of way purposes; Parcel No. 2: 0.95 acre for right of way purposes; Parcel No. 3: 1.25 acres for right of way purposes; Parcel No. 4: 0.85 acre for right of way purposes; Parcel No. 5: 1.7 acres for right of way purposes; Parcel No. 6: 5.4 acres for right of way purposes; Parcel No. 7: 1.01 acres for right of way purposes; Parcel No. 8: 0.12 acre for right of way purposes; Parcel No. 9: 0.45 acre for right of way purposes; Parcel No. 10: 0.02 acre for right of way purposes; Parcel No. 11: 0.06 acre for right of way purposes; Parcel No. 12: 0.09 acre for permanent easement; Parcel No. 13: 0.10 acre for temporary easement; Parcel No. 14: 0.04 acre for temporary easement. Offer of \$812,500.00 approved by Mr. Fridley November 1, 1965.

R-37845 - A. B. Webb, et ux. Parcel No. 1: 0.06 acre for right of way purposes; Parcel No. 2: 1.02 acres for right of way purposes; Parcel No. 3: 6.1 acres for right of way purposes. Offer of \$34,850.00 approved by Mr. Jackson November 30, 1965.

R-37847 - Donald L. Jenkins, et al. Parcel No. 1: 5,000 square feet for right of way purposes; Parcel No. 2: 2,250 square feet for right of way purposes. Offer of \$850.00 approved by Mr. Jackson December 2, 1965.

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TOLEDO SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-36788 - James R. Croston, et ux. Parcel No. 1: 13.05 acres for right of way purposes; Parcel No. 2: 0.47 acre for right of way purposes. Offer of \$3,255.00 approved by Mr. Jackson November 10, 1965.

R-36788 (Revised) - James R. Croston and Gladys Croston. Parcel No. 1: 13.05 acres for right of purposes; Parcel No. 2: 0.47 acre for right of way purposes. Offer of \$3,325.00 approved by Mr. Jackson November 18, 1965.

R-36795 - L. B. Croston. 5.9 acres for right of way purposes. Offer of \$6,900.00 approved by Mr. Jackson November 16, 1965.

R-36796 - Vearl Everett Ray, et ux. 3.9 acres for right of way purposes. Offer of \$1,935.00 approved by Mr. Jackson December 3, 1965.

TOLEDO SECTION AND PIONEER SUMMIT UNIT OF THE TOLEDO-EDDYVILLE SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-36807 - John H. Dickinson, et ux. Parcel No. 1: 0.88 acre for right of way purposes; Parcel No. 2: 6.7 acres for right of way purposes; Parcel No. 3: 1.13 acres for permanent easement. Offer of \$16,500.00 approved by Mr. Jackson November 19, 1965.

TOLEDO SLIDE SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-38287 - Carl Ledfors, et ux. 0.12 acre for right of way purposes. Offer of \$110.00 approved by Mr. Jackson November 2, 1965.

The matter of appointing an Assistant Chief Counsel was considered. The Chief Counsel recalled that when Mr. Lindas resigned as Chief Counsel in October, 1964, Mr. Frank C. McKinney, who had been Chief of the Office Section for seven years, had been appointed Acting Assistant Counsel. In the subsequent thirteen months Mr. McKinney has performed the duties of Assistant Counsel in an excellent manner and recommended that he be appointed as Assistant Counsel for a full four-year term. This matter, he added, has also been discussed with the Engineer and has his approval. The Commission approved the appointment of Mr. Frank C. McKinney as Assistant Counsel for a period of four years and thereupon adopted "Appointment Resolution No. 29a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer said the Bureau of Public Roads had called to his attention that the list of Highway Department personnel who are authorized to sign Federal reimbursement vouchers is obsolete. He requested and the Commission granted authority for the following people to sign vouchers to collect Federal-aid reimbursement: Forrest Cooper, State Highway Engineer; R. L. Porter, Deputy State Highway Engineer; L. H. Young, Office Engineer; C. H. Maison, Controller; and R. N. Chase, Federal-aid Engineer.

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Consideration was given to a request from the Jackson County Court and others that the portion of the old Pacific Highway (US99) from the Ashland city limits to the southerly interchange with Interstate 5 be named "Siskiyou Boulevard." The Engineer explained that approximately 90% of the property owners on this section had requested the name which would be merely an extension of Siskiyou Boulevard which now lies within the city limits. The change would be of benefit in mail deliveries and in locating homes. Following his favorable recommendation, the Commission approved the name change.

A tabulation was presented by the Engineer outlining a Federal-aid Secondary Project in Jackson County. The project has been investigated and is eligible for the use of Federal-aid Secondary Funds. The Commission approved the following FAS Project and authorized the Secretary to sign a construction agreement when it is prepared.

County	FAS	Section & Description	Programmed Amount	FAS Funds
Jackson	277	Neil Creek Bridge. Structure.	\$20,000	1966
SUMMARY BY FISCAL YEARS			Estimated	Total
			1966	1967
Allocated Funds			\$3,952,000	\$3,953,000
Approved Funds (Corrected to date)			3,471,000	--
Unprogrammed Balance			\$ 481,000	\$3,953,000
Projects Proposed 12/14/65			20,000	---
Unprogrammed Balance			\$ 461,000	\$3,953,000
				\$4,414,000

A report was made by the Engineer concerning street work projects in cities having a population of less than 5,000 from the \$250,000 fund appropriated by ORS 366.805, otherwise known as the Special City Allotment Program. Fifty-six requests were received from various cities. Out of these, seventeen have been selected as the most meritorious and which will utilize all of the funds available. He recommended that these projects be approved for 1966. The Commission approved the following city street projects and authorized the Secretary to sign construction agreements.

APPLICATIONS RECOMMENDED FOR APPROVAL 1966 PROGRAM

City	Div.	State	City	Total
Amity	II	\$ 20,000	\$ 5,000	\$ 25,000
Aurora	II	20,000	1,000	21,000
Chiloquin	IV	11,000	--	11,000
Coquille	III	11,000	--	11,000
Cottage Grove	III	20,000	25,000	45,000
*Detroit	II	(20,000)	--	(20,000)
Elgin	V	20,000	10,000	30,000

(Continued on following page)

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## (Applications Recommended for Approval 1966 Program - Cont.)

<u>City</u>	<u>Div.</u>	<u>State</u>	<u>City</u>	<u>Total</u>
Estacada	I	\$ 20,000	\$ 3,000	\$ 23,000
Gladstone	I	18,300	3,700	22,000
Lowell	III	20,000	2,000	22,000
Lyons	II	18,000	--	18,000
Milton-Freewater	V	20,000	12,000	32,000
Molalla	I	13,000	--	13,000
Reedsport	III	20,000	20,000	40,000
Rufus	IV	20,000	3,000	23,000
*Turner	II	(19,000)	--	(19,000)
*Veneta	III	(20,000)	--	(20,000)
		\$251,300	\$84,700	\$336,000

\*Detroit, Turner and Veneta have been included for approval should unspent funds remain from the 1965 program, high estimates and/or low bids permit construction of one (Turner), two (Turner and Veneta) or all three within the \$250,000 authorized by law. Estimated costs of these projects not included in above totals.

A change in the maximum allocation to a city in any one year under the Special City Allotment Program was brought up by the Engineer. In review, he pointed out that \$250,000 is set up by law to be spent annually in cities of less than 5,000 population upon streets which are not a part of the State Highway System and which are receiving excessive wear either through sudden increases in population in the area or through heavy and unusual traffic. In 1947 the Highway Commission established a maximum allocation of \$15,000 to any one city in any one year. In 1956 the Commission raised the allocation to \$20,000. Increased construction costs and improved design standards are now such that an increase in the maximum amount is required to perform approximately the same amount of work as has been done in the past. He recommended that the allocation be raised to \$25,000 to be effective for the 1967 program and those following. The Commission accepted his recommendation.

Contractors' requests for extensions of time to complete highway contracts were presented by the Engineer. He outlined briefly the pertinent facts relating to each request and made his recommendation. After considering his recommendation and other available information, the Commission took action as follows:

- (1) S. A. Hutchins & Associates Construction Company, Contract No. 6500, requested an extension of the completion date from October 1 to October 15, 1965. The Commission denied the request.
- (2) White Bros. Construction Company Inc. and R. A. Heintz Construction Company, Contract No. 6248, requested an increase from 180 to 201 workdays within which to complete the

contract. The Commission approved an increase to 187 workdays without assessment of liquidated damages. Approval of the increase has been approved by the Bureau of Public Roads.

- (3) Jungwirth Bros., Inc., Contract No. 6588, requested an extension of the completion date from October 1 to October 22, 1965. The Commission approved an extension of time to October 20, 1965, without assessment of liquidated damages.
- (4) Vernie Jarl, Contract No. 6589, requested an extension of the completion date from September 1 to September 23, 1965. The Commission approved the request without assessment of liquidated damages. Approval was given by the Bureau of Public Roads on November 5, 1965.
- (5) Frady & Nickoloff Construction Company, Contract No. 6664, requested an extension of the completion date from September 30 to October 18, 1965. The Commission approved the request without assessment of liquidated damages.
- (6) N. A. Toole Construction Company, Contract No. 6564, requested an extension of the completion date from September 15 to October 8, 1965. The Commission denied the request.
- (7) C. R. O'Neil, Contract No. 6330, requested an extension of the completion date to September 10, 1965. Actual overrun on the project was 118 days. The Commission approved an extension of 87 penalty days without assessment of liquidated damages.
- (8) Batzer Construction Company, Contract No. 6629, requested an extension of the completion date from November 1 to December 15, 1965. The Commission approved an extension of time to December 27, 1965, without assessment of liquidated damages. Approval of the Bureau of Public Roads has been received.
- (9) Concrete-Steel Corporation, Contract No. 6487, requested an extension of the completion date from September 1, 1965, to August 15, 1966. The Commission approved an extension of time to December 1, 1965, without assessment of liquidated damages.
- (10) Schrader Construction Company Inc., and L. S. Matusek, Contract No. 6513, requested an extension of time from August 31 to September 30, 1965. The Commission approved the request without assessment of liquidated damages.

- (11) Roy L. Houck Sons' Corporation, Contract No. 6546, requested an extension of the completion date from September 1 to November 4, 1965. The Commission approved an extension to November 3, 1965, (the actual completion date) without assessment of liquidated damages.
- (12) St. Helens Paving Company, Contract No. 6696, requested an extension of the completion date from October 31 to November 13, 1965. The Commission approved an extension of time to November 19, 1965, (actual date of completion) without assessment of liquidated damages.
- (13) Hannan Bros. Company, Contract No. 6575, requested an extension of the completion date from October 1 to October 12, 1965. The Commission denied the request.
- (14) K. F. Jacobsen & Company Inc., and Cascade Construction Company, Contract No. 6617, requested an extension of the completion date from September 15 to October 22, 1965. The Commission approved an extension of time to October 12, 1965, without assessment of liquidated damages.
- (15) J. C. Denton & Sons, Inc., Contract No. 6720, requested an extension of the completion date from November 15 to December 15, 1965. The Commission approved an extension to November 17, 1965, without assessment of liquidated damages. The Bureau of Public Roads has concurred in this extension.
- (16) Inland Construction Company, Contract No. 6598, requested an extension of the completion date from September 30 to October 14, 1965. The Commission denied the request.
- (17) Roy Norquist, Contract No. 6605, requested an extension of the completion date from August 1 to August 11, 1965. The Commission approved the request extension without assessment of liquidated damages.
- (18) Warren Northwest, Contract No. 6618, requested an extension of the completion date from November 1 to November 15, 1965. The Commission denied the request.
- (19) Tom Lillebo Construction Company, Contract No. 6570, requested an extension of the completion date from September 15 to November 30, 1965. The Commission approved an extension to November 15, 1965, (actual date of completion) without assessment of liquidated damages.

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The Engineer presented to the Commission a proposed change in the manner of handling contractors' requests for extensions of time within which to complete highway contracts. He proposed that the Engineer or his representative be authorized to approve contract time adjustments whenever extra work orders or price agreements are prepared, and that time extensions or adjustments become a part of the work order and be authorized by it. He also proposed that adjustments in contract time based on reasons other than extra work orders or price agreements continue to be formally requested by the contractor as at present and submitted to the Engineer for his decision. He explained that under the present procedure adjustments in contract time are held up until the contract is completed. The Associated General Contractors, he said, object to this procedure and feel that when extra work is involved, time adjustments should be made immediately.

Chairman Jackson inquired if the proposed action would mean turning over to the Engineer the power to expend funds without formal Commission approval. The Engineer replied that increases in authorization on contracts are treated as a separate matter. He referred to the instance of an unexpected slide on a contract which would require a number of days to remove and which extra time would cause an overrun in the time allotted for completion of the contract. Under present procedures, the amount of liquidated damages caused by the overrun would be retained until action had been taken by the Commission.

The Chairman pointed out that if the Commission delegates this authority to make adjustments in the contract, it might mean that there would no longer be a bid program, but a program based upon negotiation between the contractor and the Engineer. It is not a matter of mistrusting anyone but he questioned whether it would be wise for the Commission to relinquish control. He mentioned that the Oregon Highway Department's record has been remarkably free from any scandal concerning the use of highway funds and that he did not wish to take any action which might endanger that position.

Mr. A. W. Parsons, Division Engineer for the Bureau of Public Roads, commented that the proposed procedure would iron out a rough spot in the present way of handling extensions of time. The Chairman then inquired of Mr. Parsons if, from the Federal viewpoint, the release of responsibility on the part of the Commission would be in the best interest of the Federal Government. Mr. Parsons replied that he felt it would be, as similar procedure has worked very well in other States.

The Chairman stated that he was trying to determine if the proposed changes would amount to an amendment in a contract without the control imposed as under the original bid and contract. The Chief Counsel stated that in the general provisions of the original contract there is a provision that requires the contractor to do additional work, if necessary, over the units that were called for in the bid at the same unit price, if the unit was in the original bid. If the unit was not in the original bid, he may be required to perform the work at some determinable figure such as cost plus or force account. As an example of what is proposed, the Engineer mentioned a slide of 25,000 yards and that the contractor had been moving an average of about 5,000 yards per day of this kind of material. In an instance of this sort, he would be granted an additional five days time to remove the slide without assessment of liquidated damages. The proposed procedure would tell the contractor at the time how much additional time he would be allowed rather than waiting until the contract is complete.

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Commissioner Simpson inquired as to what procedure is contemplated when the contractor does not agree with the extension of time offered to him. The Engineer replied that review would be made of the pertinent circumstances. He explained further that under the existing contract terms, when the time specified in the contract has expired, it is necessary to withhold liquidated damages until the contract is completed regardless of extenuating circumstances.

Mr. A. W. Parsons commented that there would be no actual difference in the collecting of Federal funds. However, if the adjustments were made as they came up, the Bureau could review them at that time and approve or disapprove rather than waiting until the contract is completed.

Commissioner Simpson stated that he wished to determine what procedure is contemplated if the contractor does not agree with the extension of time that might be allocated to him. The Engineer replied that the matter would then be presented to the Commission. The Engineer mentioned again that the change he had proposed was done at the request of the Associated General Contractors and if approved, would allow earlier contract payments to be made in some cases where liquidated damages are involved.

The Chairman stated that in his opinion if the procedure continues to be air tight in terms of control and is entirely legal, he could see no reason for not approving the change.

The Commission approved the change authorizing the Engineer or his representative to approve contract time adjustments whenever extra work orders or price agreements are prepared. Adjustments in contract time based on reasons other than extra work orders or price agreements are to be requested by the contractor and submitted to the Engineer for decision. Recommended denials of contractors requests are to be submitted to the Commission for final decision.

The Engineer reported that Contract Nos. 6247, 6275, 6312, 6360, 6509, 6513, 6528, 6564, 6568, 6572, 6581, 6588, 6589, 6595, 6602, 6605, 6606, 6607, 6612, 6624, 6632, 6634, 6636, 6638, 6642, 6649, 6658, 6659, 6660, 6669, 6678, 6683, 6684, 6697, 6711 for highway construction have been completed in accordance with the requirements of the contracts or modifications thereof and said contracts are now ready for acceptance by the Commission or have been accepted by letter by the Commission since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 146," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Authority to make increases in the following project authorizations was requested by the Engineer and granted by the Commission.

- (1) Contract No. 6585, for grading and paving on the Smith Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County, for an increase of \$158,614.79 (25.1%). Removal of a large slide caused the overrun.

- (2) Contract No. 6698, for grading and paving on the Hilyard Avenue-Great Northern Railroad Crossing Project on the Midland Highway in Klamath County, for an increase of \$8,494.23 (5.3%). Unanticipated utility adjustments caused the overrun.
- (3) Contract No. 6724, for slope protection along the Zigzag River on the Mt. Hood Highway in Clackamas County, for an increase of \$10,000 (32.2%). Increased quantities of general excavation and additional slope protection material were the principal causes of the overrun.
- (4) Contract No. 6487, for grading, paving and structures on the Winchuck River Section of the Oregon Coast Highway in Curry County, for an increase of \$159,000.75 (25.9%). Unsuitable foundation areas requiring additional excavation and backfill, an unexpected drainage problem and a slide were the principal causes of the overrun.

At 11 a.m. a delegation representing the Baker County Chamber of Commerce appeared before the Commission regarding reconstruction of the Baker-Homestead Highway (ORE 86) between Baker and Richland. Mr. Harlan Wendt, Chairman of the Roads and Highways Committee, and Mr. Gil Wright, Baker County Commissioner, were present.

Mr. Wendt urged reconstruction to provide better access into the Hells Canyon area and to compete with Idaho in the matter of access to this area. He pointed out that a great deal of cement will be hauled to the Hells Canyon Dam. In addition to the existing heavy log haul, Mr. Wright stated that this road is increasing in importance both for industry and recreation. In response to Chairman Jackson's inquiry as to the traffic count, the Engineer replied that at present it is running between 400 and 500 vehicles per day. The Chairman commented that improvement of this highway is in the same category as many other worthy projects in that funds are not available at this time. The Commission, he continued, realizes that the road will receive increased traffic and provision will be made for adequate maintenance. He expressed the thought that it would not be fair for the Commission to make any promises when funds are not in sight.

Mr. Ward Armstrong, representing the Association of Oregon Counties, came before the Commission concerning the proposed split of Land and Water Conservation Funds between the State Highway Department 60%, and the Counties 40%. Because of the increased recreational burden that is being borne by local government, he stated that the Association of Oregon Counties feels that the split should be 40% to the State and 60% to the Counties. The League of Oregon Cities at its recent convention, he said, passed a resolution stating that "majority of funds available from the Federal Land and Water Association Fund should be available to local government." Chairman Jackson stated that this is a new field of operation for the Commission and that they are feeling their way along. Several areas of responsibility are

not entirely clear at this time and if the proposed 60 - 40 split proves to be unfair, the Commission would initiate a revision. Workings of this act are largely theoretical at this time and the Commission is not trying to make any grab for funds. Actual operation of the act, he continued, will be followed closely and examined for equity.

Reconstruction of the bridge over the Chewaucan River at Paisley on the Fremont Highway in Lake County was presented by the Engineer. He recalled that during the winter floods of 1964-65, the bridge proved inadequate. Efforts to secure an Emergency Relief appropriation to lengthen the structure were unsuccessful. As the bridge is narrow and dangerous, he recommended that reconstruction of it be added to the present State Construction Program. The Commission accepted his recommendation and authorized \$110,000 for the project, in addition to \$90,000 previously authorized.

The Engineer stated that a request had been received for the establishment of a single route number on the "Winnemucca-to-the-Sea" route from Eagle Point to the Nevada State Line. Following his favorable recommendation, the Commission approved the official description of ORE140 to read as follows:

ORE140 over the Lake of the Woods Highway from its junction with the Crater Lake Highway, ORE62 near Eagle Point, to its junction with The Dalles-California Highway, US97 in Klamath Falls;

thence southerly over The Dalles-California Highway (common with US97) to its junction with the Klamath Falls-Lakeview Highway;

thence easterly over the Klamath Falls-Lakeview Highway (common with US97 Business on Main Street in Klamath Falls, and common with ORE39 between The Dalles-California Highway and the easterly junction with the Klamath Falls-Malin Highway) via Dairy, Beatty and Bly to the junction with the Fremont Highway, US395 in Lakeview;

thence northerly over the Fremont Highway (common with US395) to its junction with the Warner Highway;

thence southeasterly over the Warner Highway via Adel to the Nevada State Line.

He also recommended and the Commission approved the revised official description of ORE 66 as follows:

Over the Green Springs Highway from its junction with the Rogue Valley Highway, US99 in Ashland, easterly via Pinehurst

and Keno to its junction with The Dalles-California Highway, US97 south of Klamath Falls.

The Commission also approved the elimination of ORE64 presently routed over the Lake of the Woods Highway between Eagle Point and Klamath Falls.

A survey was presented by the Engineer covering the Dayville Section of the John Day Highway in Grant County. He recalled that a public hearing had been held in Dayville on September 30, 1965, and a transcript of the hearing had been sent to the Commission and to others. He recommended that the survey be approved and that the Commission approve the addition of \$55,000 to the current State Construction Program. The Commission accepted his recommendation and thereupon adopted "Survey Resolution No. 305," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The matter of adopting a survey on the Lostine-Wallowa River Section of the Wallowa Lake Highway in Wallowa County was also brought up by the Engineer. Within the limits of the survey he pointed out that there is an obsolete 80-foot pony truss constructed in 1922 and two right-angle turns at a grade crossing of the railroad west of the bridge. An amount of \$150,000 has been authorized for replacement of the structure and it would be desirable to revise the railroad crossing when the structure work is undertaken. Based on his favorable recommendation, the Commission approved the survey and authorized an additional \$130,000 in the current State Construction Program. The Commission also adopted "Survey Resolution No. 305," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

To complete action taken by the State Speed Control Board in the cities of Eugene and Springfield, the Engineer recommended the establishment of a 70-mile-per-hour speed zone on the Eugene-Springfield Highway outside of the cities. The Commission approved the speed zone as recommended and thereupon adopted "Speed Zone Resolution No. 497," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer reported that an increasing traffic volume on The Dalles-California Highway between the south city limits of Klamath Falls and Green Springs Junction is causing an increased accident rate. As a corrective measure, he recommended that "Speed Zone Resolution No. 368" dated December 8, 1961, and "Speed Zone Resolution No. 374f" dated March 2, 1962, be rescinded and that speed zones varying from 35 miles per hour to 65 miles per hour be established between the south city limits of Klamath Falls and the California State Line. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 498," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

He also recommended that shoulder parking be prohibited on the west side of The Dalles-California Highway south of Klamath Falls between



M. P. 277.32 and M. P. 277.38. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 258," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Rescinding of "Speed Zone Resolution No. 106" dated April 8, 1953, establishing a 45 mile-per-hour speed zone immediately east of the easterly city limits of Astoria on the Lower Columbia River Highway was recommended by the Engineer. The original action, he stated, was taken when the Tongue Point Naval Station was in operation and, as it is now being used for other purposes, the 45 mile-per-hour zone is no longer needed. The Commission approved rescinding of the April 8, 1953, action by adopting "Speed Zone Resolution No. 106a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered a throughway agreement with the City of Portland pertaining to the Highlands Interchange-Stadium Freeway Section of the Sunset Highway in Portland. The Engineer commented that the agreement provides for construction of the throughway, its interchanges and connections, and the reconstruction or relocation of various city streets. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered an agreement with Peninsula Drainage District No. 2 concerning drainage from the Pacific Highway in north Portland. Under terms of the agreement, the Drainage District is to install an 18-inch outfall to carry water from the highway to an adjacent drainage ditch. The State is to participate in the amount of 50 percent of the cost, but not to exceed \$1,000. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with the City of Sutherlin covering the installation of mercury-vapor luminaires on the Pacific Highway at the Sutherlin Interchange in Douglas County was presented by the Engineer. Under terms of the agreement, he said, the State is to make the installation and maintain it and the City is to pay for all electrical energy consumed. He estimated the cost of the project at \$20,000 and recommended that the agreement be approved and the Secretary authorized to sign the agreement in behalf of the Commission. The Commission accepted his recommendation.

The Commission approved the minutes of the regular meeting held November 4, 1965, and the special meeting held November 19, 1965.

The next regular Commission meeting date was confirmed for January 25, 1966, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for March 8, 1966.

The Engineer reported that he had made awards of contracts which had been referred to him by the Commission to award when certain conditions had been fulfilled. The Commission confirmed his award of the following contracts:

- (1) Grading, paving and signing on the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail in Morrow County. Bids received November 2, 1965. Contract No. 6743 awarded November 8 to Rogers Construction, Inc., Portland, low bidder.
- (2) Grading on the Dorena Dam Slide Section of FAS 231 (Row River County Road) in Lane County. Bids received November 2, 1965. Contract No. 6744 awarded November 9 to Groesbeck-Durbin, Inc., Eugene, low bidder.
- (3) Grading and paving on the Toledo Slide Correction Section of the Corvallis-Newport Highway in Lincoln County. Bids received November 2, 1965. Contract No. 6745 awarded November 9 to Morse Bros., Inc., Lebanon, low bidder.
- (4) Bridal Veil, Cascade Locks and The Dalles Sections of the Columbia River Highway in Multnomah, Hood River and Wasco Counties. Bids received November 2, 1965. Contract No. 6746 awarded November 9 to Oosterwyk Nurseries, Inc., Kirkland, Washington, low bidder.
- (5) Grading, paving, structure and signing on the Lime-Malheur County Line Section of the Old Oregon Trail in Baker and Malheur Counties. Bids received November 2, 1965. Contract No. 6747 awarded November 10 to Murphy Brothers, Inc., Spokane, Washington, low bidder.
- (6) Vista Ridge Eastbound Tunnel on the Sunset Highway in Multnomah County. Bids received October 12, 1965. Contract No. 6748 awarded November 19 to Donald M. Drake and Winston Bros. Company, Portland, low bidder.
- (7) Grading, paving, structure and signing on the Willow Creek Section of the Columbia River Highway in Gilliam and Morrow Counties. Bids received November 2, 1965. Contract No. 6749 awarded November 24 to S. A. Hutchins and Assoc. Construction Company, Sutherlin, low bidder.

Consideration was given to a cooperative agreement with the City of Reedsport and Douglas County concerning construction of an underpass on the Oregon Coast Highway at what is known as Ranch Road near the westerly city limits of Reedsport. The Engineer stated that there is considerable local interest in the underpass and several months ago a delegation appeared



before the Commission urging construction for the benefit of the High School students and the City of Reedsport. The City has agreed to pay \$4,000 of the total estimated cost of \$125,000. Douglas County has offered to pay 50 percent of the remaining cost, provided the Highway Commission would cooperate with a like amount. In view of the strong local interest and the cooperation of the City and the County, he recommended that the agreement be approved and the project be added to next year's State Construction Program. The Commission accepted his recommendation, and authorized the Secretary to sign the agreement in their behalf.

An agreement with Union Pacific Railroad Company for a permit of entry to railroad property on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah County was presented by the Engineer. He explained that the permit of entry is to allow the State to go on Railroad property to perform subsurface explorations for bridge construction. Following his favorable recommendation, the Commission approved the agreement.

Consideration was also given to a joint-use agreement with Baker County, Idaho Power Company, Oregon-Washington Railroad and Navigation Company, Union Pacific Railroad Company, Wayne and Anna Morris, and William R. Peyron concerning a remote radio transmitter site on the Lone Pine Mountain near Baker in Baker County. The Engineer explained that the joint-use privilege was granted previously to Baker County and the Idaho Power Company. The OWRR & N Company now wishes to share in this privilege. He recommended that their request be granted and that the Secretary be authorized to sign the agreement in behalf of the Commission. The Commission accepted his recommendation.

Attention was given to two agreements; one with the City of Mt. Angel and one with Southern Pacific Company covering installation of crossing gates at a grade crossing on the Hillsboro-Silverton Highway (Main Street) in Mt. Angel, Marion County. The Engineer stated that the agreement with the Railroad provides that the State and Railroad share the cost of installation on a 50-50 basis. The agreement with the City provides that the City pay to the State 10 percent of the total cost up to a maximum of \$3,000. The total cost of the installation is estimated by the Railroad at \$26,530 with costs allocated as follows:

Southern Pacific Company	50%	\$13,265
State	40%	10,612
City of Mt. Angel	10%	<u>2,653</u>
		\$26,530

The Commission approved the agreements and authorized the Secretary to sign the agreement with the City of Mt. Angel in behalf of the Commission.

A cooperative construction-abandonment agreement with Klamath County concerning the Orindale Draw Section of the Lake of the Woods Highway was discussed. The Engineer recalled that the County has long been interested in construction of a highway through Orindale Draw which would provide a connection to The Dalles-California Highway at the Green Springs Junction rather than along the lake front. About 6.7 miles is involved in the relocation.

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Under the terms of the agreement, the County is to purchase the necessary right of way and take over the existing road as a part of the County road system when the new section is constructed. No commitments, he said, have been made for date of construction which he estimated would cost \$1,600,000. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Chairman Jackson inquired as to the status of the off-ramp on The Dalles-California Highway in Klamath Falls. The Engineer replied that a meeting had been held with the Mayor of Klamath Falls and the City has plans for traffic revision due to a sawmill moving out. The City has asked that the State take highway traffic off Main Street and use Pine Street and Klamath Avenue. An investigation is being made as to cost and feasibility and a meeting with City officials is contemplated later.

A throughway agreement with Oregon City pertaining to the Oregon City Unit of the Pacific Highway-Washington State Line Section of the I-205 Route was discussed. The Engineer explained that the agreement provides for construction of the throughway, interchanges and connections. It also provides for relocation and reconstruction of various city streets. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a throughway agreement with Clackamas County covering the Washington County Line-Multnomah County Line Unit of the I-205 Route. The agreement provides for construction of the throughway, its interchanges and connections. Also provided for is the relocation and reconstruction of various county road connections and frontage roads. The Engineer also pointed out that the agreement provides for abandonment to the County of a portion of the old Cascade Secondary Highway No. 160 when the new highway is completed. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

Consideration was given to a throughway agreement with the City of West Linn pertaining to the West Linn Unit of the Pacific Highway-Washington State Line Section of the I-205 Route. The Engineer commented that this is the usual type of throughway agreement in which the State is to construct and maintain the throughway, its interchanges and connections. The State also is to relocate and reconstruct various city streets. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A throughway agreement with Lincoln County pertaining to the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway was presented by the Engineer. The agreement provides that the State construct and maintain the throughway, its interchanges and connections and relocate or reconstruct various county roads. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The matter of cooperating with the City of LaGrande for reconstruction of the Second Street Bridge over the Union Pacific Railroad on the Old Oregon Trail at the northerly entrance to LaGrande was considered.

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The Engineer commented that the bridge was built under joint agreement by the City of LaGrande and the Union Pacific Railroad. It is old, narrow and weak and should be replaced. The City has proposed to carry the entire cost of the project subject to such cooperation as can be obtained from the Railroad and the State. The City specifically has requested the State to contribute an amount equal to the cost of revising the approach spans as would be necessary under the construction project. The estimate of cost on this portion is \$61,534. He recommended that the Commission cooperate with the City in this amount, provided that the city relieve the State from any additional expenditure in connection with the Second Street Overcrossing and that the City agree to assume maintenance of the new structure. The State's money is to be deposited with the City when it signs a bona fide contract with a qualified contractor to build the revised bridge. The Commission accepted his recommendation and authorized the Secretary to sign an agreement covering the project.

Procedures for handling of funds under the Land and Water Conservation Act of 1965 was discussed. In reviewing this matter, the Engineer stated that the State Highway Engineer has been designated by the Governor to act as liaison agent to coordinate the program with political subdivisions and governmental agencies. The State has the responsibility for determining which projects are to be supported, and for establishing the order in which these projects are to be financed. As no formula for distribution is set up in the Act, he proposed that agreements be entered into with the counties who are to assume responsibilities as follows:

Each county government will be required to designate liaison officers, or boards, vested with authority to process local government unit applications, planning, construction and record keeping.

The county government will be required to arrange for a "County-Interagency Advisory Committee" to work with the liaison officer in coordinating and evaluating county regional planning and project proposals.

The county will be required to arrange for accounting procedures and maintenance of planning, construction and maintenance records.

The county will submit to the State, in order of priority, proposed projects for which matching funds are requested.

The county will provide State with written assurance of the applicant's legal authority, ability and intention to finance its share of the project and also the applicant's ability to operate the completed project at its own expense.

Federal-aid money available to the State will be split 60 percent-State agency; 40 percent-county areas.

Distribution to the county areas will be on the basis of 40 percent direct (1/36 to each county) and 60 percent on the basis of population of the county as related to the population of the entire state.

County or local governmental units will be required to match Federal-aid funds in a like amount.

The State shall assign funds to county areas in ratio outlined above.

The State shall review all applications for grants as presented by county liaison officers and submit those found acceptable to the Bureau of Outdoor Recreation.

The Commission approved the procedures as outlined and authorized the Secretary to sign agreements containing these provisions when the agreements are prepared.

Commissioner Fridley inquired if the responsibility of the Highway Commission is adequately defined. The Engineer replied that dealings would be at the County level. If there is no park set-up in a County, then the County Court would handle the matter. It has been the consensus of feeling, he said, that all divisions beneath the County level should place their requests with the County Court or to the designated County body, and that the County should recommend favored projects to the State. Chairman Jackson commented that for awhile it will be necessary to watch carefully the obligations and costs which are incurred by the State and by the County units to determine if the split of funds of 60% to the State and 40% to the Counties is equitable.

An agreement with Portland Traction Company to permit construction of the East Marquam Interchange over the Traction Company's property on the Pacific Highway in Portland was presented. The Engineer commented that it is planned to advertise for bids to move the buildings on the Traction Company property as soon as approval is received from the Bureau of Public Roads. The Railroad Company will contract the adjustments in its track system. He recommended that the agreement be approved subject to concurrence by the Bureau of Public Roads. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer presented to the Commission a Tabulation of Bids received on December 10, 1965, for Highway projects. He mentioned the number of bids received for each project, the amount of the low bid, the Engineer's estimate and his recommendation as to award, referral or rejection. The Commission took action on the projects as follows and authorized the Secretary to sign the contracts in their behalf.

#### BIDS RECEIVED IN SALEM DECEMBER 10, 1965

#### AWARDS MADE DECEMBER 14, 1965

Long Creek Rock Production Project on the Pendleton-John Day and Kimberly-Long Creek Highways, near Long Creek, in Grant County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, W. R. Sutherland, Wilbur, Washington, at \$31,195.00.

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Structure and grading near the north city limits of Eugene on the Delta Road-Belt Line Road Junction Section of FAS 862 and 860 in Lane County. Federal-aid Primary Highway Project Nos. ER-133(1) and S-441(5). Ten bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$147,312.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Lane County is received and the sum of \$33,200.00 is deposited by the County.

Grading and paving on the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway, near Toledo, in Lincoln County. State Project. Ten bids were received. The Commission elected to accept the low bid of C. R. O'Neil, Creswell, in the sum of \$1,522,551.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

Grading and structure on the Badger Creek-Chenoweth Creek Section of FAS 365, northwesterly of The Dalles, in Wasco County. FAP No. 133(1) and FAS No. S-20. Nineteen bids were received. The Commission elected to accept the low bid of Hamilton Construction Company, Eugene, in the sum of \$182,139.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Wasco County is received and the sum of \$41,400.00 is deposited by the County.

Intermittent grading and stone base on the Petersburg-Fairbanks Section of FAS 369, east of The Dalles, in Wasco County. FAP No. ER-172(2). Eleven bids were received. The Commission elected to accept the low bid of Roy Norquist, Sweet Home, in the sum of \$28,124.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Wasco County is received and the sum of \$6,400.00 is deposited by the County.

The Engineer reported that completion of the Astoria Bridge across the Columbia River is expected about mid-year 1966 and action should be taken to secure protective insurance. He recommended that the State advertise for bids for protective insurance on three basis:

- (1) A straight 24 million dollar policy.
- (2) A 24 million dollar policy with the State being responsible for the first \$100,000 of damage.
- (3) The same as No. 2 with a \$500,000 deductible provision.

He also pointed out that prior to advertising it will be necessary to secure concurrence from the Washington Department of Highways, and from the Oregon State Department of Finance and Administration.

Commissioner Jackson remarked that there is not apt to be a calamity which would cause the loss of the entire bridge and he suggested a fourth alternate in which the surety would be responsible for the first \$100,000 to \$500,000 damage. The Commission authorized advertising for bids on the four alternates as outlined above.

The Commission signed or authorized the Secretary to sign the following agreements, deeds and other papers.

"Indenture of Access" to Harold and Crystal L. Cloake Property on the Crest Street-Patterson Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to Richard and Ruth Mary Buffington and Dale Rice and Mary Rice Property on the Gold Beach-Hunter's Creek Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to Francis T. and Helen I. Keefe Property on the Deschutes County Line-Crescent Section of The Dalles-California Highway in Klamath County.

"Indenture of Access" to Lawrence W. and Leota M. Chapman and Mary A. Swanson Property on the Deschutes County Line-Crescent Section of The Dalles-California Highway in Klamath County.

"Indenture of Access" to Carson E. and Sadie B. Berger and Paul C. and Lucille Berger Property on the Willamette River-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Indenture of Access" to Holiday Farm, Inc. Property on the Blue River-Mill Creek Section of the McKenzie Highway in Lane County.

"Grant of Access" to William G. and Pearle A. Hewitt covering land on the Ferry Street-Mohawk Road Section of the Eugene-Springfield Highway in Lane County.

"Grant of Easement" to Edwin R. and Estelle Ann DeGraw covering a 20-foot wide strip across the easterly edge of Goldson Maintenance Site on the Siuslaw Highway in Lane County.

"Document" authorizing Forrest Cooper, R. L. Porter, L. H. Young, C. H. Maison and R. N. Chase to sign Federal reimbursement vouchers.

"Agreement" with Union Pacific Railroad Company covering Railroad Property within limits of Bonneville-Hood River County Line Section of the Columbia River Highway allowing the State to perform subsurface explorations for bridge construction.

"Agreement" with Southern Pacific Company covering the installation of crossing gates at the grade crossing on Main Street (Hillsboro-Silverton Highway) in the City of Mt. Angel.

"Bargain and Sale Deed" to the City of Medford for a parcel of land on the Biddle Road-Camp White Section of the Crater Lake Highway in the City of Medford, Jackson County.

"Bargain and Sale Deed" to Ramon L. and Darlene Pankey for a parcel of land on the Eckman Creek Section of the Alsea Highway in Lincoln County.

"Bargain and Sale Deed" to Malheur County for a parcel of land on the Hooker Creek-Jordan Valley Section of the Jordan Valley Highway in Malheur County.

"Grant of Easement" to Hawthorne Investment Company for a parcel of land on the East Portland-Oregon City Section of the Pacific Highway East in Clackamas County.

"Relinquishment of Title" to Lincoln County for a parcel of land on the Eckman Creek Section of the Alsea Highway in Lincoln County.

"Agreement" with Southern Pacific Company permitting construction of the East Marquam Interchange over the Portland Traction Company Property, subject to concurrence of the Bureau of Public Roads.

"Throughway Agreement" with City of Portland pertaining to the Highlands Interchange-Stadium Freeway Section of the Sunset Highway in the City of Portland.

"Agreement" with Peninsula Drainage District No. 2 to provide drainage from the Pacific Highway in North Portland.

"Agreement" with the City of Sutherlin covering installation of mercury-vapor luminaires on the Pacific Highway at the Sutherlin Interchange in Douglas County.

"Cooperative Construction Agreement" with Douglas County and the City of Reedsport covering construction of an underpass on the Oregon Coast Highway at what is known as Ranch Road.

"Joint Use Agreement" with Baker County, Idaho Power Company, Oregon-Washington Railroad and Navigation Company, Union Pacific Railroad Company, Wayne and Anna Morris and William Peyron covering Lone Pine Mountain near Baker for a remote radio transmitter site.

"Agreement" with City of Mt. Angel covering installation of crossing gates at the grade crossing on Main Street (Hillsboro-Silverton Highway) in the City of Mt. Angel.

"Cooperative Construction-Abandonment Agreement" with Klamath County covering Orindale Draw Section of the Lake of the Woods Highway No. 270 in Klamath County.

"Throughway Agreement" with the City of Oregon City covering the Pacific Highway (I-5)-Washington State Line Section on the I-205 Route in the City of Oregon City.

"Throughway Agreement" with Clackamas County covering the Washington County Line-Multnomah County Line Unit of I-205. Agreement also provides for abandonment to the County a portion of the old Cascade Highway.

"Throughway Agreement" with the City of West Linn covering the West Linn Unit, Pacific Highway (I-5)-Washington State Line Section of I-205 Route.

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"Throughway Agreement" with Lincoln County pertaining to the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County.

There being no further business to consider, the meeting was adjourned by the Chairman at 12:15 p.m.

Donny Cooper  
State Highway Engineer

William Jackson  
Chairman

H. G. Bradley  
Commissioner

Lloyd Query  
Secretary

David B. Simpson  
Commissioner

December 14, 1965