

Authority to offer at public sale one parcel of property was requested by the Right of Way Engineer. He mentioned that the property is no longer needed for highway purposes and the stipulated minimum value has been determined by appraisal. Access and other conditions of sale are consistent with those available to other properties in the vicinity. The Commission authorized public sale of the following property and thereupon adopted "Real Property Resolution No. 473," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 0.55 acre, File No. 21329, on the easterly side of the Columbia River Highway between "K" and "L" Streets in Columbia City, Columbia County, for not less than \$1,750. No access is to be permitted to the Columbia River Highway and the sale is subject to signboard and junkyard restrictions. Approval by the Bureau of Public Roads was given in their letter of January 6, 1967.

Direct sale of four parcels of property no longer required for highway purposes was recommended by the Right of Way Engineer. He explained that direct sale is the only feasible means of selling these properties because of peculiar location conditions. The Commission approved direct sale of the following properties:

- (1) 3,189 square feet of land, File No. 36677, in the northeast quadrant of the intersection of Taybin Road and the Salem-Dayton Highway in Polk County, to the abutting property owner, Mr. Ted Kightlinger, for \$960 which is the appraised value of the property. The sale is to be subject to signboard and junkyard exclusion restrictions and the Civil Rights Act of 1964. No access is to be permitted to the Salem-Dayton Highway. Bureau of Public Roads' concurrence is not required.
- (2) 2.0 acre, File No. 8860, being a stockpile site on the southwesterly side of the Columbia River Highway about three miles west of the City of Rainier in Columbia County to Columbia County for the sum of \$1. The property is being bypassed by new highway construction and was originally purchased from Columbia County in 1941 for \$1. No restrictions are involved in the sale and the Bureau of Public Roads is not concerned.
- (3) A 40 foot wide roadway easement, File Nos. 5521, 28791, and 32341, across a State-controlled stockpile site on the westerly side of the Grass Valley-Kent Section of the Sherman Highway in

Sherman County, to the Bonneville Power Administration for the sum of \$1. The easement is to provide access to the Bonneville power line.

- (4) A parcel of land 90' by 210', File Nos. 5521, 28791, and 32341, being an old stockpile site approximately six miles south of Grass Valley on the Sherman Highway in Sherman County, to Dean M. Wilcox, Beryl R. Wilcox, Maynard A. Nelson, and Janet M. Nelson, owners of adjoining land. The sale is subject to a 40-foot roadway easement in favor of Bonneville Power Administration. The land was acquired in 1928 at a cost of \$10. The consideration for sale will be that the State will not be obligated to construct a road approach to the Wilcox property.

"Indentures of Access" providing for changes in location and widening of existing points of access were presented by the Right of Way Engineer. He pointed out that the proposed changes are for the benefit and convenience of the property owners and for the protection of the traveling public. The Commission approved the following "Indentures:"

- (1) Daniels property, File No. 20950, for a change in location and widening to 35 feet of one point of restricted access on the westerly side of the Buena Vista-Cape Sebastian Section of the Oregon Coast Highway in Curry County. The State reserves the right to construct a frontage road or roads. Approval was given by the Bureau of Public Roads on November 1, 1963.
- (2) Adamek Property, File No. 37583, for a change in location of one point of access on the Rink Creek-Glen Aiken Creek Section of the Coos Bay-Roseburg Highway in Coos County.
- (3) Lincoln Development Property, File No. 4388, for a change in location and widening to 40 feet on one point of unrestricted access on the easterly side of the Oregon Coast Highway approximately one-half mile north of the City of Newport in Lincoln County. Approval by the Bureau of Public Roads was given on January 3, 1967.

"Relinquishment of Title" to a parcel of land, File No. 8091, lying in North 2nd Street along the Oregon Coast Highway in the City of Coos Bay, Coos County, was recommended by the Right of Way Engineer. He explained that the street had been vacated in 1941 and the City of Coos Bay has now requested that the State convey to the City its interest in the property, as the street is needed in order to provide access to other properties along the street. The Commission approved the relinquishment.

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Release of the State's interest in two maintenance sites (lessor's Lease Nos. 373 and 375) in Klamath County and the extension of an existing lessor's Lease No. 374 were presented by the Right of Way Engineer. He explained that the two maintenance sites covered by Lease Nos. 373 and 375 located near the summit of Parker Mountain on the Green Springs Highway in Klamath and Jackson Counties, are no longer required for highway purposes. It was his recommendation that the leases from Weyerhaeuser Company be released. He also recommended that the property covered by Lease No. 374 from Weyerhaeuser Company consisting of 0.15 acre on the northerly side of the Green Springs Highway, approximately five miles easterly from Pinehurst in Klamath County, be extended to August 14, 1970, for the sum of \$1. The original lease, he said, was dated August, 1930. The Commission approved the transactions as recommended.

The Chief Counsel presented a list of properties needed for the uses indicated therein and 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 Department 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. 2384 through 2410," 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 January 30, 1967, entitled "Recommendations for Condemnation," in the Salem Office.)

A report on cases which have been tried in court was presented by the Chief Counsel. He mentioned that the total verdicts amounted to approximately \$235,000 compared with total offers in the amount of \$180,670. The total of the verdicts was approximately 30% above the offers, but about 110% less than the owners' demands. The Commission accepted 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-5087 Cora Brown et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$20,000.00	\$36,000.00	\$30,000.00
L-5131 Louis Costanza, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	20,000.00	34,250.00	25,000.00

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Report of Condemnation Cases Tried (Continued)

<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-5037 Stanley Chipura, et al.	Columbia	Columbia River	Delena- Rainier	\$ 1,570.00	\$ 7,000.00	\$ 2,820.00
L-5054 Donald R. Clark, et al.	Columbia	Columbia River	Delena- Rainier	600.00	1,500.00	1,776.50
L-5108 Wallace R. Johnstun, et ux	Columbia	Columbia River	Delena- Rainier	7,050.00	15,000.00	7,660.00
L-5045 George MacKay, et ux.	Grant	John Day	Stewart Bridge	100.00	500.00	750.00
L-4896 Joe T. Kalberer, et al.	Multnomah	Sunset	Highlands Inter- change-Stadium Freeway.	200.00	10,000.00	1,000.00
L-5077 Lincoln Loan Co., et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	3,400.00	4,500.00	3,750.00
L-4956 Portland Meadows, Inc., et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street	4,500.00	14,600.00	9,625.00
L-5135 C. F. Dudek, et al.	Umatilla	Old Oregon Trail	Pendleton	29,150.00	34,000.00	32,540.00
L-5066 Sam Armenta, et ux.	Washington	Beaverton- Tigard	Sunset Hwy.- Pacific Hwy.	6,150.00	17,000.00	8,000.00

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Report of Condemnation Cases Tried (Continued)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5083 Eric A. Bryant, et al.	Washington	Tualatin Valley	Forest Grove-Yamhill Co. Line	\$ 1,025.00	\$ 3,100.00	\$ 2,000.00
L-5015 Richard W. Girt, et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	30,650.00	47,000.00	35,000.00
L-4704 Whiting F. Martin	Douglas	Pacific	Canyonville-Josephine Co. Line	10,350.00	55,000.00 Interest 3,795.00 Remittitur 3,795.00	40,000.00 43,795.00 40,000.00
L-4757 William G. Bare, et al.	Douglas	Pacific	Canyonville-Josephine Co. Line	8,500.00	24,500.00 Interest 2,100.00 Remittitur 2,800.00	21,000.00 23,100.00 20,300.00
L-5191 Dominic Kondraski, et ux.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	31,875.00	50,000.00	38,000.00
L-4989 Claude E. Hall, et al.	Lane	Rockwood Beach Wayside	State	22,000.00	35,000.00 (59,250.00-Defendant's Answer)	31,600.00
L-4671 Alpha E. Lewis, et al.	Josephine	Pacific	Douglas Co. Line-Coyote Creek	2,400.00	4,500.00 (7,500.00-Defendant's Answer)	5,760.00

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5125 Walter Ogborn, et ux.	State of Oregon	Douglas	Inverse Condemnation	\$5,000.00	For the State

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Report of Trial of Other Cases (Continued)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5187 State Highway Commission	Vernon Chew	Multnomah	To recover damages to guard rail when a vehicle being towed broke tow line and crashed through rail.	\$ 346.00 plus costs dismissal and attorney fees	Voluntary

(For additional details, see the Chief Counsel's letters dated January 20, 27, and 31, 1967, in the Salem Office, General Files.)

The Chairman inquired if any study is being made concerning appraisal methods. He mentioned that the increase of 30% in the verdicts above the offers might indicate that the appraisals are not in line. The Chief Counsel replied that the owners' demands are sometimes not known until the case is in court, and that appraisals in controversial cases are always requested from the owners. He also mentioned that the cases which go to trial are the hard core of the acquisitions, and they probably could not have been settled even if offered the amount which was later determined by the court. Concerning the Whiting F. Martin Case, L-4704, and William G. Bare Case, L-4757, the Chief Counsel recommended and the Commission approved that no appeal be made on the decision of the court.

A report was also presented by the Chief Counsel concerning cases which have been settled out of court. Offers on these cases, he said, totaled approximately \$90,000; appraisals were \$107,000; and the total of the settlements \$115,000. The Commission approved the settlements, which have been summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5196 Charles T. Grace, et al.	Clackamas	Clackamas	Pacific East-Cascade Hwy.	\$25,800.00	\$27,500.00
			(One appraisal by State staff appraiser in amount of \$31,150, as well as one by a fee appraiser for the owner in the amount of \$29,500.)		
L-5199 William K. Kirby, et ux.	Clackamas	Clackamas	Pacific East-Cascade Hwy.	16,050.00	17,500.00
			(On nearby property State's evidence was \$20,000; owner's evidence was \$40,000; with resulting verdict of \$30,000.)		

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Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5136 James F. Amis, et al.	Grant	John Day	Dayville	\$ 1,220.00 (Revised Appraisal \$2,025.00)	\$ 2,200.00)
L-5140 Pine Tree Lumber Co. Ranch, et al.	Grant	John Day	Dayville	860.00 (Revised Appraisal \$3,810.60)	4,500.00)
			(Revised appraisals were made preparatory to trial to allow for damage items revealed by construction and not considered in original appraisal.)		
L-5210 Thomas L. Kingsbury, et al.	Lincoln	Oregon Coast	DeLake	725.00	725.00
L-5118 Elmo M. Misner, et al.	Linn	Santiam	Sweet Home-Foster	2,680.00	4,000.00
			(Revised appraisal of \$4,200 made to include damages for loss of parking space which was not included in the original appraisal.)		
L-4861 Humble Oil and Refining Co., et al.	Polk	Salem-Dayton	Orchard Heights Rd.-Edgewater St.	3,850.00	15,000.00
			(Original offer and appraisal were for value of land only. Subsequent construction revealed serious damages as result of changes in location of accesses and changes in grade which were not considered in original appraisal.)		
L-5220 Teddy Jo Forth & Dean Robert Forth	Umatilla	Old Oregon Trail	Pendleton	9,500.00 entire property	3,166.65 one-third interest
				3,166.65 one-third interest	
			(Title was vested in three parties, one of whom is a minor. This condemnation file is set up as the vehicle to obtain the minor's title.)		

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Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5084 Cedar Hills Co., an Oregon corporation	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Hwy.	\$ 3,200.00	\$ 3,200.00
L-5111 Otis E. Banta, et al.	Linn	Santiam	Sweet Home-Foster	400.00	1,000.00
			(Appraisal revised to \$650 after filing complaint to reflect damages from change of grade.)		
L-4987 Henry T. Brown, et ux.	Multnomah	Columbia River	St. Helens Rd.-N. W. 21st Ave.	2,000.00	2,575.00
			(A staff appraisal at \$2,650 was considered. Owner has fee appraisal at \$3,000.)		
L-5036 Kathryn Thielemann, et al.	Multnomah	Stadium Freeway	Fremont Inter-change-Marquam Bridge	23,800.00	25,000.00
			(Insubstantial increase.)		
L-5012 A. G. Pieper, et al.	Umatilla	Old Oregon Trail	Morrow Co. Line-Stanfield Junction	3,100.00	4,000.00
			(Construction was proceeding. The landowner complained of many construction items, particularly as to the failure of a relocated irrigation facility to function. Corrective measures are to be taken.)		
L-5202 Hazel T. McAuslan, et al.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	4,700.00	5,500.00 for entire taking
			(In 1960 the owner actually paid \$6,000 for this property and claims to have made \$1,500 in improvements since that time.)		

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-4983 Warren Northwest, Inc.	State of Oregon, Marion by & through its State Highway Commission		Breach of Contract. Contract No. 6247. Anlauf-Elkhead Sec. Pacific Hwy.	\$450,000.00	\$75,000.00

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(For additional details, see the Chief Counsel's letters dated January 20, 25, 27, and 30, 1967, in the Salem Office, General Files.)

Commissioner Simpson commented on the Hazel T. McAuslan Case, L-5202, in Umatilla County. He mentioned that the settlement of \$5,500 was for property costing \$6,000 in 1960, and on which improvements had been made in the amount of \$1,500. The Chief Counsel replied that the property had been recently appraised by an independent appraiser from Pendleton who had set a value of \$4,700. Commissioner Fridley inquired if the owner felt that he had paid too much for the property in 1960, to which the Chief Counsel replied that he apparently realized that he had paid more than the property was worth, as the settlement for \$5,500 was made without undue difficulty.

Commissioner Fridley referred back to the Claude E. Hall Case, L-4989 under Cases Tried, in the acquisition of property for the Rockwood Beach Wayside in Lane County and inquired as to where the property line is on the beach. The Chairman remarked that this could be an important matter in that the established property line along the beach could have a bearing in establishing a precedent as to ownership of the dry sand area. The Chief Counsel replied that only the riparian rights had been secured, and the boundaries of the property are determined as described in the deed to which no additions have been made by the State.

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

DELENA-RAINIER SECTION OF THE COLUMBIA RIVER HIGHWAY

R-39757 - Erik O. Klepp, et ux. 0.1 acre for right of way purposes. Offer of \$400.00 approved by Mr. Jackson December 21, 1966.

FOREST GROVE SECTION OF THE TUALATIN VALLEY HIGHWAY

R-36824 - Juanita Hartrampf and Helen Koenig. 53,760 square feet for right of way purposes. Offer of \$5,000.00 approved by Mr. Jackson December 21, 1966.

R-36830 - Leona S. Schatzman. Parcel No. 1: 4.0 acres for right of way purposes; Parcel No. 2: 0.07 acre for right of way purposes. Offer of \$10,500.00 approved by Mr. Jackson January 9, 1967.

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

R-39832 - Myrtle Grange No. 289. 0.75 acre for right of way purposes. Offer of \$21,000.00 approved by Mr. Jackson December 22, 1966.

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LITTLE BEECH CREEK-MT. VERNON SECTION OF THE PENDLETON-JOHN DAY HIGHWAY

R-39850 - Roy Kilpatrick. Parcel No. 1: 24.1 acres for right of way purposes; Parcel No. 2: 0.8 acre for temporary easement; Parcel No. 3: 2.2 acres for permanent easement; Parcel No. 4: 0.13 acre for permanent easement; Parcel No. 5: 1.77 acres for permanent easement. Offer of \$700.00 approved by Mr. Fridley December 13, 1966.

MULTNOMAH COUNTY LINE-BEAVERTON SECTION OF THE TUALATIN VALLEY HIGHWAY

R-39180 - Alice C. B. Peck. 0.14 acre for right of way purposes. Offer of \$150.00 approved by Mr. Jackson January 10, 1967.

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

R-38168 - Alfred A. Brink. Parcel No. 1: 4,741 square feet for right of way purposes; Parcel No. 2: 5,805 square feet for right of way purposes. Offer of \$24,950.00 approved by Mr. Jackson January 17, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38465 - Dirt Merchants, Inc. 30,200 square feet for right of way purposes. Offer of \$2,400.00 approved by Mr. Jackson January 20, 1967.

R-38467 - William D. Holloway, et ux. 6,000 square feet for right of way purposes. Offer of \$2,750.00 approved by Mr. Jackson December 21, 1966.

R-38732 - Glenn E. Ludlow, et ux. 0.01 acre for right of way purposes. Offer of \$150.00 approved by Mr. Jackson January 20, 1967.

R-38745 - Albert N. Combs. Parcel No. 1: 2.65 acres for right of way purposes; Parcel No. 2: 0.2 acre for right of way purposes; Parcel No. 3: 0.02 acre for right of way purposes. Offer of \$31,500.00 approved by Mr. Jackson January 9, 1967.

R-38751 - Clarice A. Britton and Louise M. Heim. 1.1 acres for right of way purposes. Offer of \$7,700.00 approved by Mr. Jackson December 21, 1966.

R-38752 - Arnold P. Peterson, et ux. 0.3 acre for right of way purposes. Offer of \$2,125.00 approved by Mr. Jackson December 21, 1966.

PENDLETON SECTION OF THE OLD OREGON TRAIL

R-38920 - Clarence Edmond Brown. 5,000 square feet for right of way purposes. Offer of \$125.00 approved by Mr. Fridley December 21, 1966.

R-39112 - Willard E. Rohde, et ux. 220 square feet for right of way purposes. Offer of \$600.00 approved by Mr. Fridley January 11, 1967.

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Pendleton Section of the Old Oregon Trail (Continued)

R-39132 - 'Zelda N. Spencer. 1,200 square feet for right of way purposes. Offer of \$500.00 approved by Mr. Fridley December 20, 1966.

R-39137 - Thomas M. Graves, et ux. 100 square feet for right of way purposes. Offer of \$8,000.00 approved by Mr. Fridley January 9, 1967.

R-39148 - James L. Cox, et ux. 11.5 acres for right of way purposes. Offer of \$9,500.00 approved by Mr. Fridley January 20, 1967.

R-39168 - Joseph Choske, et ux. 1,333 square feet for right of way purposes. Offer of \$275.00 approved by Mr. Fridley January 11, 1967.

R-39194 - George E. Bonbright, et ux. 12,500 square feet for right of way purposes. Offer of \$60,000.00 approved by Mr. Fridley December 29, 1966.

R-39235 - Gladys A. Goad. Parcel No. 1: 32.5 acres for right of way purposes; Parcel No. 2: 0.15 acre for right of way purposes. Offer of \$10,000.00 approved by Mr. Fridley December 20, 1966.

R-39416 - Clyde M. Davis, et ux. 5,000 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Fridley December 21, 1966.

PLEASANT HILL-CRESWELL SECTION OF THE SPRINGFIELD-CRESWELL HIGHWAY

R-26832 - Stanley Martin, et ux. 0.01 acre for right of way purposes. Offer of \$150.00 approved by Mr. Jackson December 21, 1966.

R-39962 - Arlington B. Smith, et ux. 0.4 acre for right of way purposes. Offer of \$1,450.00 approved by Mr. Jackson January 20, 1967.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-40209 - Southern Pacific Company. Parcel No. 1: 17,700 square feet for right of way purposes; Parcel No. 2: 7,000 square feet for right of way purposes. Offer of \$31,025.00 approved by Mr. Jackson January 11, 1967.

SEVEN DEVILS STATE WAYSIDE

R-38532 - Noel Katherine Ertel, et al. 45 acres for park purposes. Offer of \$35,000.00 approved by Mr. Jackson December 27, 1966.

SEVENTH AVENUE-WILLAMETTE RIVER SECTION OF THE EUGENE-SPRINGFIELD HIGHWAY

R-38842 - Emma M. MacGregor. 3,600 square feet for right of way purposes. Offer of \$4,025.00 approved by Mr. Jackson December 27, 1966.

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Seventh Avenue-Willamette River Section of the Eugene-Springfield Highway-Cont.

R-38844 - Malcolm D. MacGregor. 12,400 square feet for right of way purposes. Offer of \$8,750.00 approved by Mr. Jackson December 27, 1966.

SMITH POINT-CAMP RILEA SECTION OF THE OREGON COAST HIGHWAY

R-35420 - M. W. Barth. 10,000 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Jackson January 9, 1967.

SOUTH PENDLETON INTERCHANGE-COURT PLACE SECTION OF THE OREGON-WASHINGTON HIGHWAY

R-39525 - C. C. Anderson Stores Company. 5,000 square feet for right of way purposes. Offer of \$50.00 approved by Mr. Fridley December 21, 1966.

R-39531 - Elwood M. Clark, et ux. 9,973 square feet for right of way purposes. Offer of \$750.00 approved by Mr. Fridley December 21, 1966.

R-39535 - Thomas E. Doepke, et ux. 375 square feet for right of way purposes. Offer of \$50.00 approved by Mr. Fridley December 21, 1966.

R-39543 - Rachel Lundell. 3,100 square feet for right of way purposes. Offer of \$4,625.00 approved by Mr. Fridley January 9, 1967.

R-39546 - John E. Doherty. 5,200 square feet for right of way purposes. Offer of \$7,000.00 approved by Mr. Fridley December 21, 1966.

R-39551 - Lloyd O. Yeck, et ux. 5,000 square feet for right of way purposes. Offer of \$7,800.00 approved by Mr. Fridley December 21, 1966.

R-39556 - Roy W. DeVorss, et ux. 83 square feet for right of way purposes. Offer of \$800.00 approved by Mr. Fridley December 21, 1966.

R-39559 - Arthur E. Lang, et ux. 4,667 square feet for right of way purposes. Offer of \$3,500.00 approved by Mr. Fridley December 28, 1966.

R-39560 - Marvin E. Horn, et ux. 5,000 square feet for right of way purposes. Offer of \$9,500.00 approved by Mr. Fridley January 10, 1967.

R-40038 - Hazel F. McAuslan. 3,587 square feet for right of way purposes. Offer of \$4,700.00 approved by Mr. Fridley December 21, 1966.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HWY.

R-39429 - L. P. Erpelding, et ux. 1,650 square feet for right of way purposes. Offer of \$1,800.00 approved by Mr. Jackson January 20, 1967.

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State Street-North Santiam Highway Section of the Silver Creek Falls Hwy.-
(Continued)

R-39453 - William P. Wagner, et ux. 1,200 square feet for right of way purposes. Offer of \$975.00 approved by Mr. Jackson January 10, 1967.

R-39459 - George T. Wilson, et ux. 1,200 square feet for right of way purposes. Offer of \$525.00 approved by Mr. Jackson January 10, 1967.

R-39460 - Wesley E. Zellner, et ux. 1,200 square feet for right of way purposes. Offer of \$850.00 approved by Mr. Jackson January 10, 1967.

R-39461 - Eugene H. Elliott, et ux. 1,200 square feet for right of way purposes. Offer of \$900.00 approved by Mr. Jackson January 10, 1967.

R-39466 - Josephine M. Martin. 758 square feet for right of way purposes. Offer of \$275.00 approved by Mr. Jackson January 10, 1967.

R-39484 - Jack Wanek, et ux. 1,350 square feet for right of way purposes. Offer of \$850.00 approved by Mr. Jackson January 9, 1967.

R-39489 - Curley's Dairy, Inc. 0.1 acre for right of way purposes. Offer of \$700.00 approved by Mr. Jackson January 10, 1967.

SUCKER CREEK STATE RECREATION AREA

R-37393 - Ada Shenk. 200 acres for park purposes. Offer of \$5,000.00 approved by Mr. Fridley December 21, 1966.

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

R-37844 - Mary Jo Prendergast, et al. 19,600 square feet for right of way purposes. Offer of \$1,980.00 approved by Mr. Jackson December 22, 1966.

UPPER BOONES FERRY ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-39000 - Hillard T. Roach. 12,433 square feet for right of way purposes. Offer of \$2,750.00 approved by Mr. Jackson December 22, 1966.

A report was submitted by the Chief Counsel on orders which have been received from the Public Utility Commissioner regarding railroad crossing matters as follows:

PUX 546: Application of Crown Zellerbach Corporation to construct a private road crossing with the Scappoose-Pittsburg County Road in Columbia County. The final order will be made later.

PUX 595: Application by the State Highway Commission to construct a grade crossing of the Wallowa Lake

Highway over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company, approximately four miles westerly from the City of Enterprise in Wallowa County. Order No. 43174 was issued January 9, 1967.

PUX 607: Application of Crown Zellerbach Corporation to construct a private forest road overpass over the Nehalem Highway approximately 20.34 miles east of Astoria. Order No. 43311 was issued January 10, 1967.

PUX 608: Application of Crown Zellerbach Corporation to cross the Lower Columbia River Highway at a point approximately 22 miles east of Astoria. Order No. 43289 was issued January 18, 1967.

PUX 613: Application of the State Highway Commission to widen the Wren Overcrossing on the Corvallis-Newport Highway over tracks and right of way of the Southern Pacific Company near Wren in Benton County. Order No. 43217 was issued December 21, 1966.

A brief report was made by the Chief Counsel concerning legal proceedings commenced since the last Commission meeting on the following cases:

- (1) James Arthur Powers and Margaret Carhart Powers vs. the State Highway Commission, L-5226, concerning right of way on the Stadium Freeway in Portland.
- (2) James M. Harder, Sr., vs. State of Oregon, through the Department of Finance and Administration, for use of the Bureau of Labor, L-4221. This action was filed to recover \$2,964.99 unpaid rent for space in a Highway owned office building.
- (3) Lord Bros. Contractors, Inc., vs. State Highway Commission, L-5227. Lord Bros. seeks to recover \$154,000 under Contract No. 6193 on the West City Limits-St. Johns Bridge Section of the Columbia River Highway near Linnton, Multnomah County.
- (4) Norma Cronk Dickson, Executrix of the Estate of Joseph Robert Dickson, deceased, vs. United States of America, et al., L-5230, concerning the death of Dickson in the collapse of the John Day River Bridge during the December 1964 flood.

The Chief Counsel stated that appropriate action is being taken in each of these cases.

Commissioner Fridley inquired as to the status of the DeLong suit concerning the Astoria Bridge piers. The Chief Counsel replied that the court had ordered that Raymond International and United States Steel Corporation could not be joined to the DeLong Case and an amended complaint will be filed. A declaratory judgment will be sought against DeLong for breach of Contract. The Court also will be asked to adjudge DeLong liable for materials and damages claimed by United States Steel and Raymond International. Chairman Jackson inquired as to when the case might get to trial. The Chief Counsel replied that the DeLong interests are attempting to delay the trial as much as possible, and that the State is trying to hurry it to trial. Commissioner Simpson stated that it was his understanding that the case mentioned is a suit being brought against DeLong by the State. He inquired if DeLong has filed action against the State, to which the Chief Counsel replied negatively. The Chairman then inquired as to when interest would begin to accumulate on the claim. The Chief Counsel replied that interest would begin to run from the date of verdict.

Progress of legal proceedings concerning damage to the Bullards Bridge on the Oregon Coast Highway struck by a towed barge was also reported by the Chief Counsel. Owners of the tug have filed a petition to limit their liability to the value of the tug, which appears to be \$58,000. The Olson Towboat Company and the Oliver J. Olson Company, owners of the barge, have executed a mortgage on the tug Virginia Phillips in the amount of \$25,000 as security for release of the tug and has also endorsed to the State insurance policies as security for any judgment in excess of \$2,000,000. Depositions have been taken from Captain May, Master of the Jean Nelson, and others.

A report of property damage claims during the period from September 30, 1966, through December 31, 1966, was presented by the Chief Counsel. During this period, he said, \$34,966.17 had been collected and 34 claims had been abandoned as uncollectible. The Commission accepted the report.

Fire and liability insurance on buildings acquired for right of way purposes was brought up by the Chief Counsel. He explained that a liability insurance policy in the amount of \$1,000,000 for personal injury with \$100,000 property damage for each accident and an aggregate of \$300,000 is now in effect with Northwestern Pacific Indemnity Company through Cole, Clark and Cunningham. The fire insurance is carried with Lloyds of London, also through Cole, Clark & Cunningham and premium for the last six months was \$2,652.49. Premium for the past year on the liability policy was \$1,287.23. The fire insurance covers property from the time of acquisition to disposal and is not under the State Restoration Fund as it is not desired to restore the property. He recommended that the existing insurance coverage be extended for three years which arrangement has been approved by the Department of Finance and Administration. The Commission approved the extension as recommended.

Acquisition of additional land to Viento State Park in Hood River County was brought up by the Engineer. He recalled that reconstruction of the Columbia River Highway had taken a part of the area suitable for camp development, and the floods of December, 1964, and January, 1965, had ruined much of the remaining land. Purchase of land in two adjoining ownerships would permit restoration of the park to slightly in excess of its original capacity and would also guard against commercial development adjacent to the park. He requested authorization to acquire these two properties at an estimated cost of \$38,000. The Commission approved his request.

The Commission also considered the acquisition of approximately 2,800 acres as an addition to the Painted Hills State Park in Wheeler County. The present park consists only of 13.2 acres in State ownership with an easement allowing use of approximately 2,800 additional acres. The easement has been a source of irritation between park users and the property owner and has made protection of the area difficult. The Engineer requested and the Commission granted authority to purchase approximately 2,800 acres at an estimated cost of \$40,000.

In discussing this matter the Chairman inquired if the State would get full use of the additional property. The Engineer replied that if the property is acquired outright full use of this unique area could be secured, but it can not be used to its best advantage under the present arrangement. In order to provide public access and to prevent the area from destruction, it was his opinion that purchase of the land would be in the public interest.

Confirmation of telephonic approval on an agreement with MacLaren School for Boys pertaining to work in state parks, waysides, and recreation areas was requested by the Engineer. He explained that for several years a similar type agreement has been used to cover two work camps located near Nehalem and south of Florence. The proposed agreement would cover a third camp of about twelve boys near the City of Tillamook in Tillamook County. As in the other agreements, this one requires that the boys be paid 25 cents per hour and the Highway Department is to provide the supervision on the work projects, tools and equipment. Custody of the boys at other times is the responsibility of the school. The agreement effective December 28, 1966, runs through December 31, 1971. He estimated cost of the project at approximately \$22,000 per year. The Commission confirmed the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Ureca, Inc., for professional engineering services pertaining to a water supply for Sunset Bay, Shore Acres, and Cape Arago State Parks in Coos County, was presented by the Engineer. He recalled that the agreement had been approved verbally by the Chairman on December 23. For several months, consideration has been given to means of improving the water supply system. One of the proposed solutions was to finance a water main to connect to the Coos Bay-North Bend municipal system. It appears, however, that improvement of the intake and distribution systems now in use might be more economical. For this reason, it has been determined

advisable to have the matter studied by a professional group. Ureca, Inc., has agreed to do the work at an estimated cost of \$600. He recommended that the agreement be confirmed and that the Secretary be authorized to sign the agreement in behalf of the Commission. The Commission accepted his recommendation.

The Engineer presented a form of lease to operate a concession privilege at Cove Palisades State Park in Jefferson County. Construction of a marina, rest rooms, parking area, and concession building is nearly complete. Under terms of the lease the successful bidder retains his lease rights until December 31, 1969. No punchboards, pinball machines, or gambling devices will be permitted. Payment to the State is to be on the basis of a percentage of total annual gross sales. The lessee is also required to furnish liability and property damage insurance and perform ordinary maintenance on the buildings and in the area. He recommended that the lease form be approved and the Secretary authorized to sign it when a concessionaire has been determined, and that authority be given to advertise for bids for the concession privilege. The Commission accepted his recommendation.

A resolution apportioning to cities motor vehicle revenues accrued during the last half of 1966 was considered. The Engineer explained that this resolution covers the semi-annual ten percent apportionment from highway funds as required by law. The Commission thereupon adopted "City Allocations of State Highway Funds Resolution No. 44," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Preparation of a brochure outlining State Highway needs was discussed. The Engineer explained that the American Association of State Highway Officials plans to make a presentation to Congress of plans for highway construction after 1972. As a part of the presentation, all States have been requested to prepare an attractive brochure outlining their highway needs. He estimated cost of the publication at \$2,500 and requested confirmation of approval given by the Chairman on December 21. The Commission confirmed the action.

Transfer of an old concrete testing machine to the Oregon Technical Institute at Klamath Falls was brought up by the Engineer. The machine was purchased in 1929 for \$5,000 and when new equipment was installed it was moved to Astoria for testing concrete cylinders during construction of the Astoria Bridge. The gages and other mechanism on the machine are no longer accurate on tests for tensile strength and it is good only for compression tests. The Technical Institute at Klamath Falls can use the machine and has agreed to move it without charge. He recommended that the machine be transferred to them as a gift. The Commission confirmed the Chairman's telephonic approval given on January 5, 1967.

Financing of the 25th Street-Airport Road Section of the Silver Creek Falls Highway in Salem, Marion County, was discussed. The Engineer recalled that the project had been previously approved under an agreement

with the City of Salem dated June 2, 1966. He estimated the total cost of the project, including right of way, at \$155,000 to be borne 75% by the State and 25% by the City. He recommended that the project be approved and that the State's share of financing be provided by adding \$116,250 to the current 1967 State Construction Program. The Commission approved the recommendation.

Construction of 1.3 miles of guardrail on the Washburn Way-South Sixth Street Section of the Klamath Falls-Malin Highway in Klamath County was brought up by the Engineer. A traffic accident analysis indicates that the guardrail is justified and it has been approved by the Bureau of Public Roads as a safety project. He recommended approval of the project by including it in the inventory of Hazardous Locations and in the fiscal 1968 State Construction Program at an estimated cost of \$30,000. The Commission approved the project.

Payment of annual dues in the amount of \$2,279.25 to the American Association of State Highway Officials was recommended by the Engineer. The Commission approved payment for the 1967 calendar year.

Tabulations were presented by the Engineer describing proposed Federal-aid Secondary projects in Jackson, Marion, and Washington Counties, plus a supplement to a previously approved project in Tillamook County. The projects, he said, have been investigated and are eligible for Federal-aid Secondary Funds. The Commission accepted his recommendation for approval of the following projects and authorized the Secretary to sign agreements when prepared:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Jackson	287	Reese Creek-Reese Summit Section, Butte Falls Road. Pave with A.C. 32' wide (two 12' lanes with 4' shoulders), 3.4 miles.	\$ 130,000	1967
Marion	741	Sunnyview Road-Silverton Road Section, Lancaster Drive NE. Grade, pave, curb, & sidewalks, 1 mile.	235,000	1967
Tillamook	617	Cape Lookout-Sand Lake Section. Supplemental funds for project originally approved 4/21/66. 2.5 miles.	276,000	1967
Washington	838 & 676	SW Cedar Hills Boulevard at intersection of SW Jenkins Road. Install traffic signals and increase radius in NW quadrant to 25'; replace paving and sidewalks.	18,000	1967
TOTAL.....			\$ 659,000	

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<u>SUMMARY BY FISCAL YEARS</u>	<u>1967</u>	<u>1968</u>	<u>Total</u>
Allocated Funds	\$3,952,000	\$3,980,000	\$7,932,000
Approved Projects (Corrected to Date)	<u>1,357,000</u>	<u>--</u>	<u>1,357,000</u>
Unprogrammed Balance	\$2,595,000	\$3,980,000	\$6,575,000
Projects proposed 1/31/67	<u>659,000</u>	<u>--</u>	<u>659,000</u>
Unprogrammed Balance	\$1,936,000	\$3,980,000	\$5,916,000

Consideration was given to requests for extensions of time submitted by contractors to complete highway contracts. The Engineer commented that each request has been carefully investigated and the Commission has been informed of the investigation by letter. The Commission took action as follows:

- (1) Asphalt Paving Company, Contract No. 6902, on the Hatfield Highway in Klamath County, requested an increase in the number of calendar days from 75 to 89. The Commission denied the request.
- (2) Concrete Steel Corporation, Contract No. 6487, on the Oregon Coast Highway in Curry County, requested an extension of time to cover completion of the project. The Commission approved an extension of time without liquidated damages from December 20, 1965, to May 2, 1966, covering the period of a seasonal stop work order.
- (3) Porter W. Yett Company, Contract No. 6830, on FAS 639 in Multnomah County, requested an increase in the number of calendar days from 125 to 176. The Commission approved the request without assessment of liquidated damages.
- (4) Oregon Asphaltic Paving Company, Contract No. 6831, on FAS 639 in Multnomah County, requested an increase in the number of calendar days from 140 to 181 on the first phase of the project. The Commission approved the request without assessment of liquidated damages.
- (5) Fred Jensen, Contract No. 6901, on the Oregon Coast Highway in Curry County, requested 12 additional calendar days to complete the contract. The Commission approved the request without assessment of liquidated damages.
- (6) Oosterwyk Nurseries, Inc., Contract No. 6819, on the Sunset Highway in Washington County, requested 30 additional working days to complete the contract. The Commission denied the request. The denial has been approved by the Area Engineer for the Bureau of Public Roads.

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- (7) Aichele Landscaping, Inc., Contract No. 6857, on the John Day Highway in Grant County, requested an increase in the number of calendar days from 170 to 188. The Commission denied the request. The denial has been approved by the Area Engineer for the Bureau of Public Roads.
- (8) Peter Kiewit Sons' Company, Contract No. 6354, on the Pacific Highway in Multnomah County, requested that the date of completion for Unit F be advanced from November 30, 1965, to October 15, 1966. The Commission approved an extension of time without assessment of liquidated damages to June 7, 1966, which was the date of completion. Approval by the Bureau of Public Roads was given in their letter of January 10, 1967.
- (9) I. Harold M. Drake Company, Contract No. 6577, on the Stadium Freeway in Multnomah County, requested that the date of completion be advanced from September 15, 1966, to December 1, 1966. The Commission approved an extension of time without assessment of liquidated damages to November 28, 1966, which was the actual completion date. Approval by the Bureau of Public Roads was given in their letter of January 12, 1967.
- (10) Robert L. Jensen, Contract No. 6931, in Carl G. Washburne State Park in Lane County, requested that the completion date be advanced from November 30, 1966, to December 14, 1966. The Commission granted the request without assessment of liquidated damages.
- (11) Berry Creek Construction Company, Contract No. 6630, in the Carl G. Washburne State Park in Lane County, requested a 122-day extension of time. The Commission approved an extension of time to June 24, 1966, but ordered that the contractor be assessed liquidated damages for 44 workdays.
- (12) Slate-Hall and Hamilton Construction Company, Contract No. 6578, on the Pacific Highway in Douglas County, requested an extension of time from September 30 to December 17, 1966. The Commission approved the request without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of January 17, 1967.
- (13) S. A. Hutchins & Assoc. Construction Co., Contract No. 6665, on the Coos Bay-Roseburg Highway in Coos County, requested an extension of time from September 15

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to November 19, 1966. Because of additional work involved, the Commission approved an extension of time without liquidated damages to December 21, 1966, which was the date of actual completion. Approval from the Bureau of Public Roads was received in their letter of January 17, 1967.

- (14) C. E. Leseberg, Contract No. 6926, in the Ontario State Recreation Area in Malheur County, requested that the completion date be extended from November 30 to December 30, 1966. The Commission approved an extension of time without assessment of liquidated damages to December 22, 1966.

- (15) Oosterwyk Nurseries, Inc., Contract No. 6828, on the Corvallis-Newport Highway in Benton County, requested 30 additional workdays to complete the contract. The Commission denied the request. The Area Engineer for the Bureau of Public Roads has confirmed the denial.

The Engineer reported that Contract Nos. 6268, 6354, 6487, 6535, 6548, 6561, 6633, 6703, 6717, 6722, 6766, 6780, 6784, 6793, 6796, 6812, 6814, 6817, 6825, 6834, 6839, 6859, 6870, 6872, 6885, 6886, 6891, 6901, 6902, 6916, 6932, and 6940, for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance, 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. 156," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the date of Tuesday, March 14, 1967, as the date for the next regular Commission meeting in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for April 25, 1967.

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

- (1) Grading, oiling, and structures on Fall Creek-Mt. Vernon Section of the Pendleton-John Day Highway in Grant County. Bids received December 15, 1966. Contract No. 6959 awarded January 13, 1967, to Steelman-Duff, Inc., Portland, low bidder.

- (2) Grading, paving, structure, signing and illumination on the Biddle Road (Medford) Interchange of the Crater Lake Highway in Jackson County. Bids received December 15, 1966. Contract No. 6960 awarded January 13, 1967, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (3) Construction of the Belt Line Road Interchange on the Pacific Highway in Lane County. Bids received December 15, 1966. Contract No. 6961 awarded January 6, 1967, to T and M Construction Company, Salem, low bidder.
- (4) Construction of the Long Tom River (Clear Lake Road) Bridge on FAS 934 in Lane County. Bids received December 15, 1966. Contract No. 6962 awarded December 22, 1966, to Hamilton Construction Company, Eugene, low bidder.
- (5) Grading, paving, and structure on the Snake River (Ontario Spur) Bridge Section of the Olds Ferry-Ontario Highway in Malheur County. Bids received December 15, 1966. Contract No. 6963 awarded December 27, 1966, to Stach Construction Company, Inc., and M. R. Holst, Grants Pass, low bidder.
- (6) Ross Island Bridge Extension and the Milwaukie Avenue Undercrossing Replacement on the Pacific Highway East in Multnomah County. Bids received December 15, 1966. Contract No. 6964 awarded January 13, 1967, to Schrader Construction Company, Portland, low bidder.
- (7) Grading, paving, and structures on the Forest Grove-Gaston Section of the Tualatin Valley Highway in Washington County. Bids received December 15, 1966. Contract No. 6965 awarded January 13, 1967, to Dorman Construction Company, Vancouver, Washington, low bidder.

The Engineer reported that at present Oregon Route 217 is routed over the Beaverton-Tualatin Highway from the Tualatin Valley Highway in Beaverton to a junction with the Pacific Highway at the Stafford Road Interchange in Washington County. The new Beaverton-Tigard Highway, which is

being constructed to high standards, makes this route much more desirable. He recommended that the official description of Route ORE217 be revised and the Commission approved the route revision as follows:

Over the Beaverton-Tigard Highway from its junction with the Sunset Highway, US26, at Cedar Hills, southerly via Beaverton and Tigard to its junction with the Pacific Highway, I-5, east of Tigard.

A resolution prohibiting parking on the shoulders of the Pacific Highway West, north of Eugene, in Lane County was brought up by the Engineer. An auction market creates considerable traffic and a large number of cars are being parked along highway shoulders creating a serious traffic hazard. He recommended that shoulder parking be prohibited on both sides of the highway from a point 50 feet south of Milliorn Road at M. P. 112.78 to M. P. 113.00. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 263," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Lane County for the installation of semi-actuated traffic signals at intersections of the Junction City-Eugene Highway with Park Avenue and Maxwell Road was considered. The Engineer commented that the amount of traffic at these intersections warrants the installation of signals which he estimated would cost \$16,000. The agreement provides that the State do the work and pay one-half the cost of installation with the County to pay the other half and provide all of the required maintenance and electrical energy. The Commission approved the agreement and authorized the Secretary to sign it for them.

A request from Western Greyhound Lines for elimination of a bus stop at the railroad crossing on the Old Oregon Trail (I-80N) at Lime in Baker County was discussed. The Engineer explained that the crossing is a spur track serving bulk cement loading facilities at the Lime plant. This type of shipment has almost ceased and the railroad always provides a flagman when trains are crossing the highway. He recommended that the stop requirement for commercial buses be eliminated by the installation of appropriate signs. The Commission approved his recommendation and thereupon adopted "Miscellaneous Resolution No. 240b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Oregon State University to conduct tests on the efficiency of subdrain pipe was presented by the Engineer. Installations of this type are used in wet cuts and in other unstable areas. Definite knowledge in this field is lacking and the University has agreed to undertake the tests at a cost not to exceed \$4,800 to be completed by June 30, 1967. The study has been approved by the Bureau of Public Roads and is eligible for reimbursement as a Highway Planning Research project. 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 an agreement with Lane County transferring to the County a parcel of land 40 feet wide and 762.2 feet long on the 10th Street Route of the Mapleton-Eugene Highway (Route "F"). The Engineer commented that when the highway section was transferred to Lane County control, the property was not transferred nor was the truck scale site that is located on it. Lane County has offered to furnish to the State a complete new scale mechanism at some location to be chosen by the State. Acceptance of this offer will eliminate the cost of dismantling and moving the old scale and will also provide service which is needed by the County. Following the Engineer's 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 Redmond for the installation of traffic signals at the intersections of 5th and 6th Streets (The Dalles-California Highway) and Evergreen Avenue (Ochoco Highway) in the City of Redmond, Deschutes County. An investigation indicates that the signals are warranted and the Engineer recommended that they be installed with the City and State to share equally in the cost of installation, which he estimated at a total of \$16,000. The City is to provide all necessary maintenance and power needs. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Attention was given to a throughway abandonment agreement with the Coos County Board of Commissioners concerning the Coquille-Myrtle Point Section of the Coos Bay-Roseburg Highway in Coos County. The agreement provides for the usual features pertaining to construction, right-of-way, utility relocation, and road closures. The agreement also provides that upon completion of the new section of highway the County will take over the section being replaced. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered a throughway construction agreement with the City of Myrtle Point concerning the Gray Creek-Myrtle Point Section of the Coos Bay-Roseburg Highway in Coos County. The Engineer mentioned that the agreement provides for construction and maintenance of the project including right-of-way acquisition, utility relocation, and other matters. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement for them.

A throughway agreement with Polk County pertaining to the Holmes Gap-Baskett Slough Section of the Pacific Highway West was considered. This agreement, the Engineer said, provides for construction of the highway, reconstruction of county road connections, road closures, utilities relocation, and other matters. It is proposed to advertise the project for bids in the late spring of 1967. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

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A throughway construction agreement with the Lane County Board of Commissioners and the City of Eugene pertaining to the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway (I-105) was considered. The agreement provides for construction, utility relocation, road and street closures, and other matters. The project is tentatively scheduled for contracting in the spring or summer of 1967. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

Attention was given to a construction agreement and an easement agreement with Southern Pacific Company concerning the construction of the Wren Overcrossing on the Corvallis-Newport Highway in Benton County. The Engineer observed that the agreement provides that the State reimburse the railroad for engineering, inspection, and flagging costs, which he estimated at \$32,765. Following the Engineer's favorable recommendation, the Commission approved the agreement.

A throughway agreement with Clackamas County pertaining to the Milwaukie-Cascade Highway Section of the Clackamas Highway was considered. This agreement provides for usual construction features, utility relocation, road closures, and other matters. The Engineer also mentioned that a tentative arrangement has been made with Clackamas County and the City of Milwaukie for them to take over the existing highway when the new section is constructed and open to travel. An agreement covering this is to follow. It is planned to receive bids on the Milwaukie-Harmony Road Interchange Section in the late spring of 1967. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a supplemental agreement with Portland Traction Company concerning an easement for structures on the East Marquam Interchange Section of the Pacific Highway in Portland. This agreement, the Engineer said, extends to March 13, 1967, the time within which to negotiate for a settlement with the Traction Company with provision for 3 more months. The Commission approved the agreement.

Agreements for snow removal from parking areas for a number of ski resorts were presented by the Engineer. He pointed out that under a recent Attorney General's opinion, the State Highway Department may remove snow from these areas so long as the operator of the facility allows free and unrestricted use of the parking area to the general public, provides the necessary liability insurance, and grants the State a sublease for the area. The Commission approved the following agreements and authorized the Secretary to sign them in their behalf.

- (1) Snowbunny Lodge, Inc., in the Mt. Hood area in Clackamas County for the period between November 1, 1966, and July 1, 1967, at an estimated cost of \$4,000.

- (2) R. L. K. and Company (Timberline Lodge) on Mt. Hood in Clackamas County for the period between November 1, 1966, and July 1, 1967, at an estimated cost of \$80,000.
- (3) Mt. Bachelor, Inc., on Bachelor Butte in Deschutes County, for the period from November 1, 1966, to July 1, 1967. The Engineer estimated the annual cost of snow removal for the parking lot and the access road from the end of State Secondary Highway No. 372 (Century Drive) at \$80,000.
- (4) Douglas County on the Forest Service access road and the parking lot for the Taft Mountain Ski area in Douglas County. The County is to remove the snow so that the road and area may be used on weekends and holidays. The State is to reimburse the County for its expenditures in snow removal, which the Engineer estimated would be approximately \$8,000 annually.
- (5) Multorpor, Inc., in the Mt. Hood area of Clackamas County for the period between November 1, 1966, and July 1, 1967. The Engineer estimated cost of snow removal from the parking lot and the access road at \$9,000 per year.
- (6) Mt. Ashland Corporation on Mt. Ashland in Jackson County for the period from November 1, 1966, to July 1, 1967. The Engineer estimated cost of snow removal from the parking area and from the access road leading to it at \$55,000 per year.
- (7) Hoodoo Ski Bowl Developers, Inc., in the Hoodoo Ski Bowl area in Linn County, for the period between November 1, 1966, and July 1, 1967. The annual cost of snow removal from the parking area and the access road leading to it was estimated by the Engineer at \$23,000.

Consideration was also given to an agreement with Hood River County to reimburse the County for cost of removing snow from the parking area and the access road leading to the Cooper Spur Ski Area between December 1, 1966, and the end of the ski season in 1967 as determined by the State. The County is to remove the snow and be reimbursed by the State. The Commission approved the agreement.

The Commission also considered a snow removal agreement with Morrow County on a County Road and a Forest Service Road leading to the Arbuckle Ski Area in Morrow County. The County is to perform the snow removal and be reimbursed by the State. The agreement covers the period between December 9, 1966, and the end of the skiing season in 1967 as determined by the State. The Commission approved the agreement.

An agreement with the Bureau of Land Management concerning the installation of fencing on the I. O. N. Highway near Basque in Malheur County was considered. The Engineer reported that the Bureau of Land Management had fenced 10½ miles prior to formation of an agreement. Under past policy in a similar situation, the State has furnished the posts. On this project, the Bureau furnished the posts and has requested that the State either replace or pay for posts installed. The Engineer stated that the cost of \$.83 per post is cheaper than the State could purchase them, and he recommended that the Bureau of Land Management be paid \$3,486 for the 4,200 posts which were used. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with Multnomah County for the installation of lights on the Mt. Hood Highway between Sandy and Gresham where the new route diverges from the old route. Since the new section has been opened to traffic, the Engineer stated, the public has had difficulty with the intersection at night, and he recommended that lights be installed at an estimated cost of \$10,000 from Minor Betterment Funds. The State is to maintain the lights and Multnomah County is to assume cost of the electrical energy. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with Peninsula Drainage District No. 2 to provide drainage from the Pacific Highway East in north Portland, Multnomah County. Under terms of the agreement, the Drainage District is to install a 24-inch culvert under Vancouver Way as the present culvert is not adequate. The Highway Department, Multnomah County, and the Drainage District are to share equally in the cost of the new culvert. The Engineer estimated that the State's share would not exceed \$1,200, and he recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with Portland Traction Company allowing construction of a detour structure over Traction Company property as required by construction of the Ross Island Bridge Overcrossing of the Pacific Highway East in Portland. Following the Engineer's favorable recommendation, the Commission approved the agreement.

The Chairman inquired as to progress being made on the study pertaining to rates on the Astoria Bridge across the Columbia River. The Engineer replied that from reports he had received from the firm making the study, the report would be received within a few days. Concerning the

volume of traffic on the bridge to date, Mr. Edwards, Assistant State Highway Engineer, stated that the volume is running somewhat in excess of the original estimate.

The Chairman then inquired if the State of Washington has done anything further concerning construction of a cutoff highway from the north end of the Astoria Bridge to Olympia, Washington, or on improvement of Highway 101 north of the Columbia River. The Engineer replied that as far as he knew no work had been programed, but the matter is being studied by Washington authorities.

Consideration was given to a request made by Mr. B. T. Van Wormer, President of the Oregon Chapter of the American Public Works Association, for assistance in publication of standard specifications for cities and counties. The Engineer commented that this participation would require an agreement between the League of Oregon Cities and the Association of Oregon Counties. Printing of the specifications, he suggested, be deferred until after the Legislature has adjourned. He recommended cooperation in an amount not more than \$1,000. The Commission accepted his recommendation and authorized the Secretary to sign an agreement as previously outlined.

The Commission accepted a deed dated December 16, 1966, from Mr. and Mrs. Thomas E. Young for land to complete the transfer of property for park purposes along the Oswego Highway near West Linn. The Engineer recalled that several adjoining parcels have been donated by the Youngs, all for park purposes. The Commission instructed the Secretary to convey to the Youngs the Commission's thanks and appreciation.

The establishment of reduced speed zones on rural portions of the Beaverton-Tigard Highway in Washington County was considered. The Engineer stated that the Southern Pacific Overcrossing-Pacific Highway West Section of the highway was completed recently and observation indicates that a speed of less than the statutory 55 miles per hour should be established. He recommended that 50 mile-per-hour speed zones be established in rural areas effective upon completion of construction and the installation of signs. The Commission approved the recommendation and thereupon adopted "Speed Zone Resolution No. 522," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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

"Bargain and Sale Deed" conveying to the State Board of Higher Education (Portland State College) a parcel of land on the Fremont Interchange-Sunset Interchange Section of the Stadium Freeway in Multnomah County.

"Bargain and Sale Deed" conveying to the United States National Bank of Oregon a parcel of land on The Dalles-15 Mile Creek Section of the Columbia River Highway in Wasco County.

"Bargain and Sale Deed" conveying to Frank G. and Doris A. White a parcel of land on the Burns-Buchanan Section of the John Day-Burns Highway in Harney County.

"Bargain and Sale Deed" conveying to Doris Frazier and Velma S. Parsons a parcel of land of the Dayville Section of the John Day Highway in Grant County.

"Bargain and Sale Deed" conveying to Lincoln County a parcel of land on the Siletz-Toledo Section of the Siletz Highway in Lincoln County.

"Grant of Easement and Access" to the Bonneville Power Administration concerning a 40 foot wide roadway easement across a stockpile site on the Grass Valley-Kent Section of the Sherman Highway in Sherman County.

"Deed and Indenture of Access" to Dean and Beryl Wilcox and Maynard and Janet Nelson concerning a parcel of land on the Grass Valley-Kent Section of the Sherman Highway in Sherman County.

"Indenture of Access" to Clara Belle Turner Daniels and Gordon R. Daniels property on the Buena Vista-Cape Sebastian Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to James P. and Frances M. Adamek property on the Rink Creek-Glen Aiken Creek Section of the Coos Bay-Roseburg Highway in Coos County.

"Indenture of Access" to Lincoln Development Co. property on the Siletz Bay-Newport Section of the Oregon Coast Highway in Lincoln County.

"Relinquishment of Title" to City of Coos Bay covering land on the North Bend-Marshfield Section of the Oregon Coast Highway in Coos County.

"Release and Agreement" with Weyerhaeuser Company covering land on the Summit of Parker Mountain Section of the Green Springs Highway in Klamath and Jackson Counties.

"Agreement" with MacLaren School for Boys to work in state parks, waysides, and recreation areas from a labor camp in Tillamook County.

"Agreement" with Ureca, Inc. to provide professional engineering services on the Sunset Bay Water Supply Project near Coos Bay to insure adequacy of water supply.

"Agreement" with Lane County for the installation of semi-actuated traffic signals at intersections of Junction City-Eugene Highway with Park Avenue and Maxwell Road in Lane County.

"Agreement" with Oregon State University to conduct tests on the efficiency of subdrain pipe.

"Agreement" with Lane County conveying a strip of land on the Richardson-Eugene Highway in Lane County and an exchange of truck scale facilities.

"Agreement" with City of Redmond covering the traffic signal installation at the intersections of Fifth and Sixth Streets and Evergreen Avenue (US126) in Deschutes County.

"Throughway abandonment agreement" with Coos County covering the Coquille-Myrtle Point Section of the Coos Bay-Roseburg Highway in Coos County.

"Throughway construction Agreement" with City of Myrtle Point covering the Gray Creek-Myrtle Point Section of the Coos Bay-Roseburg Highway in Coos County.

"Throughway agreement" with Polk County pertaining to the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Throughway construction agreement" with Lane County and City of Eugene for the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway (I-105) in Lane County.

"Construction agreement and easement indenture" with Southern Pacific Company for the construction of the Wren Overcrossing on the Corvallis-Newport Highway in Benton County.

"Throughway agreement" with Clackamas County covering the Milwaukie-Cascade Highway Section of the Clackamas Highway in Clackamas County.

"Supplemental agreement" with Portland Traction Company concerning the negotiation for an easement for the structures of the East Marquam Interchange Section of the Pacific Highway in Multnomah County.

"Agreement" with Snowbunny Lodge covering snow removal from its parking areas in the Mt. Hood area in Clackamas County.

"Agreement" with R.L.K. and Company covering snow removal from parking areas at Timberline Lodge in Clackamas County.

"Agreement" with Mt. Bachelor, Inc. covering snow removal from parking areas at Bachelor Butte in Deschutes County.

"Agreement" with Douglas County covering snow removal on the Forest Service access road and parking lot for the Taft Mountain Ski area in Douglas County.

"Agreement" with Multorpor, Inc. covering snow removal from its parking areas in the Mt. Hood area in Clackamas County.

"Agreement" with Mt. Ashland Corp. covering snow removal from its parking areas in Jackson County.

"Agreement" with Hoodoo Ski Bowl Developers, Inc. covering snow removal from its parking areas in Linn County.

"Agreement" with Bureau of Land Management concerning the fencing of right of way on the I.O.N. Highway near Basque and payment to the Bureau for 4,200 posts at \$3,486.

"Agreement" with Multnomah County for installation of lights at the intersection of the old and new alignments of the Mt. Hood Highway, east of Gresham in Multnomah County.

"Agreement" with Peninsula Drainage District No. 2 to provide drainage from the Pacific Highway East in north Portland in Multnomah County.

"Agreement" with Portland Traction Company allowing construction of a detour structure over property required by the construction of Ross Island Bridge Overcrossing of the Pacific Highway East in Portland.

There being no further business to conduct, the meeting was adjourned at 10:28 a.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

K. N. Fridley
Commissioner

Floyd Query
Secretary

David B. Simpson
Commissioner

January 31, 1967

Salem, Oregon
March 14, 1967

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 419, State Highway Building, 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
Lloyd P. Shaw, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
Victor D. Wolfe, Administrative Assistant
G. E. Rohde, Chief Counsel
David Moehring, Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

Tom Edwards, Assistant State Highway Engineer, and Frank C. McKinney, Assistant Counsel, were excused.

Among others present were A. W. Parsons, Division Engineer of the 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; John Oakes, Assistant Right of Way Engineer; and John Earley, Information Officer.

Chairman Jackson commented that this meeting commemorates the fiftieth anniversary of the establishment of the Oregon State Highway Commission. He reviewed some of the early conditions, including a stipulation that the salary for the Highway Engineer was not to exceed \$5,000 annually, and that there has been a continuing struggle getting salaries increased. He also mentioned that in the early days of the Highway Commission there were very few people in the top jobs and their accomplishments with limited funds had been great. It was his observation that if the operations of the Commission over the next fifty years are as productive as they had been in the past fifty years, the public would be very well served. He pointed out that the Commission since 1959 had spent more money on highways and parks than had been spent in the preceding forty-two years.

The Engineer read aloud a letter from Mr. R. H. Baldock, who served as State Highway Engineer, from March 1, 1932, to August 15, 1956, expressing his good wishes to the Commission and its employees. He also read a letter from Mr. S. H. Probert who began working for the Highway Department on December 3, 1913, and retired as Office Engineer May 12, 1959. He also extended congratulations and good wishes to the Commission and the Highway Department. The Engineer then introduced Mr. Roy Klein and Miss Helen Ingrey. Mr. Klein started his employment with the State

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Highway Department in 1917 and served as State Highway Engineer from April 1, 1923, to February 29, 1932. Miss Ingrey was employed in October, 1915, and retired as Secretary to the State Highway Engineer on September 30, 1958.

Mr. Klein recalled salaries of \$40 to \$45 per month in the early days and mentioned early Commission meetings in Chairman Simon Benson's Office in the Yeon Building. Authorization of a \$6,000,000 bond issue in those days appeared enough to take care of Highway needs for many years. He also commented that approximately 63,000 vehicles were registered in Oregon in 1918.

Miss Ingrey observed that her salary of \$75 per month as secretary was all take-home pay. She also mentioned a biennial appropriation of \$230,000 for operation of the department.

Mr. A. W. Parsons, Division Engineer, Bureau of Public Roads, congratulated the Highway Commission on its accomplishments over the past fifty years and extended his best wishes for the future. He also mentioned that he had started his engineering career in the State of Oregon at \$75 per month.

The Commission approved the minutes of the meeting held on January 31, 1967.

The Right of Way Engineer presented a list of options, pages 1 through 55, secured for acquisition of real property needed for state highway use or for other purposes. The amounts offered, 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 confirmed closing the options which had been sent to them for approval since the last Commission meeting. They also approved those options presented for the first time at this meeting and thereupon adopted "Right of Way Resolution No. 40," 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 January 23 to March 6 amounted to \$31,226; land sales totaled \$23,750; and timber sales \$73.72. Rental receipts for January were \$10,331.92 and for February \$8,726.32. The Commission accepted the report.

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Consideration was given to Relinquishment of Title to the City of Eastside in Coos County on a parcel of land containing 4,200 square feet, File No. 24588. The Right of Way Engineer explained that the parcel, located on the Catching Slough-Chandler Bridge Section of the Coos River Highway, was originally acquired in 1956 as a part of the highway right of way. The City of Eastside plans to use the land for street construction and he recommended that it be relinquished to them for public street purposes only for the sum of \$1. The Commission approved the relinquishment.

Indentures of Access providing for changes in location and widening of existing points of access were presented by the Right of Way Engineer. The proposed changes, he said, have been approved by the Bureau of Public Roads where it is involved and are for the convenience of the property owners and the protection of the traveling public. The Commission approved the following Indentures:

- (1) Hogg property, File No. 32557, for a change in location of an existing access point 35 feet in width, on the northerly side of the Willamina-Salem Highway, approximately one mile west of Salem in Polk County. This change in location will avoid the necessity of moving a power pole. Approval from the Bureau of Public Roads was received January 5, 1967.
- (2) Hayden property, File No. 36063, for a change in location of one unrestricted point of access, 35 feet in width, on the northerly side of the Willamina-Salem Highway, approximately three miles west of Salem in Polk County. The access was constructed by the State when the highway was reconstructed and this action will make the record agree with the actual location. The Bureau of Public Roads is not involved.
- (3) Giustina property, File No. 35198, for a change in location of one unrestricted point of access, 35 feet in width, on the northerly side of the McKenzie Highway, approximately 40 miles east of the City of Springfield in Lane County. The change provides better access to the property and was approved by the Bureau of Public Roads on May 26, 1966.

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- (4) Berthold property, File No. 22800, for a change in location of one point of access, 35 feet in width, on the northerly side of the Tualatin Valley Highway in the City of Beaverton, Washington County. The change provides access to a proposed service station and car wash. Approval of the Bureau of Public Roads has been received subject to inclusion in the Indenture of material pertaining to the Civil Rights Act of 1964.
- (5) Van Hees property, File No. 36058, for a change in location of one unrestricted point of access, 35 feet in width, and the deletion of one point of access on the southerly side of the Willamina-Salem Highway, approximately three miles west of Salem in Polk County. The change is being made to match an existing roadway. Bureau of Public Roads' approval is not required.
- (6) Reynolds and Badley property, File No. 20199, for a change in location of one point of private residential access, 35 feet in width, on the southerly side of the John Day Highway, approximately two miles west of John Day in Grant County. Approval from the Bureau of Public Roads was given September 14, 1966.
- (7) Benedictine Sisters of Mt. Angel property, File No. 37786, for a change in location of three unrestricted points of access, 35 feet in width, located on both sides of the Hillsboro-Silverton Highway at the southerly city limits of Mt. Angel in Marion County. Approval by the Bureau of Public Roads is not required.
- (8) Pal-Bro, Inc., property, File No. 38659, for a change in location of one point of access 35 feet in width, on the westerly side of the Hillsboro-Silverton Highway, just north of Silverton in Marion County. Bureau of Public Roads' approval is not required.

Payment of \$1,500 in tuition fees to enable State Highway appraisers to attend the American Right of Way Association Course I on Negotiations was discussed. The Right of Way Engineer commented that the course is to be held March 29, 30, and 31, 1967, in Vancouver, Washington, and is similar to courses which have been attended in the past and have proved beneficial for right-of-way personnel. Following his favorable recommendation, the Commission approved payment of the tuition.

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Consideration was given to an agreement with the Washington State Highway Commission for acquisition of 33 acres of land on the Oregon side of the Columbia River at the Longview Bridge on the Columbia River Highway in Columbia County. The Right of Way Engineer commented that consideration for the 33 acres is \$7,500 plus maintenance of the Oregon approach to the Longview Bridge. The land, he said, is needed for highway purposes. He also pointed out that the maintenance to be assumed by the State of Oregon covers the dirt approach only and does not pertain in any way to the bridge itself. The Commission accepted his recommendation for approval of the agreement.

The Commission also considered an agreement with the Bonneville Power Administration concerning crossing of the Government's easement and right of way in construction of the Heppner Junction Interchange and Heppner Junction Interchange-Rhea Sections of the Columbia River and Heppner Highways. Based on the Right of Way Engineer's favorable recommendation, the Commission approved the agreement.

Attention was given to a demolition contract with D S L, Inc., for the removal of buildings on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County. The Right of Way Engineer stated that three bids were received; the low bid being submitted by D S L, Inc., in the amount of \$2,626. Following his favorable recommendation, the Commission approved the contract and authorized the Secretary to sign it for them.

The Chief Counsel presented a list of properties needed for the use indicated therein and 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 Department to attempt to agree with the owners of said properties as to price. After careful consideration, the Commission granted authority to condemn the listed properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2411 through 2441," which resolutions by this reference are made a part hereof and filed in the Secretary's Office. (For additional details, see the Chief Counsel's letter dated March 14, 1967, entitled "Recommendations for Condemnation" in the Secretary's Office.)

A report of cases which have been tried in court was presented by the Chief Counsel. The Commission accepted the report, which is summarized as follows:

(Tabulation on next page)

March 14, 1967

REPORT OF CONDEMNATION CASES TRIED

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-4802 Robert G. Stumbo, et al.	Douglas	Pacific	Canyonville-Josephine Co. Line	\$ 50.00	\$ 50.00	\$ 25.00 Default Judgment
L-5138 Martin Hettinga	Grant	John Day	Dayville	600.00	2,500.00	2,750.00
L-5116 William Dean Keeney, et al.	Linn	Santiam	Sweet Home-Foster	4,800.00	17,500.00	10,500.00
L-5032 Arlene Arp, et al.	Multnomah	Columbia River	Burlington-Sauvie Island Br.	1,490.00	3,500.00	3,050.00
L-5053 Albert R. Kowalski, et al.	Multnomah	Columbia River	Burlington-Sauvie Island Br.	13,075.00	30,000.00	15,000.00
L-5213 Elgin Canning Co.	Union	Wallowa Lake	Grande Ronde River	25.00		25.00 Default Judgment
L-5022 Harold G. Corby, et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	20,000.00	42,600.00	36,500.00
L-5029 Michael A. Smullen, et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	4,000.00	7,500.00	5,000.00
L-5099 Charles L. Jennings, et al.	Linn	Santiam	Sweet Home-Foster	2,000.00	3,000.00	800.00

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REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5185 State of Oregon	Earl Edward Mullenix	Marion	Damage to State Property Remarks: Dismissed on Motion of the State upon determining that defendant is ill of an incurable disease and has no means of support.	\$ 114.51	None
L-5338 State of Oregon	J. N. Conley, Inc.	Baker	Damage to State Property	71.00	Amount sued for paid in full.
L-5281 State of Oregon	Michael Edwin Zimmerman	Marion	Damage to State Property	414.44	Amount sued for paid in full.
L-5292 State of Oregon	Joseph T. Kalberer	Clackamas	Damage to State Property	182.20	Claim paid in full.
L-5298 State of Oregon	Otis Lloyd	Multnomah	Damage to State Property	120.33	Claim paid in full.
L-5296 State of Oregon	Frank Lavern Amaral	Josephine	Damage to State Property	142.27	Claim paid in full.
L-5244 State of Oregon	Alvin K. Norton	Multnomah	Damage to State Property	82.89	Claim paid in full.
L-5304 State of Oregon	Vivian Ivy Ekstrom	Hood River	Damage to State Property	150.80	Claim paid in full.
L-4062 Roy W. Simmons	Wilson, et al.	Douglas	Damage to truck. Plaintiff sought damages to logging truck as result of collapse of Kellogg Br. Plaintiff alleged State employees were negligent in maintenance of the bridge. State in separate action sought to recover damages from the owner of the logging truck for causing the span to collapse by negligent operation of the truck in knocking out a bridge member.	54,100.00	Dismissed for lack of prosecution.

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Report of Trial of Other Cases - Continued

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5043 Loyd Lowe	Morse Bros., Inc., John Gunter, Asst. Division Engineer, K. D. Limbocker, Resident Engineer	Douglas	Personal injury arising out of an auto accident. The other defendants were contractors on Contract #6275, and the driver of another vehicle. Plaintiff alleged that the contractor and highway employees were negligent in setting out warning signs causing a head-on collision.	\$215,979.00	Non-suit was taken in order to file in Federal District Court.
L-4836 Berry Transport, Brown Inc.	Robert David	Marion	Damage to truck.	1,835.56	Against Defendant on counter-claim, against Plaintiff on amount sued on.
L-5147 Alfred M. Ambrose	Fred R. Sellers, Jr. and Department employees	Marion	Damage to Plaintiff's car caused by defendant backing into Plaintiff's parked car.	119.50	Dismissed
Remarks: Insurance company settled case.					
L-4972 Johnnie Washington	Southern Pacific Co.	Multnomah	Personal injury suffered by Plaintiff while working for Southern Pacific Co. The Southern Pacific Co. tendered defense of case to State on basis that the injury resulted from accident on a hwy. project over the Southern Pacific Railroad. State further tendered defense to insurer.	356,800.00	Stipulated Judgment of Non-suit filed.

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Report of Trial of Other Cases - Continued

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5052 D. L. Tice	The Borden Co. City of Portland; State Highway Commission	Multnomah	(See Remarks)	\$10,000.00	Demurrer as to State sustained
Remarks: Demurrer as to State Highway Commission sustained and State taken out of case. Plaintiff alleged he was injured when he stumbled and fell due to the disrepair of a sidewalk. The accident took place on May 5, 1964 on N. W. Xavier Street near 15th Avenue. The Highway Commission became owner of the property on date subsequent to the accident. The Borden Co. was a tenant of the property, prior to its purchase by the State, and remained thereafter as a tenant of the State. City of Portland was named a defendant on the allegation that it failed to maintain the sidewalk in good repair.					

(For additional details, see the Chief Counsel's letter dated March 9, 1967, in the Salem Office, General Files.)

The Chief Counsel also presented a report concerning cases which have been settled out of court. He mentioned that the total of the settlements is approximately 5% greater than the original offers and will qualify for federal participation where such is involved. The Commission approved the settlements, which have been 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-39497 Frances D. Cook, et al.	Coos	Seven Devils Wayside	State	\$27,500.00	\$27,500.00
L-5109 James B. Lowe, et al.	Columbia	Columbia River	Delena- Rainier	2,625.00	3,000.00
Remarks: High appraisal \$3,030.					
L-5126 John Carls, et al.	Douglas	Drain- Yoncalla	Elk Creek Bridge	50.00	250.00
Remarks: (\$150.00 Review Appraisal)					

March 14, 1967

Report of Condemnation Cases Settled - Continued

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5095 Carl E. Sagle, et al.	Lane	McKenzie	19th St.- City Limits	\$ 75.00	\$ 200.00
L-5047 Jessie M. Fraser, et al.	Malheur	Central Oregon	Cairo Junction	250.00	700.00
Remarks: \$500.00 - High appraisal.					
L-5082 Lovie Huffman, et al.	Multnomah	Pacific	North Portland Harbor-North Russell St.	6,220.00	6,600.00
L-5129 James H. Raley, et ux.	Umatilla	Old Oregon Trail	Pendleton	350.00	500.00
L-4999 Walter F. Stucki, et al.	Washington	Sunset	Cornelius Pass Rd.-Multnomah Co. Line	8,250.00	13,500.00
L-4996 James H. Imbrie, et al.	Washington	Sunset	Cornelius Pass Rd.-Multnomah Co. Line	11,750.00	15,000.00
Remarks: The total settlement of \$28,500 is compared with high appraisals totaling \$31,000 and Review Appraisals of \$24,035.					
L-5081 Alvin Van Dyke, et ux.	Washington	Tualatin Valley	Forest Grove-Yamhill Co. Line	1,950.00	2,300.00
L-5145 H. W. Sundemeier, et al.	Washington	Tualatin Valley	Forest Grove-Yamhill Co. Line	2,575.00	3,200.00
Remarks: Severance damages to 132-acre farm.					

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Report of Condemnation Cases Settled - Continued

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5307 Chas. A. Bonnett, et ux.	Lane	Eugene-Springfield	7th Ave.-Willamette River	\$20,700.00	\$22,200.00
R-39936 Chas. A. Bonnett	Lane	Pacific	Belt Line Road Interchange	86,000.00	108,000.00
Remarks: State's original appraisal for taking was \$86,000. Subsequently an additional appraisal was obtained at \$150,000. The owner's appraisal by a well known and reputable fee appraiser was \$113,000. The option at \$108,000 is considered to be reflective of market value. The two files are conditioned one with the other and both must be accepted, or none.					
L-5291 Anna Caughell, et al.	Coos	Powers	White Br.	175.00	1,500.00
L-5086 Anna Caughell, et al.	Coos	Powers	White Br.	635.00	
Remarks: Includes area covered by slide after offer was made.					
L-5144 George H. Capps, et al.	Washington	Beaverton-Tigard	Sunset Hwy.-Denny Road	4,050.00	4,900.00
Remarks: High appraisal was \$4,500.00.					

REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Settlement
L-5319 State of Oregon	JoAnn Edstrom	Deschutes	Damage to State Vehicle	\$405.10	\$303.82

March 14, 1967

(For additional details, see the Chief Counsel's letters dated March 9 and March 13, 1967, in the Salem Office, General Files.)

The Commission confirmed telephonic approval previously given on offers made to the owners of real property prior to the start of condemnation proceedings as follows:

BELT LINE ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-39936 - Charles A. Bonnett, Jr. Parcel No. 1: 11.3 acres for right of way purposes; Parcel No. 2: 13.4 acres for right of way purposes; Parcel No. 3: 0.17 acre for right of way purposes; Parcel No. 4: 0.10 acre for right of way purposes; Parcel No. 5: 0.01 acre for permanent easement; also other interests. Offer of \$84,100.00 approved by Mr. Jackson January 26, 1967.

BEND-LAPINE SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-39300 - Norbert N. Schaedler, et ux. 1.15 acres for right of way purposes. Offer of \$3,175.00 approved by Mr. Jackson February 16, 1967.

BURLINGTON-SAUVIE ISLAND BRIDGE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38139 - Gerald E. Wicks, et ux. 0.01 acre for right of way purposes. Offer of \$1,825.00 approved by Mr. Fridley January 25, 1967.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-39920 - Ray C. Fry, et ux. 0.23 acre for right of way purposes. Offer of \$13,850.00 approved by Mr. Jackson February 20, 1967.

DELENA-RAINIER SECTION OF THE COLUMBIA RIVER HIGHWAY

R-39737 - Martha Grady, et al. Parcel No. 1: 4,350 square feet for right of way purposes; Parcel No. 2: 10,650 square feet for right of way purposes. Offer of \$600.00 approved by Mr. Jackson February 1, 1967.

R-39738 - Gertrude Byars. 1,320 square feet for right of way purposes. Offer of \$250.00 approved by Mr. Jackson January 26, 1967.

GALES CREEK SCENIC AREA

R-39174 - Gary L. McCutchen, et ux. 9.6 acres for scenic area purposes. Offer of \$8,200.00 approved by Mr. Jackson March 3, 1967.

LAPINE STATE RECREATION AREA

R-38214 - Esther Anderson. 58 acres for park purposes. Offer of \$43,500.00 approved by Mr. Jackson February 1, 1967.

March 14, 1967

LITTLE BEECH CREEK-MT. VERNON SECTION OF THE PENDLETON-JOHN DAY HIGHWAY

R-39848 - Herman Virgil Stall, et ux. Parcel No. 1: 10.6 acres for right of way purposes; Parcel No. 2: 1.75 acres for permanent easement; Parcel No. 3: 0.54 acre for permanent easement. Parcel No. 4: 1.56 acres for permanent easement; Parcel No. 5: 0.17 acre for temporary easement; Parcel No. 6: 0.3 acre for temporary easement. Offer of \$4,400.00 approved by Mr. Fridley February 23, 1967.

ORLEANS-LAKE CREEK SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-40461 - Emma Ehrlich. 1.7 acres for right of way purposes. Offer of \$1,100.00 approved by Mr. Jackson February 2, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38388 - Irvin G. Reinke, et ux. 0.5 acre for right of way purposes. Offer of \$5,000.00 approved by Mr. Jackson February 1, 1967.

R-38468 - Rose G. Shea. 0.19 acre for right of way purposes. Offer of \$1,300.00 approved by Mr. Jackson February 1, 1967.

R-38744 - George J. Combs, et ux. 0.17 acre for right of way purposes. Offer of \$2,750.00 approved by Mr. Jackson February 1, 1967.

R-38748 - Platt Building, Inc. 0.84 acre for right of way purposes. Offer of \$6,000.00 approved by Mr. Jackson February 17, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-39126 - H. A. Rose. 400 square feet for right of way purposes. Offer of \$325.00 approved by Mr. Fridley January 25, 1967.

R-39242 - Homer W. Peterson, et al. 34.7 acres for right of way purposes. Offer of \$10,450.00 approved by Mr. Fridley February 21, 1967.

RHODA CREEK-WHITE BRIDGE SECTION OF THE POWERS HIGHWAY

R-39370 - Anna Caughell, et al. 1.1 acres for right of way purposes. Offer of \$175.00 approved by Mr. Jackson January 17, 1967.

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

R-39824 - Verna C. DeHay. Parcel No. 1: 4.55 acres for right of way purposes; Parcel No. 2: 0.28 acre for right of way purposes; Parcel No. 3: 9.15 acres for stockpile site. Offer of \$10,400.00 approved by Mr. Jackson January 31, 1967.

SEVEN DEVILS STATE WAYSIDE

R-39497 - Frances D. Cook. 8.0 acres for park purposes. Offer of \$27,500.00 approved by Mr. Jackson January 31, 1967.

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SEVENTH AVENUE-WILLAMETTE RIVER SECTION OF THE EUGENE-SPRINGFIELD HIGHWAY

R-38787 - Charles A. Bonnett. 10,688 square feet for right of way purposes. Offer of \$20,700.00 approved by Mr. Jackson February 1, 1967.

R-38802 - Paul R. Lafferty, et al. 54,559 square feet for right of way purposes. Offer of \$310,600.00 approved by Mr. Jackson January 31, 1967.

R-38820 - Francis E. Gallagher, et ux. 9,600 square feet for right of way purposes. Offer of \$14,400.00 approved by Mr. Jackson February 16, 1967.

SMITH POINT-CAMP RILEA SECTION OF THE OREGON COAST HIGHWAY

R-35422 - Hollum L. Hunley. 3,900 square feet for right of way purposes. Offer of \$175.00 approved by Mr. Jackson February 1, 1967.

SOUTH PENDLETON INTERCHANGE-COURT PLACE SECTION OF THE OREGON-WASHINGTON HIGHWAY

R-39562 - Richard A. Cook, et ux. 658 square feet for right of way purposes. Offer of \$1,600.00 approved by Mr. Fridley February 3, 1967.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39441 - Lee V. Ohmart, et al. Parcel No. 1: 2.16 acres for right of way purposes; Parcel No. 2: 0.02 acre for permanent easement; Parcel No. 3: 0.54 acre for permanent easement. Offer of \$16,350.00 approved by Mr. Jackson February 21, 1967.

R-39452 - Loyd W. Saul, et ux. 1,125 square feet for right of way purposes. Offer of \$1,250.00 approved by Mr. Jackson February 21, 1967.

WAUNA-WESTPORT SECTION OF THE COLUMBIA RIVER HIGHWAY

R-39782 - Ray Stupek, et al. 0.32 acre for right of way purposes. Offer of \$20,000.00 approved by Mr. Jackson February 15, 1967.

WEST NEWBERG-CHEHALEM CREEK SECTION OF THE PACIFIC HIGHWAY WEST

R-40229 - C. H. Phillips, et ux. 0.1 acre for right of way purposes. Offer of \$11,575.00 approved by Mr. Jackson March 3, 1967.

WOODBURN INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-39954 - Oregon Pacific District, Church of the Nazarene. 0.1 acre for right of way purposes. Offer of \$75.00 approved by Mr. Jackson February 17, 1967.

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Orders received from the Public Utility Commissioner regarding highway crossing matters were presented by the Chief Counsel, summarized as follows:

PUX 567: Application of the State Highway Commission to construct the Eagle Creek Overcrossing over the tracks of Oregon-Washington Railroad and Navigation Company near Mile Point 40 on the Columbia River Highway in Multnomah County. Supplemental Order No. 43397 was issued February 16, 1967, to take care of changes in design.

PUX 607: Application of Crown Zellerbach Corporation to construct an overpass on a private forest road which will cross over the Nehalem Highway approximately 20.34 miles east of Astoria in Clatsop County. Amended Order No. 43429 was issued February 4, 1967.

PUX 616: Application of Gilchrist Timber Company to use and construct a crossing of United States Forest Service Road No. 244 across the Willamette Highway near Crescent Lake Junction, Klamath County. Order No. 43432 was issued February 15, 1967.

PUX 623: Application by the State Highway Commission to construct a highway grade crossing over the tracks and right of way of Southern Pacific Company on the Pacific Highway West, approximately 5 miles north of Rickreall in Polk County. Order No. 43385 was issued January 26, 1967, and a motion to amend the order has been filed.

A brief report on the institution of legal proceedings which have developed since the last Commission meeting was made by the Chief Counsel. He stated that appropriate action is being taken in each of the following cases:

- (1) Klamath Falls Assembly of God vs. State Highway Commission, L-5269. Plaintiff seeks compensation for loss of access to Alameda Street in Klamath Falls on the Klamath Falls-Malin Highway in Klamath County.
- (2) Mike Kokich vs. State Highway Commission, L-4079 and L-5328. The plaintiff seeks to require construction of a frontage road to service a portion of his property on the Pendleton-John Day Highway in Grant County.

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- (3) Roy Kilpatrick vs. State Highway Commission, L-5309. Plaintiff seeks to enjoin the Commission and its contractors from destroying the fences within the widened right of way of the Beaverton-Tigard Highway in Washington County.
- (4) Louis Adler, et al. vs. C. H. Savage Co., Peter Kiewit Sons' Company and John Howard, Resident Engineer, L-5340. Plaintiff alleges that fine sand and grit from sand blasting operations on the Marquam Bridge in Portland were negligently deposited upon his property causing damages in the amount of \$87,000.

Consideration was given to an agreement with Brookings Water Company pertaining to construction of a six-inch water line to serve Harris Beach State Park in Curry County. The Engineer explained that the present water supply is obtained from the same company through State-owned pipelines which are barely adequate for the existing park facilities. Expansion of the park to approximately twice its present capacity is planned within the next four years. The Water Company has offered to install a six-inch water line, about 1,400 feet in length, to serve the park and has requested that the State pay approximately 80% of the estimated cost of the project. The Water Company guarantees at least 800,000 gallons per day, if that much is required. Water is to be supplied at approved P.U.C. rates. The State is to pay the Water Company an amount equal to \$2.50 per lineal foot for the six-inch line but not to exceed \$3,625. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A resolution was presented by the Engineer concerning charges for the use of State park facilities. These proposed rates, he said, constitute a change in policy in that the proposed rates are based on the type of facility provided rather than on the type of vehicle entering the park. The new rates will apply at the beginning of the 1967 season. The Commission approved the schedule of rates as follows and thereupon adopted "State Parks Resolution No. 28," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

1. TRAILER CAMPSITE - provides individual campsite with individual water supply, electrical and sewerage hookups, stove, and access to modern utility building with free hot water showers and laundry room facilities. \$2.00 per night.

2. IMPROVED CAMPSITE - provides individual campsite with water supply nearby but does not have electricity or sewerage hookup. Provides table, stove, and access to either modern utility building with free showers and laundry facilities or a modern rest room. \$1.50 per night.
3. UNIMPROVED CAMPSITE - provides campsite with table and stove; water and sanitary facilities may be some distance away. \$1.00 per night.
4. Each camping unit occupying a campsite will be charged at the above rates.
5. No person shall camp in any one park area during more than 7 days in any 10-day period of time.
6. User fees in camping areas are due and payable each day. The fee covers use of facilities and services until the vacating time of 3:30 p.m. of the following day.

In discussing this matter, Mr. Shaw, Assistant Highway Engineer, commented that there had been objections under the old policy from people with campers and trailers who had been required to pay the camper and trailer rates when facilities for that purpose were not available. Under the new plan, the visitor will pay for the type of facility used.

The Chairman inquired if the campsites are used mostly by Oregonians. Mr. Shaw replied affirmatively except on the Oregon Coast where California residents are in the majority. The Chairman also commented that rates as approved are not competing with private campgrounds and that the Parks Advisory Committee on two occasions recommended the rates just approved.

The Engineer recalled that on February 17 bids had been received for operating a marine concession at Cove Palisades State Park in Jefferson County. Five bids were received, one of which was rejected as irregular. The remaining four bidders were interviewed by the Parks Division, and he recommended that the concession privilege be awarded to Mr. Thomas E. Blair, of Salem, who bid seven percent of the first \$20,000 gross income. The Commission approved the award and authorized the Secretary to sign the contract.

Consideration was given to an exchange of timber with C. R. Yunkers and an exchange of land with Harold Scritsmier adjacent to Oswald West State Park on the Oregon Coast Highway in Clatsop and Tillamook

Counties. The Engineer mentioned that for several years efforts have been made to obtain the timber and the land to forestall logging which would destroy the scenic value. He exhibited a map showing parcels numbered 4, 5, and 6 which would be traded to Mr. Yunkers for timber of equal value. These parcels, he added, are not visible from the highway. Parcel No. 3 would be traded to Mr. Scritsmier for Parcels No. 1 and 2. Timber values are approximately equal and the land values favor the State. He recommended that the exchange be approved as outlined and the Secretary be authorized to sign such documents as may be needed for the exchange of timber. The Commission accepted his recommendation.

The Commission considered and accepted a "Progress Report" covering activities of the State Parks and Recreation Division from July 1, 1964, to June 30, 1966.

The Chairman commented that the State Parks and Recreation Division has been doing an outstanding job in the development and operation of State Parks.

Survey resolutions for the improvement or reconstruction of several sections of State highways were presented by the Engineer. Based on his favorable recommendation, the Commission approved the following surveys and thereupon adopted "Survey Resolution Nos. 332 through 335," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Alkali Canyon-Eight Mile Road Section of the John Day Highway in Gilliam County. (See "Survey Resolution No. 332").
- (2) Drain-Anlauf Section of the Umpqua Highway in Douglas County. (See "Survey Resolution No. 333").
- (3) Blodgett-Wren Section of the Corvallis-Newport Highway in Benton County. (See "Survey Resolution No. 332").
- (4) Olds Ferry-Ontario Interchange Section of the Old Oregon Trail in Malheur County. (See "Survey Resolution No. 334").
- (5) North Tigard Interchange-Hubbard Interchange Section of the Pacific Highway in Multnomah, Washington, and Clackamas Counties. (See "Survey Resolution No. 334").
- (6) Otis Interchange-Lincoln City Section of the Oregon Coast Highway in Lincoln County. (See "Survey Resolution No. 335").

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Increases in project authorizations on three contracts were recommended by the Engineer and approved by the Commission as follows:

- (1) Contract No. 6760 on the Cow Creek Safety Rest Area on the Pacific Highway in Douglas County, for an increase of \$10,830.65 (8.6 percent). Principal reasons for the overrun were additional topsoil to cover tree roots and additional engineering for revisions of the water system.
- (2) Contract No. 6519 on the Glendale Junction-Coyote Creek Section of the Pacific Highway in Josephine County, for an increase of \$329,624.09 (6.27 percent). The overrun was caused by slides and unanticipated increases in embankment excavation, asphaltic concrete, topsoil and watering.
- (3) Contract No. 6836 on the Goshen-Cottage Grove Section of the Pacific Highway in Lane County, for an increase of \$116,927 (7.12 percent). A change in roadbed slopes to conform to the latest design standards caused an overrun in equipment rental. Additional guardrail also contributed to the overrun.

The Commission gave attention to a letter from the Crook County Court requesting that all of its unprogrammed Federal-aid Secondary funds be transferred to the State for reconstruction of the Crooked River Highway. The Engineer recalled that the State had performed some reconstruction work on the Crooked River Highway between Prineville and the Crooked River Reservoir and that Crook County had several times requested further improvements. He recommended that the procedure be approved and the work done as soon as funds are available. The Commission accepted the recommendation.

Consideration was given to a claim submitted by a David L. Eppelsheimer for the cost of topping trees near his home at 2815 Mark Lane, West Linn, near the Oswego Highway in Clackamas County. The Engineer stated that some of these trees are located on land donated to the State by Mary S. Young as park property and had been dropping limbs on Mr. Eppelsheimer's property. Permission was granted to him to top several of the trees which work was done by Pruett Tree Service at a cost of \$200. Mr. Eppelsheimer has requested that he be reimbursed in the amount of \$90.91. The Commission accepted the Engineer's recommendation for payment of that amount.

Cooperation in the National Cooperative Highway Research Program was brought up by the Engineer. The work is carried on by the Highway Research Board and financed by using a portion of the State's $1\frac{1}{2}$ percent of

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federal-aid apportionment allocated to highway planning and research. No State match money is required and Oregon's share has been set at \$49,346 for the 1968 fiscal year. The Engineer recalled that the Chairman had approved this procedure on February 23, and he requested confirmation. The Commission confirmed the action.

A partial program for junkyard control projects in areas adjoining the Interstate System and other Federal-aid primary highways was presented by the Engineer. Under the Highway Beautification Act of 1965, he said that the anticipated Federal allocation would be \$105,912. The State's share, on a basis of contributing 25 percent would be \$35,304. All of the proposed projects can be satisfactorily completed within existing rights of way. The Commission approved the following 1967 Junkyard Screening Program:

M.P. 242.4, Wolf Creek Section
I-5, Josephine County

Estimated Cost \$ 5,500

M.P. 259.4, Louse Creek-Grants Pass Section
Pacific Highway (I-5) Josephine County

Estimated Cost 7,000

M.P. 259.8, Louse Creek-Grants Pass Section
Pacific Highway (I-5) Josephine County

Estimated Cost 7,500

M.P. 266.6, Jackson Co. Line-Evans Cr. Section
I-5, Jackson County

Estimated Cost 1,700

M.P. 279.6, Blackwell Hill Section
I-5, Jackson County

Estimated Cost 6,800

M.P. 291.5, Bear Creek-Barnett Rd. Section
I-5, Jackson County

Estimated Cost 30,500

M.P. 19.1, Powell Valley-Duncan Rd. Section
Mt. Hood Highway

Estimated Cost 14,700

M.P. 27.7, Halsey-Harrisburg Section
Albany-Junction City Highway

Estimated Cost 10,500

M.P. 110.2, Junction City-Eugene Section
Pacific Highway West, Lane County

Estimated Cost 13,125

M.P. 118.2, Junction City-Eugene Section
Pacific Highway West, Lane County

Estimated Cost 14,700
TOTAL \$112,025

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The Commission considered requests for extensions of time as requested by contractors to complete highway contracts. The Engineer stated that each request has been carefully investigated and the Commission has been informed of the investigation by letter. The Commission took action as follows:

- (1) Rogers Construction Inc., Contract No. 6743, on the Old Oregon Trail in Morrow County, requested an extension of the specified completion date to November 9, 1966. The Commission approved an extension to November 7, 1966, the date of completion, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of January 27, 1967.
- (2) Warren Northwest, a Division of Warren Brothers Company, Contract No. 6670, on the Crater Lake Highway in Jackson County, requested an extension of the contract completion date to November 23, 1966. The Commission approved an extension of time to September 8, 1966, without assessment of liquidated damages.
- (3) Mann Construction Company, Contract No. 6876, on the Cove Palisades State Park in Jefferson County, requested an extension of the completion date to November 12, 1966. The Commission approved an extension to November 12, 1966, without assessment of liquidated damages.
- (4) Morse Bros., Inc., Contract No. 6652, on the Alsea Highway in Benton County, requested an extension of the completion date to October 25, 1966. The Commission granted an extension to October 25, 1966, without assessment of liquidated damages.
- (5) Peter Kiewit Sons' Company, Contract No. 6829, on the Columbia River Highway in Wasco County, requested an increase of 18 calendar days. The Commission approved an increase of 16 calendar days, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of February 3, 1967.

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- (6) Groesbeck-Durbin, Inc., Contract No. 6490, on the Pacific Highway in Josephine County, requested an extension of time to December 15, 1965. The Commission approved an extension to November 8, 1965, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of February 7, 1967.
- (7) E. W. Eldridge, Inc., Contract No. 6803, on the John Day Highway in Grant County, requested an additional 25 calendar days. The Commission granted 17 additional calendar days, without assessment of liquidated damages.
- (8) Coos Bay Dredging Company, Contract No. 6941, on the Oregon Coast Highway in Coos County, requested a 10-calendar day extension of time. The Commission granted a five-calendar day extension, without assessment of liquidated damages.
- (9) Steeck Electric Company, Contract No. 6893, on the Medford-Provolt Highway in Jackson County, requested 15 additional calendar days. The Commission granted three additional calendar days, without assessment of liquidated damages.
- (10) Teeples and Thatcher Contractors, Inc., Contract No. 6878, in Wallowa Lake State Park in Wallowa County, requested an extension of the specified completion date for the first-phase work from October 1, 1966, to October 15, 1966. The Commission approved an extension on the first phase work to October 10, 1966, without assessment of liquidated damages.

The Engineer reported that Contract Nos. 6501, 6518, 6541, 6577, 6630, 6652, 6691, 6730, 6774, 6799, 6808, 6824, 6843, 6846, 6860, 6876, 6882, 6892, 6893, 6896, 6898, 6899, 6904, 6909, and 6931 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance, 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. 157," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the next Highway Commission meeting date for Tuesday, April 25, 1967, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for June 6, 1967.

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The Commission confirmed telephonic approval given February 8, 1967, approving award of contracts for bids received February 2, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM FEBRUARY 2, 1967

Widening the existing Wren (S.P.R.R.) Overcrossing on the Corvallis-Newport Highway in Benton County. State Project. Nine bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, at \$106,650.00.

Grading and paving on the Glen Aiken Creek-Gray Creek Section of the Coos Bay-Roseburg Highway in Coos County. FAP No. F-111(9). Twelve bids were received. The Commission elected to accept the low bid of Groesbeck-Durbin, Inc., Eugene, in the sum of \$1,352,683.20 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Traffic signals on South 6th Street and South 5th Street at West Evergreen Avenue in Redmond on The Dalles-California Highway in Deschutes County. State Project. Five bids were received. The Commission elected to accept the low bid of Electric Corp., Salem, in the sum of \$11,800.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Redmond is received and the sum of \$6,700.00 is deposited by the City.

Well construction in the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(54)112. One bid was received. The Commission elected to accept the lone bid of Casey Jones Well Drilling Co., Creswell, in the sum of \$3,481.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Rock Creek (Wolf Hollow) Bridge on FAS No. 921 in Gilliam County. FAP No. S-557(1). Nine bids were received. The Commission elected to accept the low bid of Merlin R. Stam, Eugene, in the sum of \$32,875.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Gilliam County is received and the sum of \$7,400.00 is deposited by the County.

Paasch Road Railroad Overcrossing on FAS 873 in Hood River County. FAP No. S-389(2). Nine bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$78,686.00 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 \$18,000.00 is deposited by the County.

Roadside improvement on the Neil Creek-California Line Section of the Pacific Highway in Jackson County. Federal-aid Interstate Highway Project No. I-5-1(66)00. Five bids were received. The Commission awarded the contract to the low bidder, Jim Foster, Ashland, at \$49,149.85.

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Traffic signals on Maxwell Road and Park Avenue at River Road on the Junction City-Eugene Highway in Lane County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Ace Electric Company, Portland, at \$8,279.00.

Structure and channel change on the Coast Fork Willamette River Overflow Bridge Section of the Willamette Highway in Lane County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Hamilton Construction Company, Eugene, at \$34,417.75.

Grading and paving on the Elm Street-17th Street (McMinnville) Section of FAS 112 in Yamhill County. FAP No. SU-288(3). Seven bids were received. The Commission elected to accept the low bid of C. C. Meisel Company, McMinnville, in the sum of \$124,717.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Yamhill County is received and the sum of \$28,600.00 is deposited by the County.

The Commission also confirmed telephonic approval given February 24, 1967, approving the award of contracts for bids received February 17, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM FEBRUARY 17, 1967

Grading, paving, structures and signing on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah County. Federal-aid Interstate Highway Project No. I-80N-2(34)38. Eight bids were received. The Commission elected to accept the low bid of Rogers Construction Company, Portland, in the sum of \$4,970,138.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Driving test piling on Willamette River (West Linn) Bridge on the East Portland Freeway in Clackamas County. Federal-aid Interstate Project No. I-205-7(1)290. Three bids were received. The Commission elected to accept the low bid of General Construction Company, Seattle, Washington, in the sum of \$49,945.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

The Commission confirmed the Engineer's award of contracts which had been referred to him to award when certain conditions had been met as follows:

- (1) Grading and paving on Glen Aiken Creek-Gray Creek Section of the Coos Bay-Roseburg Highway in Coos County. Bids received February 2, 1967. Contract No. 6967 awarded February 27, 1967, to Groesbeck-Durbin, Inc., Eugene, low bidder.

- (2) Traffic signal installation on South 6th Street and South 5th Street at West Evergreen Avenue in Redmond on The Dalles-California Highway in Deschutes County. Bids received February 2, 1967. Contract No. 6968 awarded February 21, 1967, to Electric Corporation, Salem, low bidder.
- (3) Well construction in the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County. Bids received February 2, 1967. Contract No. 6969 awarded February 14, 1967, to Casey Jones Well Drilling Company, Creswell, low bidder.
- (4) Construction of the Rock Creek (Wolf Hollow) Bridge on FAS 921 in Gilliam County. Bids received February 2, 1967. Contract No. 6970 awarded February 20, 1967, to Merlin R. Stam, Eugene, low bidder.
- (5) Construction of the Paasch Road Railroad Overcrossing on FAS 373 in Hood River County. Bids received February 2, 1967. Contract No. 6971 awarded February 9, 1967, to Ross Bros. Constr., Inc., Salem, low bidder.
- (6) Test pile driving on the Willamette River (West Linn) Bridge on the East Portland Freeway in Clackamas County. Bids received February 17, 1967. Contract No. 6977 awarded February 24, 1967, to General Construction Company, Portland, low bidder.

The Engineer stated that the Chairman of the Blue Star Memorial Committee, Oregon State Federation of Garden Clubs, Inc., has been authorized to purchase three additional Blue Star Markers for safety rest areas on the Blue Star Drive, (I-5, Pacific Highway). He explained that erection of these markers in safety rest areas on Interstate Highways is not in violation of Federal restrictions and he recommended that the installation be approved. The Commission accepted his recommendation and thereupon adopted "Commemorative Resolution No. 4b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to requests from Benton, Clackamas, Columbia, Lane, and Wallowa Counties for 1967 and 1968 County FAS Projects. The Engineer reported that the projects have been investigated and are eligible for construction with FAS funds. He also mentioned Crook County's request to transfer FAS funds to the Highway Department to be used on the Crooked

River Highway and a request for a transfer of FAS funds from Curry County to Tillamook County. The Commission approved the projects and authorized the Secretary to sign routine construction agreements when prepared as follows:

County	FAS	Section and Description	Programmed Amount	FAS Funds
Benton	209	Maxfield Corner-Polk County Line Sec. Grade, base, oil and structures, 3.14 miles.	\$ 180,000	1967
Clackamas	681	Davis Lane-Pilkington Road Section, Boones Ferry Road, grade, pave, curbs, 1.3 miles.	450,000	1967
Columbia	567	Apiary--Nehalem Highway Section. Replace three drainage structures, 2.8 miles.	20,000	1967
Columbia	609	Chapman-Pittsburg Section. Replace 13 drainage structures. 5.15 miles.	31,000	1967
Crook	321	Crook County's FAS funds to be transferred to Highway Department funds to be spent on Crooked River Highway.	396,000	1967
Lane	860	Belt Line Road (Willamette River) Bridge. Add approaches to structures (originally approved July 66-\$480,000) 0.117 mile.	122,000	1967
Wallowa	487	Wallowa Creamery Bridge, over Wallowa River, Whiskey Creek Rd. 0.019 mile.	75,000	1967
TOTAL.....			\$1,274,000	

TRANSFER OF FAS FUNDS*

Curry County to Tillamook County..... \$ 95,000

SUMMARY BY FISCAL YEARS	1967	1968	Total
Allocated Funds	\$3,952,000	\$3,980,000	\$7,932,000
Approved Projects (Corrected to date)	2,481,000		2,481,000
Unprogrammed Balance	\$1,471,000	\$3,980,000	\$5,451,000
Projects proposed 3/14/67	1,274,000		1,274,000
	\$ 197,000	\$3,980,000	\$4,177,000

*These funds to be used on previously approved projects

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Correction of a slide on the Willamina-Salem Highway near Holman State Park in Polk County was brought up by the Engineer. Corrective action should be taken during the 1967 construction season and he recommended that authority be granted to spend \$100,000 as an item on the current State Construction Program. The Commission approved the project.

Based on the Engineer's favorable recommendation, the Commission also authorized expenditure of \$110,000 in the current State Construction Program for correction of a slide condition on the Alsea Mountain Section of the Alsea Highway in Benton County.

The Engineer stated that the Thomas Creek Bridge on the Oregon Coast Highway in Curry County, constructed in 1963, should be painted during the summer of 1967. He estimated cost of the project at \$112,000 to be financed with 1965-67 Contract Maintenance Funds. The Commission approved the project.

A request from the South Sixth Street Branch of the First National Bank in Klamath Falls to prohibit parking of vehicles in front of the bank was discussed. The Engineer stated that an investigation had been made. The elimination of parking on the northerly side of the Klamath Falls-Lakeview Highway near the bank would increase safety for drivers entering and leaving the bank parking lot. He recommended that parking be prohibited on the northerly side of the Klamath Falls-Lakeview Highway between the easterly property line of Avalon Street and a point 215 feet easterly thereof. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 264," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to the revision of parking restriction on the frontage road to the Mt. Hood Highway in the Government Camp area in Clackamas County. The Engineer recalled that parking restrictions had been established December 15, 1964, and experience since then has shown that changes should be made for greater convenience to the public. He recommended that "No Parking Resolution No. 249" be rescinded and that parking on the frontage road be prohibited as follows:

North Side of Frontage Road:

Tuesday - 6:00 P.M. to Midnight
 Wednesday - Midnight to 7:00 A.M.
 Thursday - 6:00 P.M. to Midnight
 Friday - Midnight to 7:00 A.M.
 1:00 P.M. to 5:00 P.M.

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South Side of Frontage Road:

Monday - 6:00 P.M. to Midnight
 Tuesday - Midnight to 7:00 A.M.
 Wednesday - 6:00 P.M. to Midnight
 Thursday - Midnight to 7:00 A.M.
 Friday - 10:00 P.M. to Midnight
 Saturday - Midnight to 5:00 A.M.

The Commission accepted the recommendation and thereupon adopted "No Parking Resolution No. 249a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Establishment of a one-way couplet section in the City of Bend was brought up by the Engineer. He explained that there is a high accident record on the Central Oregon Highway between Franklin and Greenwood Avenues. He recommended establishment of a one-way couplet with Wall Street carrying southbound and Bond Street carrying northbound traffic. To accomplish this plan, it is necessary that the section of Bond Street between Franklin Avenue and Greenwood Avenue be added to the Central Oregon Highway, and he so recommended. The Commission accepted his recommendation and thereupon adopted "Primary Highway Designation Resolution No. 42," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered a resolution designating an extension of the Salmon River Highway in the McMinnville area in Yamhill County. The Engineer explained that in October, 1964, a new section of highway between the Salmon River and Three Mile Lane Highway was opened to travel as a part of the Three Mile Lane Secondary Highway. Because it is a heavily traveled highway bearing much traffic between Portland and the coast, he recommended that the Salmon River Highway be extended from its junction with the Pacific Highway West, southwest of McMinnville, over the existing route of the Three Mile Lane Highway to a connection with the Pacific Highway West northwesterly of the City of Dayton. Also to be designated is a spur extending from an easterly junction with the new section to the Pacific Highway West in McMinnville. In addition, the portion of the existing Salmon River Highway from the west end of the new section to a junction with the Pacific Highway West south of McMinnville would be designated as a connection. This action, he said, will eliminate the Three Mile Lane Secondary Highway from the system and add 10.46 miles to the primary system, including the spur and connection. The Commission approved the designations as presented and thereupon adopted "Primary Highway Designation Resolution No. 41," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An abandonment resolution pertaining to a former connection between the Pacific Highway and Azalea on the Canyonville-Glendale Section of the Pacific Highway in Douglas County was discussed. Access to this connection has been severed from the freeway, and the Engineer stated that Douglas County has signed an agreement by which the County will accept the

connection as a county road. The resolution completes the transaction. The Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 452," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A throughway abandonment agreement with Curry County covering the Sixes River-Elk River Section of the Oregon Coast Highway was brought up by the Engineer. He explained that the agreement provides for construction of the highway, reconstruction of county roads, road closures, utility relocation, and other matters. The agreement also provides that upon completion of the new section the County is to take over and maintain certain portions of the old highway and certain connections. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Snow removal agreements for removal of snow from two privately operated parking areas were presented by the Engineer. He explained that these agreements cover the period between November 1, 1966, and July 1, 1967, in areas being used by the traveling public for winter recreation. In both agreements, the grantor has assured free and unrestricted access to the parking areas by the general public. The Commission approved the following agreements and authorized the Secretary to sign them:

- (1) Willamette Ski Area, Inc., adjacent to Willamette Highway in Klamath and Lane Counties at an estimated cost of \$4,000.
- (2) Tomahawk Ski Bowl, Inc., near the Lake of the Woods Highway in Klamath County at an estimated cost of \$3,000.

A cooperative construction finance agreement with the City of North Bend pertaining to the Lewis Street-West City Limits Section of the Cape Arago Highway in Coos County was considered. The Engineer commented that the agreement contains the usual provisions for construction, relocation of utilities, parking restrictions, grade revisions, and other matters. The project is estimated to cost a total of \$300,000 and the City has agreed to pay 25 percent of the total cost. Based on the Engineer's favorable recommendation, the Commission approved the project, with the understanding that construction will be delayed until funds are available, and authorized the Secretary to sign the agreement for them.

Attention was given to an agreement with Bonneville Power Administration covering the relocation of its facilities in conflict with highway construction on the Forest Grove Section of the Tualatin Valley Highway in Washington County. The agreement provides for relocation of BPA structures at an estimated cost of \$3,000. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with the City of Eugene concerning a channelization improvement on Franklin Boulevard at Moss Street near the University of Oregon on the route of Highway 99 through Eugene. Traffic at this location has been experiencing difficulty in executing a left turn from Franklin Boulevard onto Moss Street and the City has requested that the Highway Department share the cost of correction. The Engineer stated that the request is valid, and he recommended cooperation on a fifty-fifty basis with the City at an estimated cost to the State of \$1,420.04. The Commission approved the project and authorized the Secretary to sign the agreement in their behalf.

An agreement with Coos County covering installation of a flashing beacon at the intersection of the Oregon Coast Highway and North Inlet Road in Hauser was discussed. The Engineer reported that an investigation indicates that the flashing beacon is needed and he recommended that it be installed at a total estimated cost of \$1,200 with the understanding that the County is to pay one-half of this cost. The County also is to provide all maintenance and electrical energy for operation of the beacon. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

The Engineer reported that requests had been received from the City of Roseburg and Douglas County for installation of a traffic signal at Garden Valley Road and Mulholland Street near the Garden Valley Interchange with I-5 north of Roseburg. Investigation disclosed that the signal is warranted. The agreement provides that the City of Roseburg pay half of the total estimated cost of \$15,000 and the State the other half. The City also is to provide all maintenance and electrical energy for operation of the signal. The Engineer recalled that this matter had been discussed with the Chairman, who on March 6, had approved including the project with those on which bids are to be received on March 23. The Commission confirmed the Chairman's action and authorized the Secretary to sign the agreement in their behalf.

An agreement with Jackson County for the installation of a traffic signal at the intersection of the Crater Lake Highway and Antelope Road north of Medford was also considered. Under terms of this agreement, the State is to perform the work and the County agrees to pay one-half the cost of the installation, and provide all maintenance and electrical energy for its operation. The total cost of the project was estimated by the Engineer at \$10,000. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission also considered an agreement with Clackamas County for revision of existing traffic signals at the intersection of the Cascade Highway and Sunnyside Road to provide full signalized control, including a left turn interval at the intersection of the Cascade Highway and Harmony Road. The Engineer estimated the total cost of the work at \$5,000, of which the County has agreed to pay one-half and to provide all future maintenance and power needs. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

March 14, 1967

An agreement with the City of Portland concerning installation of a fully-actuated traffic signal at the intersection of S. W. Capitol Highway and S. W. Terwilliger Boulevard (Beaverton-Hillsdale Highway) was presented by the Engineer. The agreement provides that the City is to do the work and bill the State for one-half the cost with the understanding that the State's contribution is not to exceed \$5,000. The City is to maintain the signals and pay for all electrical energy used. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the Washington County Board of Commissioners pertaining to the distribution of Federal-aid funds under the Land and Water Conservation Fund Act of 1965 was considered. The Engineer stated that the agreement is in proper order and recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a supplemental agreement with Lane County concerning allotment of Marine Grant Funds in connection with the Orchard Point Recreation Area at the Fern Ridge Reservoir west of Eugene. The Engineer explained that wave action had damaged new embankment unprotected by rock slopes. The rock slope protection is estimated to cost \$30,000 and the County has requested that it be advanced \$15,000 in addition to funds previously available under the Marine Grant Program. The County has agreed to repay before December 31, 1967, funds advanced from the State Highway Fund to be deducted from Lane County's share of the 1967-1969 Marine Funds, if such funds are available. The Commission approved the agreement following the Engineer's favorable recommendation and authorized the Secretary to sign it in their behalf.

The Commission gave attention to an agreement with the City of Hillsboro concerning relocation of City water mains which conflict with highway construction on the Forest Grove-Gaston Section of the Tualatin Valley Highway in Washington County. This agreement, the Engineer explained, provides that the City is to adjust its facilities and the State is to advance the City an amount not to exceed \$70,000. The City agrees to repay the amount advanced in two equal payments, one on January 1, 1968, and the second on January 1, 1969. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

The Commission considered an agreement with Southern Pacific Company for installation of crossing gates at the grade crossing just south of Rickreall on the Pacific Highway West in Polk County. The Engineer commented that under the agreement the State and Railroad are to share the cost of installation on a 50-50 basis. The Railroad is to maintain the signals after installation. He estimated the State's share of the project at \$7,200 and recommended that the agreement be approved. The Commission accepted his recommendation.

March 14, 1967

The Engineer requested confirmation of telephonic approval given February 24, 1967, by the Commission on an agreement with Howard, Needles, Tammen and Bergendoff as consultants for the design work of the approaches to the Fremont Bridge across the Willamette River on the Stadium Freeway in Portland. The Commission confirmed the action and authorized the Secretary to sign the agreement in their behalf.

In discussing this contract for engineering services, Commissioner Fridley inquired as to how the cost of hiring consultants compares with doing the work by State forces. The Engineer replied that he did not know for sure, but it was his opinion that State forces would be cheaper; however, personnel is not available for a project of this size. In response to Commissioner Fridley's comments as to how to avoid public harassment on esthetic values on projects such as the approaches to the Fremont Bridge, the Engineer remarked that criticism in the design of the Fremont Bridge itself had been avoided by enlisting the cooperation of the City and others who were interested. The Chairman then inquired if City approval is being secured on all bridge designs in the City of Portland. The Engineer replied in the affirmative and that their approval is also being sought on approach designs.

The Engineer presented an agreement with the Oregon-Washington Railroad and Navigation Company and its lessee, Union Pacific Railroad Company, having to do with highway construction on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah County. The Engineer explained that the construction project will require two highway overcrossings of the Railroad main line, and construction of the highway on a portion of the Railroad right of way as well as access roads, retaining walls, and miscellaneous structures. Cost to the State he estimated at \$16,300 for easements plus \$65,800 for reimbursable railroad expenses. Following his favorable recommendation, the Commission approved the agreement.

The Engineer recalled that on July 14, 1966, the Commission had named a new park along the Clackamas River in Clackamas County as McIver State Park in honor of M. K. McIver, former State Highway Commissioner and Chairman. Mrs. McIver has suggested that the park be named "Milo McIver State Park" and he recommended that the name be changed. The Commission approved the change and thereupon adopted "State Park Resolution No. 3-4y," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Hon. Roger E. Martin, State Representative, Lee Stidd, Roy Thompson, Charles Needham, and Deane Seeger came before the Commission regarding improvement of the Oswego Highway, particularly from the Portland city limits to Oswego. Rep. Martin pointed out that the existing three-lane highway is dangerous. He recalled that consideration had been given

to widening to four lanes but strenuous objection had been raised by some Oswego property owners; however, he assured the Commission that there is strong support in Oswego for the widening. A letter from Mr. E. S. Goodell was read who commented that he had made extensive inquiries in the Dunthorpe area and had found only one person objecting to the widening. Rep. Martin urged that the Commission be not overly concerned about the objections when the need for improvement is so great. He also asked consideration of a bypass route for State Street in Oswego and the widening of the Sucker Creek Bridge.

Lee Stidd stated that the City of Oswego has endorsed the bypass route and is willing to cooperate in its construction. He also mentioned that assistance is needed concerning the Southern Pacific crossing on State Street at "A" Street.

Deane Seeger read a statement submitted by Mayor Thomas of the City of Oswego. He commented on the great number of accidents on the highway between Portland and West Linn and urged that improvement of the highway be given a high priority.

Chairman Jackson stated that upon presentation of a previous plan for widening the highway to four lanes a great many protests had been received. The Commission, he said, is aware that traffic conditions on the highway are bad and that as time goes on they would get worse. The Commission will re-examine the project and see if some reasonable solution can be found.

A delegation representing the Citizens for Highway Safety in Estacada came before the Commission regarding improvements to the Clackamas Highway, particularly between Estacada and Carver in Clackamas County. The following persons were present: Dave Edwards, Stan Skoko, Fred Stefani, Leo Lippincott, Ray Hayden, Dave Horner, and Walter Sagnert. Mr. Dave Edwards commented that the work which had been done between Estacada and Carver had been of little benefit. He pointed out that heavy log haul would soon begin and the highway would become increasingly dangerous. Four pictures of dangerous, narrow curves were left with the Commission.

Mr. Stan Skoko, Clackamas County Commissioner, thanked the Commission for highway projects performed recently in the County. Concerning the Clackamas Secondary, he pointed out that with the advent of good weather a great many Portland people would be using the highway for recreation purposes. He called attention to the large number of fatalities which had occurred and expressed the opinion that modification or piece-meal repair of the highway would not be satisfactory, and that realignment and reconstruction is necessary. A letter signed by all three members of the Clackamas County Board of Commissioners was presented urging the Commission to construct a new highway from Estacada to Portland.

Chairman Jackson observed that the Commission is not in a position to schedule additional expenditures pending action which may be taken by the State Legislature regarding highway funds. The Commission, he added, is aware that the highway is deficient and the requested improvement will be given close attention.

Mr. Jack Steiwer, Mr. H. C. Wright, and Mr. Clarence Asher, all from Fossil and representing the Fossil Community Club, came before the Commission concerning improvements on the Service Creek-Mitchell Highway from Service Creek to Mitchell, the Clarno Bridge on the Shaniko-Fossil Highway, and improvements on the John Day Highway. Mr. Steiwer inquired if any specific improvements are contemplated on the John Day Highway south of Fossil or between Dayville Junction and Spray. He also inquired as to plans for improvement on the two other sections of highways. The Chairman stated that the Commission is attempting to carry on a program of improvement between Service Creek and Mitchell and that as much work would be done on the other highway sections as funds would allow. The Commission, he added, has no major plans for improvement on the John Day Highway between Spray and Dayville and no major commitments can be made until it is known what action the Legislature will take concerning highway funds.

Mr. Dick Menzenberg, Mr. Garnet Archer, and Mr. James Peterson, all from Coos Bay, came before the Commission regarding means to reduce traffic accidents on the Oregon Coast Highway in the Bunker Hill area, south of Coos Bay. Mr. Menzenberg called attention to approximately 80 accidents per year in this area. Children crossing the highway and the speed of traffic increases the accident potential. It was his thought that additional traffic lights might be helpful and he pointed out that the average daily traffic in 1966 was 17,000 vehicles. Chairman Jackson said that the Commission has made a study of conditions in this area, but have not yet received an estimate of cost for implementation. The project, he said, is high on the Commission's priority list, but commitments cannot be made as to time of construction pending action by the Legislature concerning highway funds.

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

"Agreement" with Brookings Water Company covering construction of a six-inch water line to serve Harris Beach State Park in Curry County.

"Bargain and Sale Deed" conveying to Claude F. and Myrtle Mae Williams a parcel of land on the Jefferson County Line-Prineville Section of the Madras-Prineville Highway in Crook County.

"Bargain and Sale Deed" conveying to Warren C. and Alice Louise Fernald a parcel of land on the Pendleton Section of the Old Oregon Trail in Umatilla County.

"Bargain and Sale Deed" conveying to Donald S. and Joanne F. Leach a parcel of land on the Warrenton Park-Lewis & Clark River Section of the Oregon Coast Highway in Clatsop County.

"Bargain and Sale Deed" conveying to Columbia County a parcel of land on the Clatskanie-Rainier Section of the Columbia River Highway in Columbia County.

"Bargain and Sale Deed" conveying to Ted T. Kightlinger a parcel of land on the Orchard Heights Road-Edgewater Street Section of the Salem-Dayton Highway in Polk County.

"Indenture of Access" to J. G., R. V. and Margaret D. Hogg property on the Bonneville Station-Patterson Avenue Section of the Willamina-Salem Highway in Polk County.

"Indenture of Access" to Ruby Hayden property on the Independence Junction-Bonneville Station Section of the Willamina-Salem Highway in Polk County.

"Indenture of Access" to N. B. and Jacqueline L. Giustina property on the Mill Creek-Belknap Springs Section of the McKenzie Highway in Lane County.

"Indenture of Access" to Anna Berthold property on the Beaverton-Forest Grove Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to Neal Van Hees property on the Independence Junction-Bonneville Station Section of the Willamina-Salem Highway in Polk County.

"Indenture of Access" to Walter and Nora Badley and Percy M. and Belva Mae Reynolds property on the Mt. Vernon-John Day Section of the John Day Highway in Grant County.

"Indenture of Access" to Benedictine Sisters of Mt. Angel property on the Mt. Angel-Silverton Section of the Hillsboro-Silverton Highway in Marion County.

"Indenture of Access" to Pal-Bro, Inc. property on the Mt. Angel-Silverton Section of the Hillsboro-Silverton Highway in Marion County.

"Agreement" with Washington State Highway Commission deeding to the Oregon State Highway Commission 33 acres of land on the Delena-Rainier Section of the Columbia River Highway in Columbia County.

"Agreement" with Bonneville Power Administration covering the State's crossing of the Government's easement and right of way in construction of Heppner Junction Interchange and Heppner Junction Interchange-Rhea Sections of the Columbia River and Heppner Highways in Gilliam County.

"Throughway abandonment agreement" with Curry County covering the Sixes River-Elk River Section of the Oregon Coast Highway in Curry County.

"Agreement" with Willamette Ski Area, Inc. covering snow removal from its parking area in Klamath and Lane Counties.

"Agreement" with Tomahawk Ski Bowl, Inc. covering snow removal from its parking area in Klamath County.

"Cooperative construction agreement" with City of North Bend covering the Lewis Street-West City Limits Section of the Cape Arago Highway in Coos County.

"Trust agreement" with Bonneville Power Administration covering the relocation of BPA facilities on the Forest Grove Section of the Tualatin Valley Highway in Washington County.

"Agreement" with City of Eugene covering a channelization improvement on Franklin Boulevard and Moss Street in Eugene.

"Agreement" with Coos County covering the installation of a flashing beacon at the intersection of the Oregon Coast Highway and North Inlet Road in Hauser in Coos County.

"Agreement" with City of Roseburg covering the installation of traffic signals at intersection of Garden Valley Boulevard and Mulholland Drive in Douglas County.

"Agreement" with Jackson County covering the installation of traffic signals at the intersection of Crater Lake Highway and Antelope Road north of Medford in Jackson County.

"Agreement" with Clackamas County covering the revision of existing traffic signals at intersection of Cascade Highway and Sunnyside Road, including a left-turn interval at the adjacent intersection of the Cascade Highway and Harmony Road.

"Agreement" with City of Portland covering the installation of a traffic signal at the intersection of S. W. Capitol Highway and S. W. Terwilliger Boulevard (Beaverton-Hillsdale Highway) in Multnomah County.

"Agreement" with Washington County covering the distribution of Federal-aid funds under the Land and Water Conservation Fund Act of 1965.

"Supplemental agreement" with Lane County covering the use of Marine Facilities Grant Funds for construction of protective work on Fern Ridge Reservoir in Lane County.

"Agreement" with City of Hillsboro covering the relocation of its water mains conflicting with our construction on Forest Grove-Gaston Section of the Tualatin Valley Highway in Washington County.

"Agreement" with Southern Pacific Company providing for the installation of crossing gates at the grade crossing south of Rickreall on Pacific Highway West in Polk County.

March 14, 1967

"Agreement" with Howard, Needles, Tammen and Bergendoff as consultants covering the design work of the approaches to the Fremont Bridge in Multnomah County.

"Agreement" with Oregon-Washington Railroad & Navigation Company (Union Pacific Railroad Company) covering the reconstruction on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah County.

There being no further business to consider, the meeting was adjourned by the Chairman at 11:30 a.m.

Robert Cooper
State Highway Engineer

William B. Jackson
Chairman

K. M. Audley
Commissioner

Floyd Query
Secretary

Doris B. Simpson
Commissioner

March 14, 1967

VOLUME 52

COMPLETE

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

FROM

APRIL 1, 1967

TO

MARCH 31, 1968

- - -

OREGON STATE HIGHWAY COMMISSION

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, 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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April 1, 1967, through March 31, 1968

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

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, Commissioner (Appointed April 1, 1967)
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
F. B. Klaboe, Assistant State Highway Engineer
Victor D. Wolfe, Administrative Assistant
G. E. Rohde, Chief Counsel
Frank C. McKinney, Assistant Counsel
David Moehring, Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

Among others present were Governor Tom McCall; Edward G. Westerdahl II, Executive Assistant; Senator and Mrs. Raphael Raymond; Walter Leth, Director, Department of Agriculture; A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; E. S. Hunter, Maintenance Engineer; David Talbot, Parks Superintendent; John Oakes, Assistant Right of Way Engineer; and John Earley, Information Officer.

Chairman Jackson introduced the Governor to those present. Governor McCall commented on the accomplishments of Mr. Hill, newly appointed State Highway Commissioner, and the high regard in which he is held by those who know him. Edward G. Westerdahl II administered the oath of office to Mr. Hill.

The Commission approved the minutes of the meeting held March 14, 1967.

The Right of Way Engineer presented a list of options, Pages 1 through 61, secured for acquisition of real property needed for state highway use or for other purposes. The amounts offered, 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 Hill confirmed closing the options which had been sent to them for approval since the last Commission meeting. They also approved those options presented for the first time at this meeting and thereupon adopted "Right of Way Resolution No. 41," 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 March 6 to April 10, 1967, totaled \$28,843; land sales \$37,285; and timber sales \$13,113.24. Rental receipts for March totaled \$11,273.72. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale two parcels of property no longer needed for highway purposes. Minimum values have been determined by careful appraisal and access and other conditions of sale are consistent with those applying to other properties in the vicinity. The Commission authorized public sale of the properties and thereupon adopted "Real Property Resolution No. 474," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 1.0 acre, File Nos. 17068 and 17634, at the entrance to a State stockpile site on the Mosier access road, southwesterly from the Mosier Interchange on the Columbia River Highway in Wasco County, for not less than \$750. Signboard and junkyard clauses are to be included in the deed and one point of unrestricted access, 35 feet in width, is to be allowed to the Mosier access road. Concurrence by the Bureau of Public Roads is not required.
- (2) 36,650 square feet of land, File Nos. 11176 and 11333, in the northwest corner of the intersection of Campus Way and the Klamath Falls-Malin Highway in Klamath Falls, for not less than \$5,000. The sale is to be subject to signboard and junkyard restriction clauses and no access is to be permitted to the Klamath Falls-Malin Highway. Bureau of Public Roads' concurrence is not required. (See "Real Property Resolution No. 474.")

"Indentures of Access" providing for changes in location and widening of existing points of access were presented by the Right of Way Engineer. These changes are for the benefit and convenience of the property owners and for the protection of the traveling public. The Commission approved the following "Indentures":

- (1) Mortensen property, File No. 19624, for a change in location and widening to 35 feet on two points of access on the westerly side of the Pacific Highway East, approximately one mile north of Hubbard, in Marion County. A change from private residential and farm production and transportation use to unrestricted use is to be allowed. Appraisal has determined that lifting of the access restriction will increase the value of the property by \$1,050,

which the owner will be required to pay the State. Cost of constructing the approaches has been estimated at \$2,700, which the owner has agreed to pay, the work to be performed by the State Highway Department. This matter has been approved by the Bureau of Public Roads subject to inclusion of a portion of the Civil Rights Act of 1964.

- (2) Birchell property, File No. 12671, for a change in location of two points of access on the northerly side of the Salmon River Highway, approximately one mile east of the City of Valley Junction, in Polk County. One of the two 40-foot access points is to be widened to 50 feet and both points are to remain unrestricted as to use. The changes will provide better access to a service station and restaurant. Bureau of Public Roads' concurrence is not required.

The matter of granting a point of access to the City of Gold Beach, File No. 25501, on the Oregon Coast Highway in Curry County was considered. The Right of Way Engineer explained that the access is to provide entry to a City building. This action, he said, should revoke an access granted to Mr. and Mrs. Crook, June 1, 1965. The Commission approved the access as presented.

The Chief Counsel presented a list of properties needed for the uses indicated therein and 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 list of properties if negotiations are not successful and thereupon adopted "Condemnation Resolution Nos. 2442 through 2449," which resolutions by this reference are made a part hereof and filed in the Secretary's Office. (For additional details, see the Chief Counsel's letter dated April 24, 1967, entitled "Recommendations for Condemnation" in the Salem Office, General Files.)

A report of cases which have been tried in court was presented by the Chief Counsel. The Commission accepted 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-5006 Frank Amgarten, et ux.	Marion	Hillsboro-Silverton	Mt. Angel-Silverton	\$ 2,300.00	\$ 3,000.00	\$ 2,000.00
L-5251 James E. Personette, et al.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	18,750.00	28,000.00	19,200.00
L-5250 Lloyd O. Yeck, et al.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	7,800.00	9,500.00	8,000.00
L-3923 U. S. National Bank of Portland, Oregon, et al.	Wasco	Columbia River	The Dalles By-Pass	8,000.00	15,000.00	10,000.00
L-5075 Cecil L. Finley, et al.	Washington	Pacific	Lower Boones Ferry Road Interchange	4,000.00	9,200.00	4,200.00
L-5056 Ernest I. Smith, et al.	Washington	Pacific	Lower Boones Ferry Road Interchange	6,500.00	10,000.00	6,750.00
L-5167 Joseph R. Kindell, et al.	Jackson	Crater Lake	Biddle Road Interchange	18,000.00	75,000.00	34,000.00
(Remarks: \$20,000.00 settlement reached after trial based on allowing one access.)						

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REPORT OF TRIAL OF OTHER CASESDAMAGES TO HIGHWAY FACILITIES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5347 State of Oregon	Amy Ellen Ensley	Marion	Date of accident: 9/3/65 Place: 17th & State St., Salem. Defendant negligently drove into State vehicle causing damage of \$128.42.	\$128.42	
(Remarks: Claim paid in full following filing of action and service of summons.)					
L-5290 State of Oregon	Keith K. Evans	Wallowa	Date of damage: 7/20/62 Place: M.P. 2.00, Joseph-Wallowa Lake Hwy. Defendant negligently drove into and damaged guardrail.	133.59 plus atty. fees and costs	\$133.59
(Remarks: Default Judgment Recovery dependent on finding defendant with assets subject to execution.)					
L-5355 State of Oregon	Wendell F. Miller	Multnomah	Date of damage: 12/18/64 Place: M.P. 7.71, Northeast Portland Hwy. Defendant negligently damaged hwy. guardrail.	38.05	
(Remarks: Claim paid in full following filing of action and service of summons.)					
L-5360 State of Oregon	Mary Louise Cavyell, et al.	Josephine	Date of damage: 9/8/66 Place: M.P. 265, Pacific Hwy. Defendant negligently damaged hwy. guardrail.	112.76	
(Remarks: Claim paid in full following filing of action and service of summons.)					

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REPORT OF TRIAL OF OTHER CASESDAMAGES TO HIGHWAY FACILITIES

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5241 State of Oregon	Howard A. Knighten, et al.	Douglas	Date of damage: 11/13/63 Place: M.P. 4.8, Columbia River Highway Defendant negligently damaged hwy. guardrail	\$ 64.91	

(Remarks: Claim paid in full following filing of action and service of summons.)

L-5373 State of Oregon	Home Reader Service, et al.	Multnomah	Date of damage: 9/11/66 Place: M.P. 20, Columbia River Hwy. Defendant negligently damaged hwy. guardrail	48.50	
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(Remarks: Claim paid in full following filing of action and service of summons.)

CONTRACTOR'S CLAIMS

L-5097 F. H. McEwen	State of Oregon	Marion	Additional compensation under Contract No. 6520	\$14,671.00 plus interest	\$12,325.00
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(Remarks: The contractor claimed, and at the trial produced credible evidence, contrary to our expectations, that in formulating his bid, he reasonably anticipated being able to obtain all of the necessary material for crushed rock from the cut. He also produced evidence that his rock production costs were increased by the change order. The evidence of the contractor in this regard was accepted by Judge Hayes over that of State's witnesses. He allowed recovery of \$8,825 on this count.

(Continued on next page)

(Remarks on L-5097: The second claim involved damages for delay resulting from a "stop order" given due to uncertainty on the part of the department as to availability of funds to complete the project. The contractor claimed \$5,845 on this. Recovery of this part of the claim was deemed highly probable and compromised at time of trial for \$3,500.

(For additional details, see the Chief Counsel's letter dated April 21 concerning "Cases Tried" in the Salem Office, General Files.)

A report was also presented by the Chief Counsel concerning cases which have been settled out of court. The Commission approved the following settlements, 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-5169 James A. Trude, et al.	Lane	McKenzie	19th St.- City Limits	\$ 75.00	\$ 75.00
L-5207 Henry N. Snyder, et ux.	Multnomah	Columbia River	Burlington-Sauvie Island Bridge	1,100.00	1,300.00
L-5248 James C. Dezendorf, et al.	Multnomah	Columbia River	Burlington-Sauvie Island Bridge	100.00	100.00
L-5265 Elwood M. Clark, et ux.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	750.00 partial taking	1,150.00 for entire taking
L-5089 Henry L. Hess, et al.	Union	LaGrande-North Powder	Catherine Cr. Bridge	100.00	100.00

Report of Condemnation Cases Settled - Continued

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5237 Everett T. Schultz, et al.	Washington	Beaverton-Tualatin	Tualatin River Bridge	\$1,500.00	\$2,000.00
(Remarks: Owner submitted an appraisal by an independent fee appraiser who frequently is used by the State. His appraisal is \$2,450.)					
L-5039 Hilda Herr, et al.	Washington	Tualatin Valley	Forest Grove-Yamhill Co. Line	22,500.00	24,000.00
(Remarks: Owner has submitted for review an appraisal by independent fee appraiser (MAI) frequently used by State. His appraisal is in the amount of \$28,000.					
L-5374 Wesley E. Zellner, et ux.	Marion	Silver Cr. Falls	State St.-North Santiam Highway	850.00	850.00
L-5071 Premier Gear & Machine Works	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	25,300.00	28,000.00
(Remarks: \$28,400.00 Review Appraisal)					
L-5072 W. J. Lofstedt, et al.	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	21,500.00	24,000.00
(Remarks: \$25,000.00 Review Appraisal)					
L-5375 George F. Wilson, et al.	Marion	Silver Cr. Falls	State St.-North Santiam Hwy.	525.00	750.00
(Remarks: Relocated right of way line is brought within 11 feet of the house.)					

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Report of Condemnation Cases Settled - Continued

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5252 Frank G. Dyer, et al.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	\$23,600.00	\$24,600.00
(Remarks: A contractor's cost estimate for reproducing the building without the lot has been obtained at \$22,250.)					
R-35451 Emil J. Indegard, et ux.	Clatsop	Oregon Coast	Astoria-Camp Rilea	7,000.00 partial taking	7,500.00 entire taking
L-5341 George L. Challis, et ux.	Umatilla	Oregon-Washington	South Pendleton Interchange-Court Place	4,700.00 partial taking	5,400.00 entire taking
(Remarks: An option was obtained and accepted by the Commission at the January, 1967 meeting for entire property at \$5,300. The transaction concluded by deed due to incompetency of one of the owners. A condemnation action was filed to overcome this problem. A formal guardianship was necessary at an additional expense to the owners of \$200.)					
L-5313 Alfred A. Brink, et al.	Multnomah	Pacific	North Portland Harbor-North Russell St.	24,950.00 partial taking	25,750.00 entire taking
(Remarks: Owner has submitted an appraisal by independent fee appraiser in amount of \$30,000.)					
L-5050 Richfield Oil Corp., et al.	Washington	Sunset	Cornelius Pass Rd.-Multnomah Co. Line	38,050.00	38,050.00

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Report of Condemnation Cases Settled - Continued

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
R-38745 Albert N. Combs, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$31,500.00	\$32,500.00
(Remarks: Recommended by Adm. Rev. Bd. as being well within the range of market value considering that the property is being so severed by highway construction as to leave several widely separated tracts which could well give rise to a jury finding excessive damages in the event the case were forced to trial.)					
L-5025 Geraldine Toohey, et al.	Lane	McVay	McVay RR Overcrossing	4,510.00	5,500.00
(Remarks: \$5,050 Review Appraisal)					
L-5121 John A. Wills, et al.	Linn	Santiam	Sweet Home- Foster	900.00	880.00
(Remarks: The settlement is reached on the basis of two additional points of access being provided. The 840 feet of frontage will thus have four points of access.)					
L-5030 Ermen M. Scott, et ux.	Washington	Sunset	Cedar Hills Blvd. Inter- change	10,500.00 partial taking	23,500.00 entire taking
(Remarks: Telephonic approval of Mr. Jackson July 29, 1966. This acquisition has been a most difficult one. As indicated, prior telephonic approval was obtained to acquire the entire property at \$23,500, the State's appraised value for the same. The owners subsequently reneged on the settlement and demanded \$27,500. They also refused \$13,500 for the partial taking. The case has been set for trial several times and postponed for various reasons. The owners, through their attorney, now desire to again sell the entire property for \$23,500. The right of way taking is about half the improved one acre tract. An 18 foot cut slope now replaces what had been a wooded area which provided seclusion for a modern, well landscaped home. The driveway and septic system are also within the taking. Our \$10,500.00 appraisal is largely made up of damages to the remaining land.					

(Continued on next page)

(Remarks on L-5030: Property Management is of the opinion, however, that the remaining property can be sold for a figure (up to \$18,000) which will serve to reduce the cost in damages of the subject acquisition. Although, ordinarily, the purchase of an improved remainder is not recommended, the Adm. Rev. Bd. does recommend the purchase of the entire tract in this instance as being in the best interest of the State. It would be extremely difficult to persuade a jury that the property has not been reduced in value to virtually nothing by reason of the highway were this case to be tried at the present time. It is the Board's opinion there are many purchasers in the market who will pay such a price for the remainder as to reduce the potential damage to a minimum.)

(For additional details, see the Chief Counsel's letter dated April 21 and 24 concerning "Cases Settled" in the Salem Office, General Files.)

The Commission confirmed telephonic approval previously given on offers made to the owners of real property prior to the start of condemnation proceedings as follows:

BROWNSBORO-HANLEY RANCH SECTION OF THE LAKE OF THE WOODS HIGHWAY

R-40420 - Jessie P. Durkin. 1.84 acres for right of way purposes. Offer of \$16,825.00 approved by Mr. Jackson March 28, 1967.

BURLINGTON-SAUVIE ISLAND BRIDGE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-37516 - Herbert G. Palmberg, et ux. Parcel No. 1: 0.75 acre for right of way purposes; Parcel No. 2: 1.12 acres for permanent easement; Parcel No. 3: 1.0 acre for temporary easement; Parcel No. 4: 1.0 acre for temporary easement. Offer of \$3,350.00 approved by Mr. Jackson April 20, 1967.

R-37553 - Kenneth C. Cole, et ux. Parcel No. 1: 4,000 square feet for right of way purposes; Parcel No. 2: 2,350 square feet for permanent easement. Offer of \$2,925.00 approved by Mr. Jackson April 19, 1967.

CANYONVILLE-JOSEPHINE COUNTY LINE SECTION OF THE PACIFIC HIGHWAY

R-39821 - Dale R. Johns, et ux. Parcel No. 1: 2.1 acres for right of way purposes; Parcel No. 2: 0.8 acre for temporary easement. Offer of \$250.00 approved by Mr. Jackson April 10, 1967.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-40399 - Reed I. Oldroyd, et ux. 18,440 square feet for right of way purposes. Offer of \$20,250.00 approved by Mr. Jackson March 20, 1967.

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 \$350.00 approved by Mr. Jackson April 12, 1967.

R-37073 - Doris F. Tracy. 0.9 acre for right of way purposes. Offer of \$350.00 approved by Mr. Jackson April 12, 1967.

FOREST GROVE SECTION OF TUALATIN VALLEY HIGHWAY

R-38332 - Devon Properties, Inc. 2.2 acres for right of way purposes. Offer of \$8,250.00 approved by Mr. Jackson April 13, 1967.

HOLMES GAP-BASKETT SLOUGH SECTION OF THE PACIFIC HIGHWAY WEST

R-40453 - Bernice Hultman. 15.7 acres for right of way purposes. Offer of \$5,800.00 approved by Mr. Jackson April 14, 1967.

R-40456 - Arthur Leppin. 5.5 acres for right of way purposes. Offer of \$3,175.00 approved by Mr. Jackson April 14, 1967.

R-40464 - Keith A. Nelson, et ux. 0.01 acre for right of way purposes. Offer of \$150.00 approved by Mr. Jackson April 19, 1967.

LaGRANDE SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-40372 - John W. Ferdinandsen, et al. 2.16 acres for right of way purposes. Offer of \$43,550.00 approved by Mr. Jackson April 10, 1967.

LAPINE STATE RECREATION AREA

R-39983 - John B. Isaacs, et ux. 5.0 acres for park purposes. Offer of \$16,500.00 approved by Mr. Fridley March 20, 1967.

LITTLE BEECH CREEK-MT. VERNON SECTION OF THE PENDLETON-JOHN DAY HIGHWAY

R-39850 - Roy Kilpatrick, et ux. Parcel No. 1: 25.0 acres for right of way purposes; Parcel No. 2: 0.8 acre for temporary easement; Parcel No. 3: 2.33 acres for permanent easement; Parcel No. 4: 0.13 acre for permanent easement; Parcel No. 5: 1.77 acres for permanent easement; Parcel No. 6: 0.37 acre for temporary easement. Offer of \$850.00 approved by Mr. Fridley March 20, 1967.

LOSTINE-WALLOWA RIVER SECTION OF THE WALLOWA LAKE HIGHWAY

R-38771 - Clifford M. Lozier, et ux. Parcel No. 1: 3.96 acres for right of way; Parcel No. 2: 1.45 acres for permanent easement; Parcel No. 3: 0.19 acre for permanent easement. Offer of \$2,400.00 approved by Mr. Fridley March 17, 1967.

MILE POINT 6.95 SLIDE SECTION OF THE WILSON RIVER HIGHWAY

R-39813 - Lott S. Carr, et ux. 0.1 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson April 19, 1967.

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

R-38173 - Oneita Michaels, et al. 563 square feet for right of way purposes. Offer of \$2,950.00 approved by Mr. Jackson April 10, 1967.

R-38176 - The Pilgrim Rest Baptist Church. 72 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Jackson March 30, 1967.

ONA BEACH STATE PARK

R-37362 - Boise Cascade Corporation. 64 acres for park purposes. Offer of \$25,600.00 approved by Mr. Jackson March 20, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38418 - Clyde Lawrence. 413 square feet for right of way purposes. Offer of \$350.00 approved by Mr. Jackson April 11, 1967.

R-38754 - Robert Oberg. 0.16 acre for right of way purposes. Offer of \$100.00 approved by Mr. Jackson March 8, 1967.

R-38757 - Eligio N. Valpreda, et ux. Parcel No. 1: 3.2 acres for right of way purposes; Parcel No. 2: 0.4 acre for right of way purposes. Offer of \$46,125.00 approved by Mr. Jackson March 20, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-38906 - Jewel L. Kelly, et ux. 2,500 square feet for right of way purposes. Offer of \$50.00 approved by Mr. Fridley March 17, 1967.

R-38926 - Georgia M. Cates. 24,750 square feet for right of way purposes. Offer of \$450.00 approved by Mr. Fridley March 28, 1967.

R-39101 - Wills Industries, Inc. 0.15 acre for right of way purposes. Offer of \$4,050.00 approved by Mr. Fridley March 28, 1967.

R-39102 - Joseph C. Winslow, Jr., et ux. Parcel No. 1: 0.54 acre for right of way purposes; Parcel No. 2: 0.02 acre for permanent easement. Offer of \$2,500.00 approved by Mr. Fridley March 21, 1967.

R-39104 - Ralph W. Thorne. 1.86 acres for right of way purposes. Offer of \$19,200.00 approved by Mr. Jackson April 3, 1967.

R-39151 - Dorothy Doherty, et al. 11.8 acres for right of way purposes. Offer of \$650.00 approved by Mr. Fridley March 29, 1967.

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PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY (Continued)

R-39170 - Lester L. Thompson and Maxine Beall. 160 square feet for right of way purposes. Offer of \$50.00 approved by Mr. Fridley March 20, 1967.

R-39239 - Harold G. Rees, et al. Parcel No. 1: 58.6 acres for right of way purposes; Parcel No. 2: 5.6 acres for right of way purposes; Parcel No. 3: 1.55 acres for right of way purposes; Parcel No. 4: 0.87 acre for right of way purposes; Parcel No. 5: 1.5 acres for permanent easement. Offer of \$20,450.00 approved by Mr. Jackson April 4, 1967.

R-39241 - The United States of America. Parcel No. 1: 14.2 acres for right of way purposes; Parcel No. 2: 1.9 acres for right of way purposes. Offer of \$5,425.00 approved by Mr. Jackson April 12, 1967.

R-40609 - Nettie Dougherty. 10,000 square feet for right of way purposes. Offer of \$350.00 approved by Mr. Fridley March 20, 1967.

SOUTH PENDLETON INTERCHANGE-COURT PLACE SECTION OF THE OREGON-WASHINGTON HIGHWAY

R-39517 - Mary D. Stephenson, et al. 0.17 acre for right of way purposes. Offer of \$250.00 approved by Mr. Fridley March 8, 1967.

STANFIELD JUNCTION-PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-39881 - Lois L. Carpenter. 1.0 acre for right of way purposes. Offer of \$35,000 approved by Mr. Jackson April 18, 1967.

R-39883 - Claude O. Meyers, et ux. Parcel No. 1: 31.9 acres for right of way purposes; Parcel No. 2: 4.1 acres for right of way purposes. Offer of \$5,375.00 approved by Mr. Jackson April 18, 1967.

R-39884 - Peter A. Meyers, et ux. 19.0 acres for right of way purposes. Offer of \$3,000.00 approved by Mr. Jackson April 14, 1967.

R-39885 - Marshall E. Meyers, et ux. 29.1 acres for right of way purposes. Offer of \$4,750.00 approved by Mr. Jackson April 14, 1967.

R-39888 - Dean Rohde. 14.8 acres for right of way purposes. Offer of \$3,000.00 approved by Mr. Jackson April 14, 1967.

R-39889 - Roy Rohde. 6.9 acres for right of way purposes. Offer of \$1,325.00 approved by Mr. Jackson April 14, 1967.

R-39890 - Glenn Rohde. Parcel No. 1: 42.0 acres for right of way purposes; Parcel No. 2: 1.0 acre for right of way purposes. Offer of \$7,600.00 approved by Mr. Jackson April 18, 1967.

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STANFIELD JUNCTION-PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY (Continued)

R-39892 - Pendleton Grain Growers, Inc. Acquisition of access. Offer of \$100.00 approved by Mr. Jackson April 17, 1967.

R-39893 - Robert Bern Moll, et ux. 3.9 acres for right of way purposes. Offer of \$700.00 approved by Mr. Jackson April 14, 1967.

R-39894 - Ralph A. Reese, et ux. 17.3 acres for right of way purposes. Offer of \$3,075.00 approved by Mr. Jackson April 14, 1967.

R-39895 - Shirley Alta Hevel, et ux. 14.8 acres for right of way purposes. Offer of \$2,700.00 approved by Mr. Jackson April 14, 1967.

R-39903 - Kenneth H. Coppinger, et ux. Parcel No. 1: 26.5 acres for right of way purposes; Parcel No. 2: 0.31 acre for right of way purposes. Offer of \$7,275.00 approved by Mr. Jackson April 17, 1967.

R-39904 - Edwin A. Fanshier, et ux. 4.4 acres for right of way purposes. Offer of \$1,100.00 approved by Mr. Jackson April 17, 1967.

TOLEDO SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-40853 - John H. Dickson, et ux. Parcel No. 1: 0.87 acre for right of way purposes; Parcel No. 2: 11.0 acres for right of way purposes. Offer of \$12,760.00 approved by Mr. Jackson March 17, 1967.

VIENTO STATE PARK

R-39963 - August Caruso, et ux. 1.58 acres for park purposes. Offer of \$18,000.00 approved by Mr. Fridley March 29, 1967.

The Commission accepted a report made by the Chief Counsel on orders from the Public Utility Commissioner regarding crossing matters in which the Commission has been a party. The report is summarized as follows:

PUX 596: An application by the Commission to construct the Beburg Overcrossing over the tracks and right of way of the Southern Pacific Company on the Beaverton-Tigard Highway near Beaverton in Washington County. Order No. 43545 was issued April 18, 1967, as requested in the application.

PUX 603: An application by the Commission to widen the existing Game Farm Road Overcrossing over the tracks of the Woodburn-Springfield Branch of the Southern Pacific Company on the Pacific Highway in Lane County. A Supplemental Order No. 43546 was issued April 12, 1967, to allow construction of false work closer to the railroad than originally specified.

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PUX 618: Application by the Commission to construct the Clackamas Highway Overcrossing over tracks and right of way of the Southern Pacific Company on the Clackamas Highway in Clackamas County. Order No. 43550 was issued April 10, 1967, in compliance with the application.

PUX 621: Application of the Commission to construct a grade crossing over the tracks and right of way of the Great Northern Railway Company on The Dalles-California Highway, approximately seven miles north of Lapine, in Deschutes County. Order No. 43538 was issued March 28, 1967, in compliance with the application.

PUX 626: Application by the Commission to construct two structures known as the Rieth Highway Overcrossing project over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company and Union Pacific Railroad Company, Lessee, on the Old Oregon Trail Highway near Pendleton in Umatilla County. Order No. 43544 was issued April 4, 1967, in compliance with the application.

A quarterly report of property damage claims from January 1, 1967, through March 31, 1967, was presented by the Chief Counsel. During this period \$29,874.25 was collected. The Commission accepted the report.

Two cases in which legal proceedings had been commenced since the last Commission meeting were presented by the Chief Counsel. The Commission accepted the report as follows:

- (1) M. E. Larson vs. State of Oregon; plaintiff alleges damage to their property in the amount of \$10,000 caused by a change of grade in S. E. Foster Road under Contract No. 6830.
- (2) Tamara Shane vs. Wayne J. Oberding; the plaintiff is a minor suing through her guardian for injuries arising out of a car accident previously reported under the caption Yates vs. State Highway Commission. Yates alleges \$50,000 personal injuries and Tamara Shane claims \$750,000 damages for paralyzing injuries. It is alleged that the maintenance foreman was negligent in failing to provide barricades, warning signs, etc.

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A list of claims for damages inflicted upon State Highway property which are uncollectible was presented by the Chief Counsel. These claims, he said, have been carefully investigated and are uncollectible because of bankruptcy, no income, inability to locate person causing the damage, out of state residence, driving stolen vehicle, vehicle failure, and in the armed service. The Commission approved abandonment of the following claims:

CAO 62-219	Vernon Ray Chew	4-7-62	\$346.10
CAO 64-340	Pedro Sanchez	11-27-64	216.49
CAO 65-29	Western Greyhound Lines	1-11-65	302.70
CAO 65-34	Edna McKinnis	10-9-64	181.56
CAO 65-46	Raymond Hutchinson	12-29-64	183.12
CAO 65-97	Earl Laverne Stallsmith	2-14-65	344.08
CAO 65-125	Gloria Jean Wappula	3-7-65	1,257.31
CAO 65-247	Copeland Fuel Co.	7-7-65	523.67
CAO 65-267	Timothy L. Falbo	7-30-65	259.35
CAO 65-375	Driver Unknown	11-30-65	185.03
CAO 65-380	Gladys Shirley Watts	11-28-65	484.45
CAO 66-23	Greyhound Lines	12-21-65	522.75
CAO 66-76	Nimrod Floyne Brashear	12-27-65	346.54
CAO 66-186	Jack Haruto Yamanaka	4-23-66	154.64
CAO 66-266	Steven Talbitzer	6-19-66	203.18
CAO 63-157	Rose Eileen Hendrix	5-6-63	146.29
CAO 66-292	Phillip Dean Rooks and Victor Hugo Rooks, Jr.	4-22-66	495.52

The Chief Counsel also presented and the Commission approved compromise and settlement of the following two claims:

CAO 66-235	Groves Brothers Logging Co.	Claim for \$111.13	Settlement \$ 49.00
CAO 66-486	Joyce Richards	Claim for 457.97	Settlement 248.96

A report was made by the Chief Counsel and accepted by the Commission concerning pending court cases as follows:

- (1) State of Oregon vs. DeLong regarding Astoria Bridge piers: Judge Sloper upheld defendants' motion in certain respects making it necessary that a Third Amended Complaint be filed. DeLong will be required to answer or otherwise appear within 30 days from April 20, 1967.
- (2) State of Oregon vs. Tug "Go Getter," et al, regarding damage to Bullards Bridge on the Oregon Coast Highway in Coos County: Judge Solomon has set June 19, 1967, as the date for a "pre trial" hearing. The Judge indicated that a date for trial would be set on the matter of liability with or without a damage issue. The liability issue will be tried first and the damages ascertained later.

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- (3) John Day Bridge, United States Corps of Engineers: King & King have been approved as special Assistant Attorney General to represent the State before the Court of Claims to recover the cost of repairs to the bridge.

- (4) State of Oregon vs. C. W. Parkway, Inc.; this case is set for trial May 2, 1967.

The Chief Counsel reported that on December 14, 1966, the Salmon Creek Bridge at M. P. 35.98 on the Willamette Highway, Lane County, was damaged by a truck owned by the U. S. Fish and Wild Life Service, Tule Lake California. It appears the Government truck was hauling an over-height load which damaged cross members on the bridge. Cost of repairs amounted to \$10,903.77 and legal proceedings against the Federal Government will be instituted under the Federal Tort Claims Act.

The Engineer presented an agreement with Portland General Electric Company for installation of overhead and underground power lines in Milo McIver State Park in Clackamas County. The overhead power line is approximately 7,054 feet in length and the underground line is approximately 1,915 feet. The agreement is to run five years from the date of first delivery of power and the State is to pay to the Company \$6,333 for installation of the power lines. Power that is used is to be paid for at established P.U.C. rates. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Commission confirmed action taken on April 6 approving and authorizing the Secretary to sign an agreement with Wallowa Lake Lodge, Inc., for operation of the boat concession in Wallowa Lake State Park in Wallowa County from April 1, 1967, to December 1, 1967. It was anticipated that construction to enlarge the boat concession area would be completed in the fall of 1966. However, the work has not been completed and operation of the original concession facilities will be necessary for another summer. The lessee is to pay the State 10 percent of the gross income from all operations and provide specified insurance.

The Commission also confirmed action taken April 6 approving an exchange of land with Longview Fibre Company in the Silver Falls State Park area in Marion County. The Engineer explained that the original layout of the Park contained several parcels of land which did not adjoin the main body of the park, or are not located so as to be useful for park purposes. The State, for several years, has been negotiating exchanges in order to improve the State park holdings. This transaction provides for an exchange of land, without monetary

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consideration, by which the Longview Fibre Company will trade 240 acres which adjoin the park for 160 acres of State land not connected to the park. Both tracts of land have been appraised by the State Forester and by the Longview Fibre Company who agree that the properties are of equal value. The Commission authorized the Secretary to sign such documents as may be required.

The Commission confirmed the appointment of Warren A. McMinimee as a member of the State Parks and Recreation Advisory Committee.

Surveys for the relocation or improvement of two sections of state highways were recommended by the Engineer. The Commission approved the following surveys and thereupon adopted "Survey Resolution Nos. 336 and 337," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) North Plains Interchange-Cornelius Pass Road Interchange Section of the Sunset Highway in Washington County. (See "Survey Resolution No. 336.")
- (2) Pleasant Valley-Philomath Section of the Alsea Highway in Benton County. (See "Survey Resolution No. 337.")

Increases in project authorizations on three contracts were recommended by the Engineer and approved by the Commission as follows:

- (1) Contract No. 6527 for riprap on the Astoria Bridge piers for an increase of \$91,053.20 (10.5%). Additional riprap was required around Pier 169 and at some of the other piers to provide adequate protection.
- (2) Contract No. 6867 on the Myrtle Point-Powers Junction Section of the Coos Bay-Roseburg Highway in Coos County, for an increase of \$171,805.42 (15%). Principal reasons for the overrun were increases in general excavation, in widening roadbed, and flattening slopes to conform to current standards. Embankment foundation excavation, and rock embankment also contributed materially to the overrun.
- (3) Contract No. 6969 for construction of the South Umpqua Safety Rest Area on the Pacific Highway in Douglas County, for an increase of \$1,355.22 (30.3%). Additional well drilling to secure an adequate supply of water, and an overrun in engineering expenses were given as the principal reasons for the overrun.

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Payment of \$15,800 to the Highway Research Board for the fiscal year from July 1, 1967, to June 30, 1968, was brought up by the Engineer. He explained that the Research Board collects information pertaining to research on highway needs. The information is published and distributed to the states which subscribe to the service and it is the only practical means by which the Highway Department can be kept abreast of new developments. Oregon's share has been determined on the basis of an agreement approved November 28, 1966, and the expenditure is eligible for Federal-aid reimbursement as a Highway Planning Survey Project. The Commission approved the expenditure.

The Engineer stated that considerable pressure has been exerted to modernize the Clackamas Highway between Rock Creek and Estacada in Clackamas County. He recalled that several delegations had been before the Commission in the last year or two. This section of the highway is obsolete in vertical and horizontal alignment and to modernize it would be difficult and expensive. The average daily traffic for 1966 was 9,000 vehicles near the community of Clackamas, 3,500 near Carver, and 4,000 in the City of Estacada. He recalled that about 25 years ago the Portland Traction Company had abandoned its Estacada railroad line easterly from Boring. Use of the old railroad line from the community of Barton to Estacada would be very advantageous for highway purposes. Negotiations have been underway for some time with Portland Traction Company through its parent organizations, the Southern Pacific Company and the Union Pacific Railroad Company, for purchase of the old railroad right of way. The Company has recently stated that it does not wish to sell the right of way at this time. Because of the need for improving the highway, and as no good alternate route exists, the Engineer recommended that authority be granted to institute condemnation proceedings. The Commission granted the authority. Commissioner Simpson abstained from voting because of past connections which his real estate firm had with the owners of the property.

The Chairman inquired if acquisition of the railroad right of way would require an appearance before the Public Utility Commissioner. The Engineer replied negatively as the rails were removed about 25 years ago.

The Commission confirmed placing of a reduced load limit, as outlined in Mr. Tom Edwards' letter of March 30, on the West Diamond Lake Highway between M. P. 13.23 and M. P. 23.89 effective from 8 a.m., April 3, 1967, to 5 p.m., May 29, 1967. This action was taken to protect the roadbed because of the damaging effects of heavy loads under freezing and thawing conditions.

The Commission also confirmed a reduced load limit as outlined in Mr. Porter's letter dated March 24, 1967, on the Crater Lake Highway between M. P. 57.58 and M. P. 66.37 in Jackson and Klamath Counties, effective from 8 a.m., March 27, 1967, to 5 p.m., May 26, 1967. The reduced load limit was placed because of the damaging effect of heavy loads under freezing and thawing conditions.

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Approval of a guardrail project on the Oregon Coast Highway just north of Gardiner in Douglas County at an estimated cost of \$11,000 was requested by the Engineer. He stated that a section about 0.6 mile in length is constructed with a high fill on the westerly side. Recently a vehicle apparently skidded and rolled down the embankment resulting in a fatality. The Bureau of Public Roads has agreed to classify the guardrail job as a safety project. The Commission approved the project to be included in the Inventory of Hazardous Locations and as a part of the current State Construction Program.

Requests by contractors for extensions of time to complete highway contracts were considered by the Commission. The Engineer commented that the requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. The Commission took action on the following contracts:

- (1) Madson & Stokes Electrical Contractors, Contract No. 6922 on the Oakland-Shady Highway in Douglas County, requested an extension of 30 calendar days. The Commission approved an extension of 21-calendar days without assessment of liquidated damages.
- (2) Oosterwyk Nurseries, Inc., Contract No. 6840 in the Santiam Safety Rest Area on the Pacific Highway in Marion County, requested an increase from 90 to 120 calendar days. The Commission approved an extension from 90 to 113 calendar days without assessment of liquidated damages on the first phase of the contract. Approval by the Bureau of Public Roads has been secured.
- (3) C. B. Construction Company, Contract No. 6900 on the Ochoco Highway in Wheeler County, requested a 60-calendar day extension of time. The Commission denied the request.
- (4) Northwestern Electric Company, Contract No. 6945 on the Pacific Highway in Jackson County, requested 20 additional calendar days to complete the contract. The Commission granted an extension of 13 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of March 13, 1967.
- (5) Peter Kiewit Sons' Company, Contract No. 6501 on the Pacific Highway in Jackson County, requested an extension of time to July 28, 1966. The Commission approved an extension of the completion date from October 1 to November 12, 1965, without

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assessment of liquidated damages. (The Commission previously had approved an extension of time to cover a stop work order from December 23, 1965, to May 2, 1966.) Approval by the Bureau of Public Roads was given in their letter of March 17, 1967, with the exception of two days. The project was completed July 28, 1966.

- (6) Roy L. Houck Sons' Corp., Contract No. 6451 on the Pacific Highway in Douglas County, requested an extension of the completion date from October 31, 1965, to August 5, 1966. The Commission approved an extension to August 4, 1966, the date of completion, without assessment of liquidated damages. Approval of the time extension was given by the Bureau of Public Roads in their letter of March 29, 1967.
- (7) Oosterwyk Nurseries, Inc., Contract No. 6735 in Gettings Creek Safety Rest Area on the Pacific Highway in Lane County, requested an extension of the completion date to September 1, 1966. The Commission approved an extension of time to July 24, 1966, without assessment of liquidated damages. Approval was given by the Bureau of Public Roads in their letter of April 3, 1967.
- (8) Ross Brothers Construction, Inc., Contract No. 6898 in Detroit Lake State Park on the North Santiam Highway in Marion County, requested that the date of completion be advanced from October 31 to November 19, 1966. The Commission granted a 17 day extension of time without assessment of liquidated damages, leaving two days on which liquidated damages are to be assessed.
- (9) Rogers Construction Company, Contract No. 6738 on the Columbia River Highway in Sherman and Wasco Counties, requested an extension of the contract completion date from October 31, 1966, to February 2, 1967. The Commission granted an extension of time to March 12, 1967, without assessment of liquidated damages. The contract was completed March 16, 1967. Approval by the Bureau of Public Roads was given in their letter of April 10, 1967.

- (10) Ross Brothers Construction, Inc., Contract No. 6887 on the Beaverton-Tualatin Highway in Washington County, requested four additional calendar days to complete the contract. The Commission granted two additional calendar days without assessment of liquidated damages.
- (11) Umpqua River Navigation Company, Contract No. 6527, for the placement of riprap around piers on the Astoria Bridge on the Oregon Coast Highway in Clatsop County, requested 50 additional calendar days to complete the contract. The Commission granted three additional calendar days for work at Pier 18; 36 calendar days for work at Pier 169; and 36 calendar days for the "all work" item without assessment of liquidated damages.
- (12) White Brothers Construction Company, Inc., Contract No. 6897, in the Beverly Beach State Park on the Oregon Coast Highway in Lincoln County, requested an extension of the specified completion date from December 31, 1966, to March 2, 1967. The Commission approved an extension of time to February 19, 1967, without assessment of liquidated damages.
- (13) General Construction Company, Contract No. 6537, for work on the John Day River Bridge on the Columbia River Highway in Gilliam and Sherman Counties, requested an extension of time to complete the contract without assessment of liquidated damages. The Commission approved a 79-day extension of time on Unit 2, and a 72-day extension of time on the date specified for opening to traffic (Unit 1) without assessment of liquidated damages.

The Engineer reported that Contract Nos. 6451, 6467, 6566, 6567, 6584, 6670, 6743, 6746, 6755, 6760, 6803, 6805, 6811, 6829, 6830, 6850, 6851, 6873, 6881, 6883, 6900, 6919, 6925, 6926, 6941, 6945, 6946, and 6951 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance, 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. 158," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next Commission meeting date was set for Thursday, June 8, 1967, in Room 419 of the State Highway Building in Salem. A tentative date for the following meeting was set for July 18, 1967.

The Commission confirmed telephonic approval given April 3, 1967, awarding contracts on which bids had been received March 23, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM MARCH 23, 1967

Grading and paving on 16th Street-Central Boulevard in the City of Coquille on FAS 250 in Coos County. FAP No. S-555(1). Three bids were received. The Commission elected to accept the low bid of S. A. Hutchins & Assoc. Construction Company, Sutherlin, in the sum of \$178,553.41 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 \$40,400.00 is deposited by the County.

Grading and oiling on the Little Beech Creek-Fall Creek Section of the Pendleton-John Day Highway in Grant County. FAP No. F-182 (5). Seven bids were received. The Commission awarded the contract to the low bidder, Page Paving Company, Salem, at \$381,533.00.

Grading and paving on 5th Avenue in Gold Hill in Jackson County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Hughes and Dodd Company, Medford, at \$19,422.50.

Shady Cove Rock Production Project on Crater Lake, Lake of the Woods, Sams Valley, and Tiller-Trail Highways in Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger & Sons, Inc., Medford, at \$43,275.00.

Junkyard screening on the Wolf Creek-Medford Section of Pacific Highway in Josephine and Jackson Counties. Federal-aid Interstate Highway Project Nos. CJI-5-2(1) and CJI-5-1(1). Three bids were received. The Commission awarded the contract to the low bidder, Baltz and Son Company, Portland, at \$18,466.60.

Guardrail on the Washburn Way-South 6th Street Section of Klamath Falls-Malin Highway in Klamath Falls in Klamath County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Olson-Campbell, Inc., Hillsboro, at \$16,450.00.

Blizzard Gap-Nevada Line Rock Production Project on Warner Highway in Lake and Harney Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Jed Wilson and Son, Lapine, at \$28,000.00.

Grading, paving, structures and signing on the Willamette River Bridge Section of the Eugene-Springfield Highway in Lane County. Federal-aid Interstate Highway Project No. I-105-4(113)197. Seven bids were received. The Commission awarded the contract to the low bidder, C. J. Montag & Sons, Inc. and Workman Construction Company, Portland, at \$2,136,796.50.

Grading and structure on the Willamette River (Belt Line) Bridge Section of Belt Line Road in Lane County. Federal-aid Secondary Highway Project No. SU-441(7). Eleven bids were received. The Commission elected to accept the low bid of C. J. Montag & Sons, Inc., and Workman Construction Company, Portland, in the sum of \$473,206.00 (which includes reduction of \$10,000 offered by the bidder) 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 \$106,500.00 is deposited by the County. (The bidder gave a lump sum reduction of \$10,000 if awarded both this project and the Willamette River Bridge Section, Eugene-Springfield Highway Project.)

Richardson-Fern Ridge State Park Rock Production Project on the Florence-Eugene Highway in Lane County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, McKenzie Road & Driveway Company, Eugene, at \$55,967.00.

Illumination installation on the Powell Valley Road-Palmquist Road Section of the Mt. Hood Highway in Multnomah County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Olson Electric Company, Inc., Vancouver, Wn., at \$13,811.00.

Widening the East Birch Creek Bridge on West Main Street in the City of Pilot Rock in Umatilla County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Merlin R. Stam, Eugene, at \$21,440.00.

Grading and paving on 9th Street in the City of Dayton in Yamhill County. State Project. Five bids were received. The Commission elected to accept the low bid of Rowell and Wickersham, McMinnville, in the sum of \$25,511.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Dayton is received and the sum of \$4,250.00 is deposited by the City.

Installation of traffic signals on Garden Valley Boulevard at Mulholland Drive near Roseburg in Douglas County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Sims Electric, Inc., Roseburg, at \$9,130.00.

Installation of traffic signals on Garden Valley Boulevard at Walnut Street near Roseburg in Douglas County. City Project. Three bids were received; the low bid was submitted by Steeck Electric Company, Medford, in the sum of \$6,140.00. Bids for this project were received in behalf of the City of Roseburg and were referred to the City for action.

The Commission confirmed the Engineer's award of contracts which had been referred to him to award as follows:

- (1) Grading and paving the Elm Street-17th Street Section in McMinnville on FAS 112 in Yamhill County. Bids received February 2, 1967. Contract No. 6975 awarded March 17, 1967, to C. C. Meisel Company, McMinnville, low bidder.

- (2) Grading, paving, structures, and signing on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah and Hood River Counties. Bids received February 17, 1967. Contract No. 6976 awarded March 17, 1967, to Rogers Construction Company, Portland, low bidder.
- (3) Grading and paving on 16th Street and Central Boulevard in Coquille on FAS 250 in Coos County. Bids received March 23, 1967. Contract No. 6978 awarded April 3, 1967, to S. A. Hutchins and Associates Construction Company, Sutherlin, low bidder.
- (4) Structure and grading on the Willamette River (Belt Line Road) Bridge Section of FAS 860 in Lane County. Bids received March 23, 1967. Contract No. 6986 awarded April 3, 1967, to C. J. Montag and Sons, Inc., and Workman Construction Company, Portland, low bidder.
- (5) Grading and paving on 9th Street in Dayton in Yamhill County. Bids received March 23, 1967. Contract No. 6990 awarded April 3, 1967, to Rowell and Wickersham, McMinnville, low bidder.

Requests were considered from Malheur and Marion Counties for construction projects using Federal Aid Secondary funds. A request was also considered for a transfer of FAS funds from Umatilla County to Lane County. The Engineer said that the projects have been investigated and are eligible for construction with FAS funds, and the request for transfer has been approved by the counties involved. The Commission approved the projects as requested and authorized the Secretary to sign routine construction agreements on the following projects:

County	FAS	Section and Description	Programmed Amount	FAS Funds
Malheur	23-103	Verde Drive (Ontario), Grade, base, pave and drainage; 1 mile.	\$200,000	1967-1968
Malheur	23-106	Vale-West Hwy.--Bully Creek Reservoir Section, Bully Cr. Road; grade, leveling oil wearing surface (Funds to be supplemented when funds become available), 4 miles.	100,000	1967-1968
Marion	159	Chemawa Rd.-Salem Section, North River Road, traffic control lights.	75,000	1967
TOTAL			\$375,000	

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TRANSFER OF FAS FUNDS*

Umatilla County to Lane County.....\$300,000

<u>SUMMARY BY FISCAL YEARS</u>	<u>1967</u>	<u>1968</u>	<u>Total</u>
Allocated Funds	\$3,952,000	\$3,980,000	\$7,932,000
Approved Projects (Corrected to Date)	\$3,743,000	----	3,743,000
Unprogrammed Balance	\$ 209,000	\$3,980,000	\$4,189,000
Projects Proposed	209,000	166,000	375,000
Unprogrammed Balance	\$ -----	\$3,814,000	\$3,814,000

* These funds to be used on previously approved projects.

The Commission considered a request from the City of Cottage Grove that the State transfer to the City a parcel of land located north of the Cottage Grove Interchange adjacent to the Pacific Highway (I-5). The Engineer commented that an investigation of the usefulness of the property indicates that the northerly portion should be retained as a material source. The excess property consisting of approximately 50 acres has been appraised at \$10,000. Because of bad access and the relatively limited area, the Parks Division has recommended against development as a State facility. The City plans to use the property as a recreation area if the transfer is completed. In conformity with past policy, the Engineer recommended that the City be advised that the State will sell to them the excess parcel for one half the appraised value, or \$5,000, with the understanding that the property is for public use only and that no additional accesses will be constructed. The Commission accepted his recommendation.

The Engineer reported that only one bid had been received to furnish liability insurance on the "Steel Bridge" in Portland. This insurance is required because railroad companies use the same bridge. Dooly & Co. of Portland submitted the only bid for a premium of \$849, covering a three-year period beginning June 6, 1967. He pointed out that the same company furnished the same insurance over the expiring three-year period for the same premium. The Commission accepted his recommendation for award of the insurance to Dooly & Co.

Consideration was given to settlement of a claim by Heintz-Kizer Company for additional compensation in the amount of \$212,792.84 on Contract No. 6386 on the Siskiyou Summit-California Line Section of the Pacific Highway in Jackson County. The Engineer stated that the eight items comprising the claim were investigated during progress of the work, including meetings with the contractor and representatives of the Bureau of Public Roads. There is valid basis for additional compensation on

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four of the items claimed: the amount of sprinkling water overran the contract approximately 190 percent; special backfill in drains overran 67.6 percent; eleven additional acres were cleared in potential slide areas outside normal construction limits; and fourteen additional brace post installations were required in fencing not included in the plans. A settlement has been agreed upon for a lump sum of \$62,000 and the contractor will provide a complete release. The Bureau of Public Roads has agreed to full participation in the proposed settlement. Following the Engineer's favorable recommendation, the Commission approved the settlement.

Attention was given to an agreement with the City of Grants Pass, Josephine County, for installation of an overhead school crossing sign with flashing beacons at the intersection of "G" Street (Rogue River Loop Highway) and Hall Street. The Engineer commented that under the terms of the agreement the cost of the installation is to be shared equally between the City and the State, and the City is to pay for all future maintenance and power needs. He estimated the State's share at \$600. Based on 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 Fred Meyer, Inc., for installation of traffic signals at the intersection of the Pacific Highway West with the access to the Fred Meyer shopping center in the City of Portland. Under terms of the agreement the Engineer stated that Fred Meyer, Inc., is to pay for the entire cost of installation and all electrical energy. The State is to maintain the signals. He estimated the installation cost at \$18,000 and recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

Consideration was given to an agreement with the City of Salem for installation of traffic signals at the intersection of Edgewater Street and Rosemont Avenue on the Salem-Dayton Highway in Polk County. The Engineer estimated the cost of the installation at \$7,000. The State is to furnish equipment amounting to \$3,500 and the City is to supply the remaining equipment, make the installations, maintain the signals and pay for electrical energy consumed. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

An agreement with the City of Bend for installation of traffic signals at three intersections, and the establishment of a one-way couplet on Wall and Bond Streets on the Central Oregon Highway was discussed. The Engineer explained that this project is a part of the continuing safety improvement program. He estimated the total cost of the work at \$20,000 which is to be shared equally between the City and the State. It was his recommendation that the project be approved and the Secretary authorized to sign the agreement. The Commission accepted his recommendation.

The City of Tigard submitted a request to annex a portion of the Beaverton-Tigard Highway where it joins the Pacific Highway, I-5. The Engineer stated that the request has been carefully investigated and he recommended that the Commission concur in the annexation and authorize the Secretary to sign a consent form. The Commission accepted the recommendation.

A landscape beautification agreement with the City of Salem covering portions of the Willamina-Salem Highway and the Salem-Dayton Highway in Polk County was considered. Under terms of the agreement, the Engineer outlined that the State is to perform the landscaping project, the city is to install and maintain water connections from City sources, and maintain the areas lying northwesterly from the westbound lanes of the Willamina-Salem Highway. The State is to maintain the landscape areas lying southeasterly of the westbound lanes. Further provisions cover encroachments, parking restrictions, and other matters. This project is estimated to cost \$71,300 and is on the approved beautification program to be financed entirely by Federal funds. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission considered an agreement with the Bureau of Land Management to fence a portion of the I.O.N. Highway in the Blue Mountain Pass area in Malheur County. The Engineer explained that in this instance the Bureau has offered to furnish the posts at its price of \$2,768.88 to be paid by the State. The general practice in similar agreements has been that the State furnish the posts. The Bureau's price of \$0.84 per post is approximately \$0.12 cheaper than what the State would have to pay for them. The agreement covers 13.9 miles of fencing at a cost of approximately \$198 per mile. Based on the Engineer's favorable recommendation, the Commission approved the fence agreement, approved payment for the posts, and authorized the Secretary to sign the necessary papers.

Consideration was given to a trust agreement with Bonneville Power Administration for the relocation of a portion of its facilities which conflict with highway construction on the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County. The Engineer estimated the cost of the work at \$3,600 and recommended its approval with authority for the Secretary to sign the agreement. The Commission accepted his recommendation.

The Commission also considered a trust agreement with Bonneville Power Administration for relocation of some of its facilities which conflict with highway construction on the Stanfield Junction-Pendleton Section of the Old Oregon Trail, I-80N, in Umatilla County. The Engineer estimated the cost of the relocation work at \$29,900 and mentioned that it has been approved by the Bureau of Public Roads as an Interstate Project. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

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A supplemental throughway agreement in letter form with the Douglas County Board of Commissioners pertaining to the Canyonville-Glendale Junction Section of the Pacific Highway, I-5, was presented by the Engineer. He pointed out that the agreement provides for corrections in the original agreement and revises the method by which the State's title and interest in certain portions of roads shall pass to the County. Also slight revisions concerning the descriptions of two portions of roads have been made. He recommended that the agreement be approved and the Secretary authorized to sign it. The Commission accepted his recommendation.

Consideration was given to a supplemental agreement with the State Game Commission concerning a statewide water access survey and preparation of master plans. The Engineer explained that the present agreement expires June 30, 1967, and a longer time will be required to complete the project. The supplemental agreement extends the completion date to June 30, 1968. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement.

A cooperative construction agreement with the City of Roseburg pertaining to the North Hill-Deer Creek Section of the Oakland-Shady Highway in Douglas County was discussed. The Engineer commented that the agreement provides for construction of the project, relocation of utilities, parking restrictions, and other matters. The project consists basically of widening the highway to a 68-foot curbed section to provide four lanes of traffic at a cost of approximately \$450,000. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a cooperative construction-finance agreement with the City of Bend providing for construction, relocation of utilities, parking restrictions, and other matters on the Third Street-East City Limits Section of the Central Oregon Highway. The Engineer commented that the project which is estimated to cost \$267,000 provides basically for widening the existing facility to a 68-foot curbed section for four lanes of traffic. The City is to pay 25 percent of the total cost but not to exceed \$66,750. Actual construction is to be held up until funds are available and approved by the Highway Commission. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A cooperative construction-finance agreement with the City of Portland pertaining to N. W. Park Avenue-N. W. 19th Avenue (West Burnside Street) Section of the Lower Columbia River Highway was considered. Under terms of the agreement, the Engineer said that construction costs are to be borne 75 percent by the State and 25 percent by the City. The project provides widening to a 44-foot curbed section for four lanes of traffic with no parking. He estimated the State's share of the project at \$65,000 and pointed out that construction of the project is to be held up until funds are available and approved by the Commission. Following his favorable recommendation the Commission approved the agreement and authorized the Secretary to sign it for them.

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A resolution abandoning to the abutting property owners a parcel of land formerly occupied by the old Hendricks Bridge on the McKenzie Highway in Lane County was presented. The Engineer stated that the State does not have title to the property so as to sell it, and the County is not interested in acquiring it. Following his favorable recommendation, the Commission approved abandonment and thereupon adopted "Abandonment Resolution No. 463," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a rider to an existing agreement with Union Pacific Railroad Company covering construction and use of a footpath under the east end of the Deschutes River Bridge on the Columbia River Highway in Sherman County. The Engineer explained that the purpose of the rider is to extend the expiration date of the original agreement from August 31, 1967, to August 31, 1972. Based on his favorable recommendation, the Commission approved the rider.

The Commission also considered a throughway abandonment agreement with Jackson County pertaining to the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway. The agreement provides for acquisition of right of way and construction of the project as well as utility relocation and road closures. The agreement also provides for abandonment to Jackson County of a portion of the existing highway when the new alignment is completed. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with Pittsburgh Testing Laboratory for inspection of steel fabricated in Salt Lake City, Utah, for bridges on the Irrigon Junction-Stanfield Section of the Old Oregon Trail in Umatilla and Morrow Counties (Contract 6957) was presented by the Engineer. Approval of the Bureau of Public Roads has been secured and the Engineer recommended approval of the agreement at a cost not to exceed \$4,300. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

The Engineer reported that Wilbur Smith and Associates, Inc., had submitted complete data supporting their recommended toll schedule for the Astoria Bridge. As the consulting firm has completed its assignment in this matter, he recommended that they be paid the sum of \$17,000 as provided by a previously approved agreement. The Commission approved the payment.

Concerning the rates recommended by the consultant, the Engineer commented that the report had contemplated a raise in the base passenger car rate to \$2 with a recommended return trip for \$1. A complete analysis of the consultant's data, supplemented by additional studies by the Highway Department indicated, the Engineer said, that the consultant's rates should be modified. He recommended that the Commission adopt the following rate schedule:

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1. Passenger Cars.....\$1.50
2. Cars and Trailers..... 2.00
3. Single-unit Trucks
and Buses..... 3.00
4. Combination Unit Trucks.... 4.00
5. Two-wheeled Vehicles..... 1.00

In addition, he recommended that toll ticket books in units of 10 tickets be sold at a 10 percent discount for (1) passenger cars, (2) single-unit trucks, (3) combination-unit trucks. This action should encourage commuters and stimulate traffic across the structure thereby aiding the economy of the Clatsop County area. He also recommended that the new toll rate schedule be placed in effect June 1, 1967. The Commission accepted the recommendations subject to concurrence by the State of Washington.

The Chairman commented that an exceedingly thorough study had been made by the Commission and its staff on the Astoria Bridge toll rates including the consultant's recommendations. He pointed out that even at greatly increased rates it would not be possible to pay off the bonded indebtedness on the bridge for a great many years. It was his feeling that the rates as approved would act as a stimulant to traffic, aid the economy of the area, and by increasing the volume of traffic, eventually provide greater revenue for liquidation of the indebtedness.

The Engineer presented a supplemental throughway agreement with Umatilla County pertaining to the Stanfield Junction-Rieth Hill Section (Rex Road Interchange) of the Old Oregon Trail (I-80N). The agreement, he said, contains the usual provisions for construction of the project, reconstruction of local roads, and other matters. It was his recommendation that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The meeting was recessed at 9:50 a.m. and reconvened at 10:55 a.m.

A delegation representing the Baker Chamber of Commerce appeared before the Commission to urge improvement of the Baker-Homestead Highway, particularly a 3.25 mile section between Bulldozer Creek and Powder River Bridge. Present were Mr. Harry Swan and Mr. Harlan Wendt. Mr. Swan urged that this section be improved at an early date to accommodate heavy log haul, cement haul, and tourist traffic. Mr. Wendt expressed appreciation

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for the access granted to the City of Baker on I-80N and emphasized the need for improving the Baker-Homestead Highway. In addition to hauling of timber products, he mentioned that the highway is being used at a greatly increasing rate by boat traffic to the reservoirs on the Snake River.

Chairman Jackson commented that the Commission recently had received a letter from State Representative Tom Bessonette concerning the need for improvement on the Baker-Homestead Highway and concerning the unfinished portions of I-80N. The Commission, he said, cannot make any commitment as to time of improvement on the Baker-Homestead Highway until the legislature has decided what revenues will be available. The need for improving the highway is known to the Commission and it appears about four million dollars would be needed to perform a good job. The Commission will try to get some sort of an answer as soon as possible.

A delegation representing the Boosters Club of Pacific City came before the Commission concerning location of the Oregon Coast Highway in the Pacific City area. The following people from Pacific City were present: Harold Smith, E. E. Merewether, Hannah Wood, Rosemary Morrow, and Claudia Starr. Mr. Smith, who acted as spokesman, said that Pacific City people are anxious to know the route to be used so that plans can be made for development in the area. He mentioned that the local zoning board cannot act until the highway location is known and consequently, a considerable lull in real estate activity has developed. He pointed out that the delegation represents the permanent residents of Pacific City who earlier had gone on record favoring the Sand Spit Route. The Highway Engineers, he said, are well able to determine the best route and the delegation would like to have an early decision so that plans can be made. The Chairman stated that progress in construction of the new route has not been held up because of location of the route in the Pacific City area. He indicated that a public statement concerning location of the route would be made in the not-too-distant future and that the political angles involved have not been allowed to influence the judgment of the Commission.

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

"Bargain and Sale Deed" conveying to Atlantic Richfield Company a parcel of land on the Cornelius Pass Road-Multnomah County Line Section of the Sunset Highway in Multnomah County.

"Bargain and Sale Deed" conveying to Dr. Max R. Reed a parcel of land on the Multnomah County Line-Tigard Section of the Pacific West in Washington County.

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"Bargain and Sale Deed" conveying to Allie A. and Effie E. Cline a parcel of land on the Floras Creek Section of the Oregon Coast Highway in Curry County.

"Relinquishment of Title" to City of Eastside covering land on the Catching Slough-Chandler Bridge Section of the Coos River Highway in Coos County.

"Indenture of Access" to Sherman Paul and Frances E. Crow property on the Wallowa River Bridge Section of the Wallowa Lake Highway in Wallowa County.

"Indenture of Access" to Jens J. and Nettie Mortensen property on the White School Section of the Pacific Highway East in Marion County.

"Indenture of Access" to Jack W. and Ardis O. Birchell property on the Valley Junction-Fort Hill Section of the Salmon River Highway in Polk County.

"Grant of Access" to City of Gold Beach covering land on the Gold Beach-Cape Sebastian Section of the Oregon Coast Highway in Curry County.

"Agreement" with Portland General Electric Company for the installation of overhead and underground lines in McIver State Park in Clackamas County.

"Agreement" with Wallowa Lake Lodge, Inc., for the operation of the boat concession covering the period April 1, 1967, to December 1, 1967.

"Bargain and Sale Deed" conveying to Longview Fibre Company a parcel of land on the Silver Creek Falls Section of the Silver Creek Falls Highway in Marion County.

"Agreement" with City of Grants Pass for the installation of an overhead school crossing sign at the intersection of "G" Street (Rogue River Loop Highway) and Hall Street in Josephine County.

"Agreement" with Fred Meyer Company for the installation of traffic signals at the intersection of Pacific Highway West and the access to the shopping center in the City of Portland in Multnomah County.

"Agreement" with City of Salem for the installation of fully actuated traffic signals at the intersection of Edgewater Street and Rosemont Avenue on the Salem-Dayton Highway in Polk County.

"Agreement" with City of Bend concerning the installation of traffic signals at three intersections and establishment of a one-way couplet on Wall and Bond Streets on the Central Oregon Highway in Deschutes County.

"Consent to Annexation" to City of Tigard to annex a portion of the Beaverton-Tigard Highway right of way where it joins at I-5 in Washington County.

"Agreement" with City of Salem concerning landscape beautification on portions of the Willamina-Salem Highway and the Salem-Dayton Highway in Polk County.

"Cooperative agreement" with the Bureau of Land Management concerning fencing on the I.O.N. Highway in the Blue Mountain Pass area in Malheur County.

"Trust Agreement" with the Bonneville Power Administration covering the relocation of its facilities conflicting with construction on the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Trust Agreement" with the Bonneville Power Administration covering relocation of its facilities conflicting with construction on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Supplemental throughway agreement" (letter form) with Douglas County covering the Canyonville-Glendale Junction Section of the Pacific Highway in Douglas County.

"Supplemental agreement" with the State Game Commission covering a statewide water access survey and preparation of master plans.

"Cooperative construction agreement" with City of Roseburg covering the North Hill-Deer Creek Section of the Oakland-Shady Highway in Douglas County.

"Cooperative construction finance agreement" with City of Bend covering the Third Street-East City Limits Section of the Central Oregon Highway in Deschutes County.

"Cooperative construction finance agreement" with City of Portland covering the N. W. Park Avenue-N. W. 19th Avenue (West Burnside Street) Section of the Lower Columbia River Highway (U.S. 30) in Multnomah County.

"Extension Rider" to an existing agreement with Union Pacific Railroad Company covering construction and use of a footpath under the east end of the Deschutes River Bridge on the Columbia River Highway in Sherman County, extending the expiration date to August 31, 1972.

"Throughway abandonment agreement" with Jackson County covering the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway in Jackson County.

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"Agreement" with Pittsburgh Testing Laboratory to inspect steel being fabricated in Salt Lake City, Utah, for highway bridges on the Irrigon Junction-Stanfield Section of the Old Oregon Trail in Umatilla and Morrow Counties.

"Supplemental throughway agreement" with Umatilla County covering the Stanfield Junction-Rieth Hill Section of the Old Oregon Trail in Umatilla County.

There being no further business to conduct, the meeting was adjourned by the Chairman at 11:30 a.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

David B. Simpson
Commissioner

April 25, 1967

Salem, Oregon
June 8, 1967

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

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, 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
F. B. Klaboe, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
Frank C. McKinney, Assistant Counsel
John Oakes, Assistant Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

Victor D. Wolfe, Administrative Assistant, and David H. Moehring, Right of Way Engineer, were excused.

Among others present were A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Office Engineer; Richard I. McCosh, Assistant Parks Superintendent; Harrison Brown, Assistant Information Officer; and Kenneth Chatwood, Administrative Right of Way Agent.

The Commission approved the minutes of the meeting held April 25, 1967.

The Assistant Right of Way Engineer presented a list of options, pages 1 through 92, secured for acquisition of real property needed for state highway use or for other purposes. The amounts offered, 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 Hill confirmed closing the options which had been sent to them for approval since the last Commission meeting. They also approved those options presented for the first time at this meeting and thereupon adopted "Right of Way Resolution No. 42," 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 Assistant Right of Way Engineer. He mentioned that miscellaneous sales from April 11 to May 18, 1967, totaled \$3,296; land sales \$5,700; timber sales \$13,300.07; and rental receipts \$12,918.56. The Commission accepted the report.

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Direct sales of properties no longer needed for highway purposes were reported by the Assistant Right of Way Engineer. He explained that the sale prices are based on competent appraisals and that in each instance public sale is not feasible due to peculiarities of location. The Commission approved the following direct sales to:

- (1) City of Medford, File No. 10082, 120 square feet of land located northwesterly from the Crater Lake Highway and westerly from the extension of Bradley Avenue in the City of Medford along the Crater Lake Highway in Jackson County for the sum of \$100. A public use restriction clause will not be imposed, but signboard and junkyard exclusion clauses will be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) Claud Stout, File No. Q-139, 0.2 acre of land located approximately 0.4 mile easterly from the Oregon Coast Highway and the County road junction at Yachats in Lincoln County for the sum of \$300. No restrictions are to be imposed and approval by the Bureau of Public Roads is not required.
- (3) Lane County, File No. 20536, 0.53 acre of land in the northeast quadrant of the crossing of Tunnel Road and the Pacific Highway approximately two miles south of Creswell in Lane County for \$100. The County wishes to exchange this land with an adjoining property owner in order to realign Tunnel Road. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was received on May 31, 1967.
- (4) City of Woodburn, File Nos. 20357 and 20358, 1.16 acres of land located approximately one-half mile north of the Woodburn Interchange on the easterly side of the Pacific Highway adjacent to the Woodburn Senior Estates in Marion County for the sum of \$1. The sale is subject to a public road clause and signboard and junkyard exclusion restrictions are to be included. No access is to be permitted to the Pacific Highway. Approval by the Bureau of Public Roads was given April 11, 1967.

Indentures of Access providing for changes in location and widening of existing points of access were presented by the Assistant Right of Way Engineer. He explained that the changes are for the benefit and convenience of the property owners and for the protection of the traveling public. The Commission approved the following Indentures:

- (1) Pacific Power and Light Company property, File No. 33538, for a change in location and widening to 35 feet of one point of unrestricted access on the northwest side of the Crater Lake Highway approximately three miles west of Prospect in Jackson County. The Bureau of Public Roads approved the change January 3, 1967, subject to inclusion of a portion of the Civil Rights Act of 1964.
- (2) Heitkamp property, File No. 18419, for a change in location and widening to 40 feet of one point of access on the easterly side of the Pacific Highway between Medford and Phoenix on the Rogue Valley Highway in Jackson County. Two other points of access in the same vicinity are to be widened only, one to 35 feet, and the other to 40 feet. All three points of access are to remain unrestricted as to use and subject to portions of the Civil Rights Act of 1964. Approval by the Bureau of Public Roads was given April 18, 1966.
- (3) Anderson property, File No. 35983, for a change in location of one point of access 35 feet in width and unrestricted as to use located on the southerly side of the relocated Klamath Falls-Lakeview Highway approximately two miles east of Klamath Falls in Klamath County. Approval by the Bureau of Public Roads was given on February 15, 1967, subject to inclusion of portions of the Civil Rights Act of 1964.
- (4) Soder and Keller property, File No. 35986, for a change in location of one point of access 35 feet in width and unrestricted as to use on the northerly side of the relocated Klamath Falls-Lakeview Highway approximately two miles east of Klamath Falls. Approval by the Bureau of Public Roads was given February 15, 1967, subject to inclusion of portions of the Civil Rights Act of 1964.

A proposed Grant of Access to Selmar A. and Wilma F. Hutchins, File No. 18949, on the Chenoweth Park-Deady Section of the Pacific Highway in Douglas County, was presented by the Assistant Right of Way Engineer.

This grant, he said, is to provide access to a frontage road in the south-westerly quadrant of the Sutherlin Interchange for the use of an equipment sales office. The access point is to be 50 feet in width, unrestricted as to use, and the Hutchins are to pay \$500. Access is to be effective when the consideration has been received and construction completed. Approval by the Bureau of Public Roads is not required. The Commission approved the Grant of Access.

The Assistant Right of Way Engineer reported that seven bids were received for a demolition contract for removal of 12 buildings, grading, and clean up on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County. The low bid was submitted by Jay F. Oldham Company at \$3,523. Following his favorable recommendation, the Commission approved the award of the contract to the low bidder and authorized the Secretary to sign the contract.

The Chief Counsel presented a list of properties needed for the uses indicated therein and 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. 2450 through 2482," 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 June 7, 1967, entitled "Recommendations for Condemnation," in the Salem Office, General Files.)

A written report of cases tried in court since the last Commission meeting was presented by the Chief Counsel. The Commission accepted 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-5214 Charles David Gorn, et ux.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$18,000.00	\$27,500.00	\$18,500.00
L-5200 William W. Poole, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	7,000.00	11,400.00	8,325.00

June 8, 1967

Report of Condemnation Cases Tried - Continued

<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-5172 The Sharrylou Corporation	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$43,600.00	\$150,000.00	\$68,800.00
L-4978 Ernest W. Kaisalahti, et ux.	Clatsop	Columbia River	Burnside-Big Creek	3,500.00	10,200.00	5,000.00
L-5069 Lula L. Cope, et al.	Curry	Oregon Coast	Floras Creek Unit	15,000.00	44,400.00	30,000.00
L-5137 Sylvia Erickson, et al.	Grant	John Day-Pendleton	Dayville	2,200.00	3,750.00	2,625.00
L-5204 Berniece Lewis, et al.	Grant	John Day	Flat Creek-Fields Creek	50.00	37.50 (3/64th interest)	12.50 Default
L-5103 Donn L. Taylor, et al.	Linn	Santiam	Sweet Home-Foster	600.00	15,840.00	3,100.00
L-5063 Dwain R. Angell, et al.	Multnomah	Columbia River	Burlington-Sauvie Island Bridge	650.00	5,000.00	1,400.00
L-5249 Joseph C. Campbell, et ux.	Umatilla	Old Oregon Trail	Pendleton	10,250.00	20,000.00	17,000.00
L-5255 Gladys A. Goad, et al.	Umatilla	Old Oregon Trail	Pendleton	10,000.00	40,000.00	14,980.00

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Report of Condemnation Cases Tried -Continued

<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-5234 Walter W. Sinclair, et ux.	Umatilla	Old Oregon Pendleton Trail		\$ 7,000.00	\$ 8,250.00	\$ 8,100.00
L-5253 Roy C. Smith, et ux.	Umatilla	Old Oregon Pendleton Trail		13,200.00	16,000.00	14,000.00
L-4905A Lowell Merton Hursh, et ux.	Baker	Old Oregon Trail	Oxman-Benson Creek	Supplemental report - See report to Commission of L-4905 April 21, 1966.		
L-5236 Hillard T. Roach	Clackamas	Pacific	Upper Boones Ferry Road Interchange	2,750.00	None	3,000.00
L-5261 Jean C. Rugg	Umatilla	Old Oregon Pendleton Trail		18,000.00	22,000.00	25,000.00

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-5180 State of Oregon	Ben Leroy Forsythe	Jefferson	Recover damage to rotary snow plow	\$ 990.50 costs and attorney fees	For Defendant
<p>Remarks: Action to recover \$990.50, representing cost of repair to our rotary snow plow, which was damaged in a collision with defendant's truck and trailer on March 2, 1962, on the Mt. Hood Highway near Government Camp. An earlier case by Mr. Forsythe against our driver, which was defended by our insurance carrier, resulted in a defendant's verdict.</p> <p>The trial attorney states that he believes our driver was wholly free of fault, however, the jury simply saw fit to believe the defendant.</p>					

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Report of Trial of Other Cases - Continued

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5260 State of Oregon	Rose Eileen Hendrix	Crook	Recover damage to State property	\$ 146.29	Dismissed
<p>Remarks: Commission approved abandonment of this case for hardship reasons. Agenda Item 2g, April 25, 1967 Commission meeting.</p>					
L-5070 Doris Lake	A. E. Johnson, et al.	Multnomah	See remarks below	102,804.25	Involuntary Nonsuit declared by Court after plaintiff put on her case.
<p>Remarks: Personal injury to Plaintiff which arose out of an accident wherein the lady tripped over a curb constructed near the door of the Metropolitan Engineer's office building in Portland resulting in the injuries complained of. She alleges negligence on part of department employees by improperly locating the curb with relationship to the door.</p>					
L-5371 State of Oregon	U. S. of America	U. S. District Court	Recover damage to bridge.	10,903.77	Stipulation for settlement in full \$10,903.77
<p>Remarks: On December 14, 1966, the Salmon Creek Bridge, at MP 35.98 on the Willamette Highway was damaged by a vehicle owned by U. S. Fish and Wild Life Service. The government vehicle was transporting an overweight load at the time which struck cross members of bridge.</p> <p>Since filing of this action, the U. S. District Attorney has forwarded a stipulation to pay the claim in full with a dismissal of the action.</p>					
L-4901 Vasiliki T. Kosturos	O. Ted Hill	Multnomah	Conversion	850.00 on counter-claim	Dismissal

June 8, 1967

Report of Trial of Other Cases - Continued

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5384 State of Oregon	Carl Iverson	Umatilla	See remarks below	Vacate premises	Possession given State as of May 9, 1967.

Remarks: Forcible Entry and Detainer under a statute which allows such an action to obtain possession of land which is being held unlawfully by a tenant who has failed to pay rent or move upon expiration of his tenancy.

(For additional details, see the Chief Counsel's letters dated May 31 and June 7, 1967, concerning cases tried in court, in the General Files of the Salem Office.)

The Chief Counsel also presented his report of cases which have been settled since the last Commission meeting. These settlements, he said, are based on competent appraisals and are in order for federal aid. The Commission accepted 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-5190 Byron L. Root, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$11,000.00	\$12,500.00
Remarks: Defendants appraisal \$15,000.00. Review Appraisal \$12,250.00					
L-5209 Joe Andrews, et al.	Morrow	Old Oregon Trail	Irrigon Jct.- Umatilla Co. Line	200.00	450.00
L-5198 Sandra Kay Carlisle, et al.	Sherman	Fulton Canyon Wasco	Fulton Canyon	75.00	75.00
L-5263 Clyde M. Davis, et ux.	Umatilla	Old Oregon Trail	Pendleton	100.00	300.00

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Report of Condemnation Cases Settled - Continued

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5288 James L. Cox, et ux.	Umatilla	Old Oregon Trail	Pendleton	\$ 9,500.00	\$10,500.00
L-5388 Clifford M. Lozier, et al.	Wallowa	Wallowa Lake	Lostine-Wallowa R. Bridge	2,400.00	3,000.00
Remarks: Recommended by Adm. Rev. Bd.					
L-5435 Martha Grady, et al.	Columbia	Columbia R. Highway	Delena-Rainier	600.00	600.00
R-40074 Devon Properties, Inc.	Clatsop	Oregon Coast	Tolovana State Park	None	23,000.00
L-5161 Walter B. Gillespie, et al.	Lane	Springfield-Creswell	Pleasant Hill-Creswell	1,000.00	2,000.00
L-4844 Southern Pacific Co., et al.	Washington	Beaverton-Tigard	Sunset Hwy.- Pacific Hwy.	60,500.00	192,000.00
Remarks: Settlement is within the 1966 Review Appraisal of \$197,500. The offer was based on appraisals made in 1962 on sales prior to 1960.					

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>
R-36227 State of Oregon	Don Rasmussen Co.	Multnomah	Controversy over rental agreement	\$844.27	\$300.00
Remarks: Compromise settlement on payment of taxes.					

(For additional details, see the Chief Counsel's letters dated May 29, May 31, and June 7, 1967, concerning cases settled, in the General Files of the Salem Office.)

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The Chairman commented on the case of Southern Pacific Company for property on the Beaverton-Tigard Highway in Washington County in which the State had offered \$60,500 but had appraised the property at \$197,500. The amount of the settlement was \$192,000. The Chief Counsel explained that the \$60,500 figure was based on an appraisal made in 1962. The condemnation case was filed in 1966, and a review appraisal was made at that time in the amount of \$197,500. The settlement was based on the 1966 appraisal.

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

BURLINGTON-SAUVIE ISLAND BRIDGE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-40627 - George W. Michaelsen, et ux. 1,875 square feet for permanent easement and acquisition of access. Offer of \$700.00 approved by Mr. Jackson April 21, 1967.

R-41082 - Nellie Mae Marcus. 500 square feet for right of way purposes. Offer of \$375.00 approved by Mr. Jackson April 21, 1967.

R-41259 - O. B. Mickelson, et ux. 660 square feet for right of way purposes. Offer of \$175.00 approved by Mr. Jackson April 20, 1967.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-39915 - Jack M. Woodward, et ux. 0.57 acre for right of way purposes. Offer of \$27,250.00 approved by Mr. Jackson May 18, 1967.

FOREST GROVE SECTION OF THE TUALATIN VALLEY HIGHWAY

R-36824 - Juanita Hartrampf. 54,480 square feet for right of way purposes. Offer of \$2,512.50 for one-half interest approved by Mr. Jackson May 12, 1967.

HOLMES GAP-BASKETT SLOUGH SECTION OF THE PACIFIC HIGHWAY WEST

R-40455 - Merton S. Coville, et ux. 11.6 acres for right of way purposes. Offer of \$5,600.00 approved by Mr. Jackson April 25, 1967.

LAPINE STATE RECREATION AREA

R-38212 - Deschutes River Recreation Homesites, Inc. Parcel No. 1: 1.5 acres for park purposes; Parcel No. 2: 0.25 acre for park purposes; Parcel No. 3: 8.7 acres for park purposes; Parcel No. 4: 2.6 acres for park purposes. Offer of \$1,350.00 approved by Mr. Hill May 12, 1967.

R-38214 - Esther Anderson. 58.0 acres for park purposes. Offer of \$58,000.00 approved by Mr. Jackson April 27, 1967.

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OAK CREST FARM SECTION OF THE SALEM-DAYTON HIGHWAY

R-40056 - Edna Gritton. 0.96 acre for right of way purposes. Offer of \$875.00 approved by Mr. Jackson May 18th, 1967.

ORLEANS-LAKE CREEK SECTION OF THE CORVALLIS-LEBANON HIGHWAY

R-40461 - Emma Ehrlich. 2.24 acres for right of way purposes. Offer of \$1,900.00 approved by Mr. Jackson May 15, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38387 - Harold B. Sherfy and Jack Y. H. Leong. 1.7 acres for right of way purposes. Offer of \$13,750.00 approved by Mr. Jackson May 12, 1967.

R-38394 - R. C. Stratford, et al. 6.47 acres for right of way purposes. Offer of \$221,000.00 approved by Mr. Jackson May 12, 1967.

R-38400 - Henningsen Enterprises, Inc. 5,570 square feet for right of way purposes. Offer of \$2,000.00 approved by Mr. Hill May 11, 1967.

R-38474 - Ambrose Calcagno, et ux. 1.18 acres for right of way purposes. Offer of \$8,025.00 approved by Mr. Jackson May 11, 1967.

R-38491 - Robert M. Peters, et ux. 1.15 acres for right of way purposes. Offer of \$13,750.00 approved by Mr. Jackson May 15, 1967.

R-38492 - Del J. Cristoforo. 1.0 acre for right of way purposes. Offer of \$23,500.00 approved by Mr. Jackson May 15, 1967.

R-38494 - Earl S. Hays, et ux. 1.1 acres for right of way purposes. Offer of \$20,000.00 approved by Mr. Jackson May 15, 1967.

R-40618 - Anthony Rogers, et ux. 0.43 acre for right of way purposes. Offer of \$3,500.00 approved by Mr. Jackson May 15, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-39112 - Willard E. Rohde, et ux. Parcel No. 1: 220 square feet for right of way purposes; Parcel No. 2: 720 square feet for permanent easement. Offer of \$700.00 approved by Mr. Hill May 15, 1967.

R-39124 - Wayne E. Wolden, et ux. Parcel No. 1: 5,450 square feet for right of way purposes; Parcel No. 2: 3,050 square feet for permanent easement. Offer of \$200.00 approved by Mr. Hill May 12, 1967.

R-41032 - Donna Evans, et al. 10,000 square feet for right of way purposes. Offer of \$1,500.00 approved by Mr. Hill May 15, 1967.

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ST. HELENS ROAD-N. W. 21ST AVENUE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38355 - Margaret M. Cavender. 2,680 square feet for right of way purposes. Offer of \$25,400.00 approved by Mr. Jackson May 16, 1967.

R-38356 - Esco Corporation. 13,215 square feet for right of way purposes. Offer of \$30,000.00 approved by Mr. Jackson May 15, 1967.

R-38357 - Eugene Paul Landauer, et al. 13,372 square feet for right of way purposes. Offer of \$57,500.00 approved by Mr. Jackson May 15, 1967.

R-38359 - Mike S. Fayer, et ux. 9,601 square feet for right of way purposes. Offer of \$19,225.00 approved by Mr. Jackson May 15, 1967.

R-38369 - Helen Eickman. 4,685 square feet for right of way purposes. Offer of \$11,000.00 approved by Mr. Jackson May 15, 1967.

R-38370 - Angelina Satalich. 1,505 square feet for right of way purposes. Offer of \$8,750.00 approved by Mr. Jackson May 18, 1967.

R-38373 - Charles G. Pope, et ux. 18,063 square feet for right of way purposes. Offer of \$92,000.00 approved by Mr. Jackson May 16, 1967.

SMITH POINT-CAMP RILEA SECTION OF THE OREGON COAST HIGHWAY

R-35440 - Dan Larsen, et ux. 1.0 acre for right of way purposes. Offer of \$4,500.00 approved by Mr. Jackson May 12, 1967.

R-35452 - Robert D. Bulletset, et ux. 0.32 acre for right of way purposes. Offer of \$14,700.00 approved by Mr. Jackson May 15, 1967.

STANFIELD JUNCTION-PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-39875 and R-39876 - Lillian Deardorff. Parcel No. 1: 0.25 acre for right of way purposes; Parcel No. 2: 0.8 acre for right of way purposes; Parcel No. 3: 0.05 acre for right of way purposes; Parcel No. 4: 0.13 acre for right of way purposes; Parcel No. 5: 0.1 acre for right of way purposes. Offer of \$1,325.00 approved by Mr. Hill April 28, 1967.

R-39880 - Ferdie Hudemann, et ux. Parcel No. 1: 19.5 acres for right of way purposes; Parcel No. 2: 0.3 acre for right of way purposes; Parcel No. 3: 0.05 acre for right of way purposes; Parcel No. 4: 0.35 acre for right of way purposes; Parcel No. 5: 0.56 acre for right of way purposes; Parcel No. 6: 0.35 acre for right of way purposes; Parcel No. 7: 1.3 acres for right of way purposes; Parcel No. 8: 0.01 acre for permanent easement; Parcel No. 9: 1.0 acre for temporary easement; Parcel No. 10: 0.15 acre for temporary easement; Parcel No. 11: 0.37 acre for temporary easement. Offer of \$4,850.00 approved by Mr. Hill May 2, 1967.

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STANFIELD JUNCTION-PENDLETON SECTION OF THE OLD OREGON TRAIL HIGHWAY-Cont.

R-39887 - Sallie M. Vollendorff. Parcel No. 1: 31.0 acres for right of way purposes; Parcel No. 2: 14.7 acres for right of way purposes; Parcel No. 3: 0.53 acre for right of way purposes; Parcel No. 4: 4.4 acres for permanent easement; Parcel No. 5: 0.15 acre for permanent easement; Parcel No. 6: 0.2 acre for temporary easement. Offer of \$8,675.00 approved by Mr. Hill April 28, 1967.

R-39896 - Hans Struve, et al. Parcel No. 1: 17.4 acres for right of way purposes; Parcel No. 2: 0.8 acre for permanent easement. Offer of \$3,800.00 approved by Mr. Hill May 4, 1967.

R-39897 - Shirley Ernestine Temple. Parcel No. 1: 14.5 acres for right of way purposes; Parcel No. 2: 7.9 acres for right of way purposes; Parcel No. 3: 3.0 acres for permanent easement; Parcel No. 4: 3.6 acres for permanent easement; Parcel No. 5: 1.6 acres for permanent easement; Parcel No. 6: 0.08 acre for permanent easement. Offer of \$6,750.00 approved by Mr. Hill April 27, 1967.

R-39898 - Eileen Rohde. Parcel No. 1: 0.42 acre for right of way purposes; Parcel No. 2: 2.1 acres for permanent easement. Offer of \$450.00 approved by Mr. Hill April 27, 1967.

R-39899 - Ronald R. Rew, et ux. Parcel No. 1: 34.40 acres for right of way purposes; Parcel No. 2: 0.45 acre for right of way purposes. Offer of \$6,650.00 approved by Mr. Jackson April 21, 1967.

R-39900 - Ronald Royal Rew, et al. Parcel No. 1: 44.8 acres for right of way purposes; Parcel No. 2: 0.6 acre for right of way purposes; Parcel No. 3: 6.75 acres for right of way purposes; Parcel No. 4: 1.0 acre for permanent easement; Parcel No. 5: 3.6 acres for permanent easement; Parcel No. 6: 0.62 acre for temporary easement; Parcel No. 7: 0.35 acre for temporary easement. Offer of \$11,950.00 approved by Mr. Hill May 1, 1967.

R-39901 - Mayme Mark Sorey, et al. 27.6 acres for right of way purposes. Offer of \$6,800.00 approved by Mr. Jackson April 21, 1967.

R-39902 - Triangle Development, Inc. Parcel No. 1: 11.8 acres for right of way purposes; Parcel No. 2: 0.55 acre for right of way purposes. Offer of \$3,950.00 approved by Mr. Jackson April 21, 1967.

R-41402 - Eileen Rohde. Parcel No. 1: 1.0 acre for right of way purposes; Parcel No. 2: 0.13 acre for right of way purposes. Offer of \$200.00 approved by Mr. Jackson April 24, 1967.

R-41434 - Shirley Ernestine Temple, Trustee. Parcel No. 1: 20.6 acres for right of way purposes; Parcel No. 2: 0.8 acre for right of way purposes; Parcel No. 3: 3.5 acres for right of way purposes; Parcel No. 4: 1.4 acres for permanent easement. Offer of \$7,050.00 approved by Mr. Hill May 1, 1967.

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STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39418 - Mabel E. Case. 1,310 square feet for right of way purposes. Offer of \$2,650.00 approved by Mr. Jackson May 18, 1967.

R-39424 - Lyle P. Bartholomew, et al. 400 square feet for right of way purposes. Offer of \$1,225.00 approved by Mr. Jackson May 12, 1967.

R-39485 - Robert E. Burns, et ux. 1,350 square feet for right of way purposes. Offer of \$1,625.00 approved by Mr. Jackson May 18, 1967.

A report was made by the Chief Counsel concerning an order received from the Public Utility Commissioner regarding a highway crossing matter in which the State Highway Commission has been involved as follows:

PUX 613: Application by the State Highway Commission to widen an overcrossing structure over the tracks and right of way of the Southern Pacific Company, known as the Wren Overcrossing on the Corvallis-Newport Highway near the community of Wren in Benton County. Supplemental Order #43619 was issued May 23, 1967, to allow temporary impaired clearances for 20 days from that date.

The Engineer presented a sewage disposal agreement with the City of Lincoln City extending the agreement from January 1, 1967, through December 31, 1967. This arrangement for sewage from Devils Lake State Park, he commented, has been in effect since 1958 and is renewed annually at the City's request. Cost of sewage disposal for the year 1966 was \$355.22, and he estimated that the cost for 1967 would be approximately the same. Following his favorable recommendation, the Commission approved the agreement extension and authorized the Secretary to sign it for them.

Increases in project authorizations to cover overruns on four contracts were requested by the Engineer and approved by the Commission as follows:

- (1) Contract No. 6959 for work on the Fall Creek-Mt. Vernon Section of the Pendleton-John Day Highway in Grant County for an increase of \$111,400.26 (17.36%). The overrun was caused by the need to flatten cut slopes to correct and prevent slides.
- (2) Contract No. 6842 on the Murphy Hill Project on the Salmon River Highway in Polk County for an increase of \$184,678.55 (26.8%). The overrun was caused by several slides, one of which caused extensive damage to drainage facilities.

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- (3) Contract No. 6944 on the Suncrest Safety Rest Area on the Pacific Highway in Jackson County for an increase of \$20,857.90 (8%). Principal causes of the overrun were increases in general excavation, enlargement of lawn and planting areas, and increased engineering costs because the contractor overran the specified completion date.
- (4) Contract No. 6955 on the Cairo Junction Project on the Central Oregon and Olds Ferry-Ontario Highways in Malheur County for an increase of \$19,681.56 (18.9%). Ground conditions required additional excavation which increased the amount of rock required. Additional stone base material and paving were also needed to provide for extensive tapering work on the connecting traffic lanes.

Confirmation was requested by the Engineer on approval given April 26, 1967, by the Chairman to add a project to the existing junkyard screening program at M.P. 1.56 on the Wilson River Highway in Tillamook County. He estimated the cost of the job at \$20,000, 75 percent of which is chargeable to the federal beautification appropriation for junkyard screening. The Commission confirmed the project.

The Engineer stated that the Federal Department of Transportation has made available to Oregon an additional \$208,862 for landscaping and scenic work. No State match funds are required. He recommended approval of a new landscape project on the Beaverton-Tigard Highway between Progress and the South Tigard Interchange in Washington County at an estimated cost of \$120,000. The Engineer also recommended that the remaining funds be applied to the current program as an unprogrammed balance. The Commission approved the Engineer's recommendations.

Confirmation for authority to purchase a scenic area on the Pacific Highway (I-5) near the Cabin Creek Safety Rest Area in Douglas County was requested by the Engineer. He recalled that verbal approval was given by the Chairman on April 26, 1967. One hundred percent federal beautification funds are available in the amount of \$28,000, the estimated cost of this timbered area, and the project has been approved by officials of the Federal Highway Administration. The Commission confirmed the action as an addition to the existing highway beautification program.

In order to provide early financing for urgently needed projects, the Engineer recommended changes in the 1967 and 1968 State Construction Program. The Commission approved the following revisions and additions:

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STATE CONSTRUCTION PROGRAMPROJECTS TO BE DEFERRED1967 State Construction Program

Cascade Highway, Wrights Bridge	\$ 500,000
Oswego Highway, Oswego Creek Bridge	750,000
Williams Highway, Williams Creek Bridge	45,000

1968 State Construction Program

Cascade Highway, Killingsworth-SPRR (Signalization and channelization)	500,000
Mt. Hood Highway, S.E. Milwaukie Ave.-S.E. 82nd Ave. (Signalization and channelization)	250,000
Santiam Highway, Lost Lake Cr.-Hogg Rock (4 lane)	800,000
Mt. Hood Highway, Hood River Bridge	500,000
	<u>\$3,345,000</u>

NEW PROJECTS

Sunset Highway, Zoo Interchange-Vista Ridge Tunnel	\$2,000,000
Fremont Highway, The Dalles-California Hwy.-Forest Boundary (16.9 miles heavy overlay)	1,000,000
Willamina-Salem Highway, Holman Slide (add)	125,000
The Dalles-California Highway, Fourth St. in Madras (overlay)	100,000
Pacific Highway West, Seavy Road Intersection, Corvallis	35,000
Pacific Highway West, Barbur Blvd. retaining wall in Portland (M.P. 4.5) (Letter of May 3, 1967)	60,000
(Unprogrammed Balance)	25,000
	<u>\$3,345,000</u>

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Requests by contractors for extensions of time to complete highway contracts were considered by the Commission. The Engineer mentioned that the requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action on the following contracts:

- (1) Lord Bros. Contractors, Inc., Contract No. 6576, on the East Bank Freeway Section of the Pacific Highway in Multnomah County requested an extension of the completion date from July 31, 1966, to March 16, 1967. The Chairman gave telephonic approval on May 15, 1967, for an extension of time to March 15, 1967, without assessment of liquidated damages. The Commission confirmed this action. Approval by the Bureau of Public Roads was given in their letter of April 27, 1967.
- (2) Fred Jensen, Contract No. 6936, for facilities in Sunset Bay State Park in Coos County requested that the completion date be extended from March 1 to May 1, 1967. The Commission approved an extension of time to April 8, 1967, without assessment of liquidated damages.
- (3) Rogers Construction, Inc., Contract No. 6729, on the Old Oregon Trail in Baker County requested an extension of time from October 30, 1966, to March 25, 1967. The Commission approved an extension of time to January 23, 1967, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of May 19, 1967.
- (4) Casey Jones Well Drilling Company, Contract No. 6969, for well drilling in the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County requested 20 additional calendar days to complete the contract. The Commission approved a nine-day extension of time eliminating the assessment of liquidated damages. Bureau of Public Roads' approval was given in their letter of May 18, 1967.
- (5) Mid-State Construction Company, Contract No. 6933, in the Lewis and Clark and Starvation Creek State Parks in Multnomah and Hood River Counties requested that the completion date be extended from November 30, 1966, to May 1, 1967. The Commission approved an extension of time to May 1, 1967, without assessment of liquidated damages.

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- (6) Ace Electric Company, Contract No. 6951, for traffic signal installation on the Farmington Highway in Beaverton in Washington County requested eight additional calendar days to complete the contract. The Commission denied the request.
- (7) C. A. Lantz Construction Company, Contract No. 6771, for construction of the East Salem Shops Office Building in Marion County requested 120 additional calendar days to complete the contract. The Commission approved the request without assessment of liquidated damages.
- (8) Madson and Stokes Electrical Contractors, Contract No. 6919, for traffic signal installation on Century Drive Highway in Bend, Deschutes County, requested 40 additional calendar days to complete the contract. The Commission approved the request without assessment of liquidated damages.
- (9) Roy L. Houck Sons' Corporation, Contract No. 6519, on the Pacific Highway in Josephine County requested an extension of the completion date from September 30, 1966, to March 8, 1967. The Commission granted an extension of time covering the period of the stop work order from December 9, 1966, through March 6, 1967, without assessment of liquidated damages. Approval was given by the Bureau of Public Roads in their letter of June 6, 1967.

The Engineer reported that Contract Nos. 6527, 6576, 6578, 6643, 6738, 6772, 6815, 6910, 6953, 6954, 6969, and 6977 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof and said contracts are now ready for acceptance 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. 159," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next regular Commission meeting date was set for July 24, 1967, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for August 29, 1967. (Later the July meeting was changed to 8 p.m., July 24, 1967, in Coos Bay, Oregon.)

The Commission confirmed telephonic approval given on May 17, 1967, awarding contracts on which bids had been received May 11, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM MAY 11, 1967

Grading and paving on 3rd Street in the City of Haines in Baker County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Baker Redi-Mix, Inc., Baker, at \$20,100.50.

Screen planting on the Powell Valley Road-Duncan Road Section of the Mt. Hood Highway in Clackamas County. FAP No. CJF-24(1). Three bids were received. The Commission awarded the contract to the low bidder, All-City Tree & Landscape Service, Portland, at \$3,894.00.

Traffic signal installation on SE 82nd Avenue at Harmony Road on the Cascade Highway (Portland) in Clackamas County. State project. Five bids were received. The Commission elected to accept the low bid of Madson and Stokes Electrical Contractors, Roseburg, in the sum of \$7,538.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Clackamas County is received and the sum of \$4,300.00 is deposited by the County.

Facilities in Fort Stevens State Park in Clatsop County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, at \$240,444.20.

Railroad relocation on the Delena-Rainier Section of the Columbia River Highway in Rainier in Columbia County. FAP No. F-221(11). Six bids were received. The Commission elected to accept the low bid of Grimstad and Vanderveldt, Inc., Astoria, in the sum of \$71,478.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Construction of the Nehalem River (Arcadia) Bridge on FAS 612 in Columbia County. Federal-aid Secondary Highway Project No. S-279(3). Six bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$93,445.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Columbia County is received and the sum of \$20,900.00 is deposited by the County.

Maintenance painting of the Thomas Creek Bridge on the Oregon Coast Highway in Curry County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Garbareno Painting Company, Edmonds, Washington, at \$86,200.00.

Grading and two structures in Lapine State Recreation Area in Deschutes County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$306,505.00.

Oiling in Lapine State Recreation Area (Access Road) in Deschutes County. State Project. This project was withdrawn from the bid letting.

Test well in the Cabin Creek Safety Rest Area on the Pacific Highway in Douglas County. Federal-aid Interstate Highway Project No. I-5-3(76)145. No regular bids were received. (See ahead for entry concerning this project.)

Grading and paving on Calapooya Street in the City of Sutherlin in Douglas County. State Project. Four bids were received. The Commission elected to accept the low bid of Roseburg Paving, Inc., Roseburg, in the sum of \$13,549.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Sutherlin is received and the sum of \$2,000.00 is deposited by the City.

Grading and paving on S. W. 4th Street in the City of Canyonville in Douglas County. State Project. Three bids were received. The Commission elected to accept the low bid of Roseburg Paving, Inc., Roseburg, in the sum of \$17,284.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Canyonville is received and the sum of \$2,250.00 is deposited by the City.

Paving on the South Fork Reese Creek-Reese Summit Section of FAS 287 in Jackson County. FAP No. S-41(6). Five bids were received. The Commission elected to accept the low bid of Rogue River Paving Company, Inc., Medford, in the sum of \$98,565.00 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 \$22,500.00 is deposited by the County.

Grading and oiling on Butte Avenue in the City of Metolius in Jefferson County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$13,462.00.

Fencing on the North Albany Interchange Section of the Pacific Highway in Linn County. Federal-aid Interstate Highway Project No. I-5-4(56)235. Three bids were received. The Commission awarded the contract to the low bidder, Western Guardrail, Inc., Auburn, Wn., at \$5,737.50.

Screen planting on the Harrisburg-Eugene Section of the Albany-Junction City Highway and Pacific Highway West in Linn and Lane Counties. FAP Nos. CJF-3(2) and CJF-3(4). One bid was received. The Commission elected to accept the lone bid of Aichele Landscaping, Inc., Gresham, in the sum of \$26,487.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Santiam Rock Production Project on the Santiam, Clear Lake, McKenzie and North Santiam Highways in Linn, Lane and Marion Counties. State Project. Nine bids were received. The Commission awarded the contract to the low bidder, L. V. Anderson, General Contractor, Oakridge, at \$69,262.00.

Grading and paving on Oregon Street in the City of Vale in Malheur County. State Project. Two bids were received. The Commission elected to accept the low bid of Ontario Asphalt Paving Co., Ontario, in the sum of \$22,783.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Vale is received and the sum of \$700.00 is deposited by the City.

Grading, paving, and signing on the Fargo Road Interchange Section of the Pacific Highway in Marion County. State Project. Two bids were received. The Commission elected to accept the low bid of Salem Road & Driveway Company, Salem, in the sum of \$214,535.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

Grading, paving, structure and signs on the Burlington-Portland Section of the Columbia River Highway in Multnomah County. FAP No. 171(11). Six bids were received. The Commission elected to accept the low bid of Slate-Hall, Portland, in the sum of \$2,064,114.05 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading and paving on the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County. FAP No. F-59(3). Seven bids were received. The Commission elected to accept the low bid of Salem Road and Driveway Co., F. C. Voigt and George A. Lindahl, Salem, in the sum of \$701,387.02 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading, paving and structure on the M. P. 6.90 Slide Section of the Wilson River Highway in Tillamook County. FAP No. ER-171(2). Seven bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$242,747.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Improvements in the Stanfield Safety Rest Area on the Old Oregon Trail in Umatilla County. Federal-aid Interstate Highway Project No. I-80N-8(25)184. Seven bids were received. The Commission awarded the contract to the low bidder, M. R. Holst, Oakridge, at \$141,568.05.

Pendleton-Hilgard Rock Production Project on the Old Oregon Trail in Umatilla and Union Counties. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, C. B. Construction Company, Walla Walla, Washington, at \$60,640.00.

Concession building in Wallowa Lake State Park in Wallowa County. State Project. One bid was received from Teeple & Thatcher Contractors, Inc., Portland, in the amount of \$58,640.00. This bid was rejected as being too high.

Traffic signal installation at the intersection of the Pacific Highway West and the Fred Meyer Access Road in the City of Tigard in Washington County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Graham Electric Company, Portland, at \$11,855.00.

Grading and paving on Monroe Street in the City of Lafayette in Yamhill County. State Project. Two bids were received. The Commission elected to accept the low bid of Rowell and Wickersham, McMinnville, in the sum of \$23,986.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Lafayette is received and the sum of \$2,175.00 is deposited by the City.

Grading, paving, structures, and signing on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County. Federal-aid Interstate Project No. I-80N-5(27)187. Nine bids were received. The Commission elected to accept the low bid of Rogers Construction, Inc., Portland, in the sum of \$7,137,753.75 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Confirmation of award was requested by the Engineer on a negotiated contract (No. 7018) with Stanley Mohr Well Drilling Company for drilling a test well at the Cabin Creek Safety Rest Area on the Pacific Highway in Douglas County. He recalled that no proper bids were received for this project at the bid opening on May 11, 1967, and because of the critical water situation at this location, he recommended approval of the negotiated contract in the amount of \$2,315. The Commission confirmed the award of the contract and authorized the Secretary to sign it for them.

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 satisfied. The Commission confirmed award of the following contracts:

- (1) Railroad relocation on the Delena-Rainier Section of the Columbia River Highway in Columbia County. Bids received May 11, 1967. Contract No. 6996 awarded May 24, 1967, to Grimstad and Vanderveldt, Inc., Astoria, low bidder.
- (2) Nehalem River (Arcadia) Bridge on FAS 612 in Columbia County. Bids received May 11, 1967. Contract No. 6997 awarded May 19, 1967, to Ross Bros. Construction, Inc., Salem, low bidder.

- (3) Grading and paving on Calapooya Street in Sutherlin in Douglas County. Bids received May 11, 1967. Contract No. 7000 awarded May 31, 1967, to Roseburg Paving, Inc., Roseburg, low bidder.
- (4) Grading and paving on S. W. 4th Street in Canyonville in Douglas County. Bids received May 11, 1967. Contract No. 7001 awarded May 19, 1967, to Roseburg Paving, Inc., Roseburg, low bidder.
- (5) Paving on South Fork Reese Creek-Reese Summit Section of FAS 287 in Jackson County. Bids received May 11, 1967. Contract No. 7002 awarded May 26, 1967, to Rogue River Paving Company, Inc., Medford, low bidder.
- (6) Screen planting on Harrisburg-Eugene Section of the Albany-Junction City Highway and Pacific Highway West in Linn and Lane Counties. Bids received May 11, 1967. Contract No. 7005 awarded May 19, 1967, to Aichele Landscaping, Inc., Portland, low bidder.
- (7) Grading and paving on Oregon Street in Vale in Malheur County. Bids received May 11, 1967. Contract No. 7007 awarded May 19, 1967, to Ontario Asphalt Paving Company, Ontario, low bidder.
- (8) Grading, paving, and signing on Fargo Road Interchange Section of the Pacific Highway in Marion County. Bids received May 11, 1967. Contract No. 7008 awarded June 1, 1967, to Salem Road and Driveway Company, Salem, low bidder.
- (9) Grading, paving, structure and signing on the Burlington-Portland Section of the Columbia River Highway in Multnomah County. Bids received May 11, 1967. Contract No. 7009 awarded May 22, 1967, to Slate-Hall, Portland, low bidder.
- (10) Grading and paving on the Homes Gap-Baskett Slough Section of the Pacific Highway West in Polk County. Bids received May 11, 1967. Contract No. 7010 awarded May 19, 1967, to Salem Road and Driveway Company, Fred C. Voigt, and George A. Lindahl, Salem, low bidder.

- (11) Grading and paving on Monroe Street in Lafayette in Yamhill County. Bids received May 11, 1967. Contract No. 7016 awarded May 19, 1967, to Rowell and Wickersham, McMinnville, low bidder.
- (12) Grading, paving, structures, and signing on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County. Bids received May 11, 1967. Contract No. 7017 awarded May 23, 1967, to Rogers Construction, Inc., Portland, low bidder.
- (13) Grading, paving and structure on M.P. 6.90 Slide Section of the Wilson River Highway in Tillamook County. Bids received May 11, 1967. Contract No. 7011 awarded June 5, 1967, to Ross Bros. Construction, Inc., Salem, low bidder.

The Commission confirmed removal of a reduced load limit on the Crater Lake Highway from M.P. 57.58 to M.P. 66.37 in Jackson and Klamath Counties, effective 8 a.m., Monday, May 22, 1967. The restriction was imposed on March 27, 1967. (Commission action at the April 25, 1967, meeting anticipated removal on May 26, 1967.)

The Commission also confirmed removal of a reduced load limit on the West Diamond Lake Highway from M.P. 13.23 to M.P. 23.89 in Douglas County, effective 8 a.m., May 22, 1967. The load limit was placed in effect April 3, 1967. (Commission action at the April 25, 1967, meeting anticipated that removal of the load limit would be made May 29, 1967.)

Settlement of R. L. Coats' claim in the amount of \$16,492.08 for additional compensation on Contract No. 6843 on the Wallowa River Bridge Section of the Wallowa Lake Highway in Wallowa County was considered. The Engineer commented that the claim arose from delay in availability of certain railroad property on which contract work was to be performed. The State was unable to reach an agreement with Union Pacific Railroad Company and a stop work order issued to the contractor prevented his entry on to a portion of the project from August 24, until October 10, 1966. The claim has been reviewed carefully and he recommended that a settlement be approved in the amount of \$12,870.23. The Commission approved the settlement.

A location survey for improvement of the Forest Boundary-Imnaha Section of the Little Sheep Creek Highway in Wallowa County was presented by the Engineer. He pointed out that the project is included in the 1968 Forest Highway Program in the amount of \$1,500,000 for minor changes in grade and resurfacing on 8.68 miles. The Commission accepted the Engineer's favorable recommendation and thereupon adopted "Survey Resolution No. 338," which resolution by this reference is made a part hereof and filed in the Secretary's Office. Mr. A. W. Parsons, Division Engineer for the Bureau of Public Roads commented that a Court decision on construction of the High Mountain Sheep Dam may have some influence on this project.

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Consideration was given to requests from Marion, Coos, and Washington Counties for 1967 and 1968 County FAS Projects. Consideration was also given to a request for a transfer of FAS funds from Curry County to Tillamook County. The Engineer stated that the projects have been investigated and are eligible for construction with FAS funds. Also the request for transfer of FAS funds from Curry to Tillamook County has been approved by the proper officials of these counties. Based on his favorable recommendation, the Commission approved the following projects and transfer of funds, and authorized the Secretary to sign routine construction agreements pertaining to the projects when they are prepared.

PROPOSED FISCAL YEARS 1967 & 1968 COUNTY FAS PROJECTS

<u>County</u>	<u>FAS</u>	<u>Section and Description</u>	<u>Programmed Amount</u>	<u>FAS Funds</u>
Coos	804	Broadbent Bridge, 32' H.C. Approx. 260' long.	\$200,000	1968
Marion	130	Silver Creek Bridge, 28' horizontal clearance with sidewalk on upstream side.	60,000	1968
Washington	630	145th Avenue-Butner Road-Jenkins Rd.- grade and right of way for four lanes, but pave with A.C. for 2 lanes for present. 0.69 mile.	110,000	1968
Total			\$370,000	

TRANSFER OF FAS FUNDS*

Curry County to Tillamook County.....\$25,000
(Former transfer of \$95,000 at the 3/14/67 Commission meeting)

<u>SUMMARY BY FISCAL YEARS</u>	<u>1967</u>	<u>1968</u>	<u>Total</u>
Allocated Funds	\$3,952,000	\$3,953,000	\$7,905,000
Approved Projects (Corrected to date)	3,952,000	52,000	4,004,000
Unprogrammed Balance	\$ -- --	\$3,901,000	\$3,901,000
Projects Proposed	-- --	370,000	370,000
Unprogrammed Balance	\$ -- --	\$3,531,000	\$3,531,000

*These funds to be used on previously approved projects.

The Commission confirmed prior action in establishing the salary of the State Highway Engineer at the top amount authorized by the Legislature (\$2,020) effective July 1, 1967.

The Commission also approved the Secretary's salary at the top amount authorized by the Legislature (\$1,070) effective July 1, 1967.

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The Engineer reported that in a short time the Lime-Malheur County Line Section of the Old Oregon Trail (I-80N) in Baker and Malheur Counties will be completed. He recommended the establishment of a 75 mile-per-hour speed zone on the section between the North Huntington Interchange at M.P. 380.29 and a point south of the Benson Creek Interchange at M.P. 387.76 to be effective upon completion of construction and erection of signs. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 523," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Changes in the Central Oregon Highway make it desirable to amend a through-stop highway resolution dated August 26, 1947. For the convenience and safety of the traveling public, the Engineer recommended that the resolution be amended as follows:

Central Oregon Highway No. 7

Between M.P. x0.21 (The Century Drive Highway) in Bend and M.P. 266.81 (the Idaho State Line) at Nyssa.

Exceptions:

1. Except that traffic westbound on the Central Oregon Highway shall stop at Wall Street (M.P. 0.00) and Bond Street (M.P. 0.07) in Bend.
2. Except that traffic eastbound on the Central Oregon Highway shall stop at its junction with the Olds Ferry-Ontario Highway (M.P. 258.21) at Cairo Junction.
3. Except that traffic southbound on the Olds Ferry-Ontario Highway need not stop at its junction with the Central Oregon Highway.

The Commission accepted his recommendation and thereupon adopted "Through Highways and Stop Signs Resolution No. 11a," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a request from Mr. Victor H. Switzer, representing Western Greyhound Lines, that buses be relieved of the stop requirement at the railroad grade crossing of the Salmon River Highway at M.P. 20.79 near Grand Ronde in Polk County. The Engineer reported that the crossing is a dead-end spur to a log dump and has not been used for some time. It is understood that the International Paper Company, Long Bell Division, provides a flagman when it is used. He mentioned that during the summer season traffic reaches a volume of 1,000 vehicles per hour and for the safety of traffic it would be safer if buses were

not required to stop. In consideration of these conditions he recommended that the Commission relieve the commercial buses of the stop requirement at this crossing. The Commission accepted his recommendation and thereupon adopted "Miscellaneous Resolution No. 240c," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Abandonment of a portion of the Grave Creek-Jumpoff Joe Creek Section of the Pacific Highway in Josephine County to the abutting property owners was recommended by the Engineer. He explained that the right of way is no longer needed for highway purposes nor for the service of persons living thereon. The Commission approved abandonment of the old highway route from Engineer's Station 565+00 to Engineer's Station 569+50 and thereupon adopted "Abandonment Resolution No. 466," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Abandonment to Josephine County of a portion of the old route of the Douglas County Line-Jumpoff Joe Creek Section of the Pacific Highway in Josephine County was brought up by the Engineer. He commented that an abandonment agreement with the County had been modified in order to better control access at a frontage road constructed following the original agreement. The County has concurred in the changes and approximately 0.6 mile is to be abandoned under this resolution. The Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 420," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An abandonment resolution and an amendatory letter to Douglas County pertaining to the Roberts Mountain-Myrtle Creek Section of the Pacific Highway in Douglas County were presented by the Engineer. He explained that the amending letter changes the original throughway agreement of May 28, 1964, to provide that the State retain a small portion of the old highway within the access control area at the westerly side of the Clarks Branch Interchange. The letter also provides for retention by the State of a portion of the old highway which was to be relinquished to the County in the original agreement. The resolution as presented completes the transfer of the old highway as provided in the original agreement and as amended by the letter. Following his favorable recommendation, the Commission approved the amending letter and authorized the Secretary to sign it in their behalf. The Commission also adopted "Abandonment Resolution No. 465," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered a supplemental agreement with Clatsop County and an abandonment resolution pertaining to a portion of the old route of the Big Creek-Rock Creek Section of the Columbia River Highway in Clatsop County. The Engineer explained that following approval of the original agreement of June 2, 1966, it was found that the State should retain two segments of the old right of way. The supplemental agreement and the resolution accomplish this purpose and he recommended their approval.

The Commission approved the supplemental agreement and authorized the Secretary to sign it in their behalf. They also adopted "Abandonment Resolution No. 446," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a throughway abandonment agreement with Klamath Falls and the Klamath County Board of Commissioners pertaining to the Link River-Green Springs Junction Section of The Dalles-California Highway in Klamath County. The agreement provides for construction of the highway, reconstruction of existing road connections, road closures, utility relocations, and other matters. The agreement also provides for transfer to the County of the existing alignment lying adjacent to the throughway upon completion of the new alignment. Approximately 0.36 mile is to be relinquished to the City of Klamath Falls and 1.90 miles to the County. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Confirmation was requested for verbal approval given by the Commission, on May 18, 1967, on a supplemental agreement with the Spokane, Portland and Seattle Railway Company and the Great Northern Railway Company extending an existing agreement. The Engineer explained that the original agreement dated November 1, 1962, allows the State to enter on railroad property to construct the Burlington-Portland Section of the Columbia River Highway in Multnomah County. The supplement extends the easement granted in the original agreement to include an area sufficient to accommodate all of the State's construction between Burlington and the St. Johns Bridge. The Commission confirmed the agreement and authorized the Secretary to sign it for them.

The Engineer also requested confirmation of approval given by the Chairman on May 2, 1967, for negotiations with the Bell Telephone Company for relocation of a coaxial cable in the Canyonville-Bear Gulch Section of the Pacific Highway in Douglas County. During December 1966, a slide occurred which endangered the cable. Temporary adjustments were made and the telephone company now wishes to perform a permanent relocation. Cost of this work, \$18,300, has been determined to be a State responsibility and has been approved by the Bureau of Public Roads. The Commission confirmed the action.

Attention was given to a supplemental throughway-construction agreement with Morrow County pertaining to frontage road construction along the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail in Morrow County. The agreement provides for construction by the County of a frontage road to connect existing frontage roads lying southerly from the throughway, thus allowing a continuous road between Paterson Ferry Road and the Ordinance Interchange. The County is to assume jurisdiction of the entire frontage road within Morrow County, including the portions previously constructed by the State. The County has appealed for financial assistance. The Engineer recommended that assistance be given, not to exceed \$20,000, although the Bureau of Public Roads will not participate. The Commission approved assistance not to exceed this amount and based on the actual cost of the oiling work involved. The Commission also authorized the Secretary to sign the agreement for them.

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The Commission considered a supplemental throughway agreement (letter form) with Washington County concerning relocation and construction of Patton Road and its connection to the Forest Grove-Gaston Section of the new Tualatin Valley Highway. The agreement, among other things, provides for closing the existing Patton Road and construction of a new connection. The County agrees to assume jurisdiction of the portion of Patton Road to be improved by the State and has agreed to accept approximately four miles of the old highway located westerly from the new line. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a throughway agreement with the Washington County Board of Commissioners pertaining to the Washington County Unit of the East Portland Freeway (I-205). This agreement provides for construction of the highway, an interchange, separation structures, road closures, and other matters. The Engineer mentioned that this is one of several agreements to be negotiated with governmental units in construction of the East Portland Freeway and will help to clear the way for acquisition of highway and preparation of plans for construction of the new highway. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A supplemental throughway agreement with the Multnomah County Board of Commissioners concerning the Multnomah County Unit of the East Portland Freeway (I-205) was presented by the Engineer. He explained that the agreement takes into account the latest requests of all parties involved including the Port of Portland's request regarding the approach to the Columbia River Bridge as it affects planes using the Portland International Airport. The agreement provides for the usual construction provisions, road closures, connections, and other matters. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was also given to a throughway agreement with the Multnomah County Board of Commissioners concerning the Burlington-Portland City Limits Section of the Columbia River Highway in Multnomah County. The agreement provides for construction of the highway, intersections, reconstruction of various roads, street closures, utility relocation, and other pertinent matters. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

A cooperative construction-finance agreement with the City of Portland pertaining to the N. W. Yeon Avenue-N. W. Kittridge Avenue Section of the Columbia River Highway (N. W. St. Helens Road) was discussed. The Engineer commented that the agreement contains provisions for construction of the highway, relocation of utilities, parking restrictions, and other matters. Construction on St. Helens Road is to be paid for by the State and construction on Yeon and Kittridge Avenues is to be paid for by the City. He estimated cost of the State's portion of the project at \$122,000 including signals, and the City's portion at approximately \$376,000.

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Construction will be held up until funds are available. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Crook County concerning the use of Federal-aid Funds under the Land and Water Conservation Fund Act of 1965 was brought up. The Engineer mentioned that the agreement is a standard State-County form in which the County requests projects. No funds are involved. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission gave attention to an agreement with the Army Corps of Engineers regarding construction of bank protection near the Harrisburg Bridge crossing of the Willamette River on the Albany-Junction City Highway in Lane County. The agreement provides that the Corps of Engineers will construct bank protection and the State will furnish all lands, easements, and rights-of-way that are required. The Commission approved the agreement.

Consideration was given to an agreement with Klamath County for revision of traffic signals at the intersection of the Klamath Falls-Lakeview Highway and Summers Lane, and the installation of traffic signals at the intersection of the Klamath Falls-Malin Highway and Shasta Way. The Engineer commented that the agreement provides that the State perform the work. The County is to pay one-half the cost of construction and provide all of the required maintenance and electrical energy. He estimated the total cost of the installation at \$25,000 with the State's share (\$12,500) to be taken from Minor Betterment Funds. It was his recommendation that the agreement be approved and the Secretary authorized to sign the agreement for the Commission. The Commission accepted the recommendation.

Attention was also given to an agreement with the City of Oregon City for installation of traffic signals at intersections of Washington Street (Cascade Highway) with 14th and 15th Streets. The Engineer explained that the State is to do the work, which is one of the safety projects, and the City is to pay one-half the cost of installation and provide all maintenance and power needs. He estimated the total cost of the project at \$20,000 with the State's share (\$10,000) to be taken from State Construction Funds. 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 the City of Corvallis for installation of traffic signals at the intersection of US99W and Seavy Road, and the installation of railroad crossing signals at the Southern Pacific grade crossing of Seavy Road. Under the agreement the State is to construct the channelization which the Engineer estimated would cost \$20,000. Cost of the highway signals he estimated at \$20,000, the cost to be shared equally by the State and the City. The City is to assume the cost of signals at the railroad crossing and the interconnection between the railroad and highway signals. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

An agreement with Jackson County for installation of traffic signals at the intersection of the Crater Lake Highway and Vilas Road was presented by the Engineer. The State is to do the work and the County is to pay one-half the cost of the installation and provide for all future maintenance and power needs. He estimated the total cost of the project at \$12,000 with the State's share (\$6,000) to be taken from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission also considered an agreement with the City of Tillamook for installation of traffic signals at the intersection of Main Avenue (Oregon Coast Highway) and 4th Street. The Engineer estimated the cost of installation at \$9,000, of which the City is to pay one-half and in addition provide for all maintenance and electrical energy required. The State's share (\$4,500) is to be taken from Minor Betterment Funds. It was his recommendation that the agreement be approved and the Secretary authorized to sign it. The Commission accepted his recommendation.

An agreement with the City of Portland for modernization of traffic signals at 12 intersections on North Lombard Street (N. E. Portland Highway) was considered. The Engineer observed that the cost of revising these signals is estimated at \$35,000. The City is to do the work, pay one-half the cost of the modernization, and provide for all maintenance and electrical energy required. The State's share of the project (\$17,500) is to be taken from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement.

Consideration was given to an agreement with the City of Milwaukie for installation of traffic signals and luminaire units on the Milwaukie-Harmony Road Interchange Section of the Clackamas Highway in Clackamas County. Under the agreement, the Engineer stated that the State is to make the installation which he estimated would cost \$170,000, as a part of the construction project. The City is to maintain the luminaire units and provide all of the electrical energy needed for both the luminaire units and the traffic signals. It was his recommendation that the agreement be approved and the Secretary authorized to sign it. The Commission accepted his recommendation.

Confirmation was requested by the Engineer for oral approval given by the Chairman on May 26, 1967, covering an agreement with Oregon Welcome, Inc. He mentioned that since 1964 Oregon Welcome, Inc. has provided services of a coordinator for the Governor's Oregon Welcome Committee. The agreement expired May 31, 1967. The agreement to be confirmed extends through May 31, 1968, at a cost not to exceed \$12,400. The Commission confirmed the agreement and authorized the Secretary to sign the agreement in their behalf.

The Commission considered an agreement with Spokane, Portland, and Seattle Railway Company concerning relocation of its tracks because of construction of the Delena-Rainier Section of the Columbia River Highway,

Columbia County. The Engineer remarked that the agreement provides for an exchange of property, that the State construct the railroad subgrade, and the Railroad construct the tracks thereon. He recommended that the agreement estimated to cost the State \$40,928 be approved, and that the Secretary be authorized to sign it. The Commission accepted his recommendation.

An agreement with Southern Pacific Company for installation of crossing gates at the grade crossing of the Corvallis-Lebanon Highway north of Tangent in Linn County was considered. The Engineer estimated the cost of the project at \$10,860 to be shared equally by the State and the Railroad. The Railroad is to perform the installation and complete it within one year. The Commission approved the agreement.

The Commission gave attention to a letter-form supplemental throughway agreement with Umatilla County pertaining to the Pendleton Section of the Old Oregon Trail, I-80N. The Engineer commented that the agreement confirms the original agreement of March 8, 1966, covering a trumpet-type interchange facility on the West Pendleton Interchange. Following the Engineer's favorable recommendation, the Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

An agreement with Great Northern Railway Company covering construction and maintenance of a crossing and automatic gates on the Lapine Recreation Area Park Access Road in Deschutes County was discussed. Protection to traffic, the Engineer said, requires the installation of automatic crossing gates. The Railway Company is to construct a 40-foot crossing, two automatic short-arm crossing gates, flashing lights, bells, and other features which are required. He estimated the cost of the project at \$15,200 to be paid for by the State. The agreement also provides that the Railway Company grant an easement to the State at a cost of \$100 to be covered by a separate instrument. It was his recommendation that the agreement be approved and the Secretary authorized to sign it for the Commission. The Commission accepted the recommendation.

The Commission considered an agreement with Wilbur Smith and Associates for updating the Portland-Vancouver Metropolitan Transportation Study. The Engineer stated that the Bureau of Public Roads has required that the study be updated from 1980 to 1990. The planning agency in Portland will be unable to perform the work in the foreseeable future because of lack of funds; therefore, negotiations have been undertaken with Wilbur Smith and Associates. A tentative understanding has been reached with this firm but a formal agreement has not yet been prepared. He recommended that the Engineer be authorized to execute the agreement when it is completed subject to telephonic approval by the Commission. Funds for this study which he estimated would cost not to exceed \$115,000, will be provided from Oregon's Highway Planning and Research Fund. The Commission approved the arrangement as presented by the Engineer.

The Chairman inquired if the matter of updating the study is a City or a State problem. The Engineer replied that it is the responsibility of both, but the City has not contributed any funds. He also mentioned that it is necessary that the study be continued or Federal Funds could be shut off.

The Engineer stated that the City of Lincoln City in Lincoln County had requested that the Commission rescind a previous action prohibiting vehicular traffic on the beach, and to substitute action to include the Lincoln City beach area in its entirety, including the State's portion of the beach. The Engineer commented that in compliance with past policy in this matter the Commission has approved Cities' or Counties' requests for prohibition of vehicles on the beaches and he recommended that such action be taken. In discussing this matter, it was pointed out that there is pending before the Supreme Court an action concerning the legality of Lincoln City as an incorporated City. The Commission accepted the Engineer's recommendation contingent upon a favorable decision by the Supreme Court. The Chairman inquired if the Commission has authority to take such action. The Engineer replied that under existing laws such authority does reside with the Commission.

The matter of terminating joint ownership of property in Corvallis along Marys River owned jointly by the State Highway Department and the City of Corvallis was discussed. The Engineer recalled that several years ago in connection with the proposed First Street Project in Corvallis some properties were acquired jointly. One large area was secured with the understanding that final title to the property would be defined following a study of a highway interchange pattern. The City of Corvallis has applied for a Federal-aid project to develop a recreational area south of Marys River and final approval requires determination of ownership. The Engineer recommended that an agreement for division and affecting only that property south of Marys River be approved so as to allow the City to continue its recreational development. The Commission approved the agreement and authorized the Secretary to sign it for them.

Mr. Reuben Getz, Mr. Howard Cunningham, Mrs. Connie McCready, State Representative; and Mr. Don Wells, all of Portland, and representing the Columbia River Yacht Association, appeared before the Commission concerning construction of the East Portland Freeway Bridge (I-205) across the Columbia River in the Portland area. Mr. Getz stated that the group represents sixteen boating clubs comprising approximately 2,000 families. They request that the bridge have at least 65 feet clearance above the datum level to allow sailboats to pass under the bridge. He pointed out that the proposed location of the bridge passes over a much used boat anchorage area creating a hazard from objects which may be tossed from the bridge. Construction of the bridge piers will also create the possibility of change in river currents which could cause the filling in of the anchorage area. He emphasized the importance of the area for small boat use as it

is not only a good marine park area but is largely shielded from prevailing winds. He requested that the bridge be moved approximately one mile to the east.

Rep. McCready commented on the unique advantages enjoyed by the present anchorage area and emphasized the great use of the area by family boaters, many of whom bring their boats in by trailer. She also mentioned the inherent danger from objects tossed from the bridge.

Chairman Jackson remarked that location of the East Portland Freeway, including the bridge across the Columbia, had been a most controversial matter which had been underway for several years. He pointed out that location of the bridge and its height affects plane traffic using the Portland International Airport. If the bridge is to be increased in height as requested it would mean that it would have to be located a considerable distance up stream which would require a change in routing of the highway onto the bridge. All of the Cities and Counties involved in location of the highway have agreed to its present route. Also the Bureau of Public Roads has approved the location and funds are being spent upon it. He also pointed out that location of the bridge is a matter in which the State of Washington is vitally concerned and they have approved the present location. In response to Rep. McCready's inquiry as to clean-up of highway right of way and removal of sand from the river, the Chairman replied that the States of Oregon and Washington in their respective areas are responsible for the highway right of way and the Army Corps of Engineers has responsibility for keeping the Columbia River channel open. In view of the development of plans at this stage and the commitments that have been made with other governmental agencies, the Commission, he said, can not change its plans for location of the bridge. He also commented that the Commission is well aware that in highway construction some things are destroyed and it is regrettable that this has to be. He assured them that the Commission would cooperate with them in every way possible to preserve boating facilities.

A delegation representing the Albany Chamber of Commerce came before the Commission concerning construction of a second bridge across the Willamette River in Albany. The following people were present: Mr. James Goode; Mr. Orval Thompson; Mr. James W. Smith; Mr. Howard Hickam; Mr. Jack Blair; State Representative Wm. F. Gwinn; and Mr. George Lichtenthaler, all residents of Albany. Mr. Goode, Chairman of the Albany Committee on Roads and Bridges, pointed out the increasing need for a second bridge and he presented to the Commission some maps and pictures. Traffic in 1965, he said, was approximately 9,765 vehicles per day and at the present time is up to about 11,304. Much of this increase is caused by the development of residential areas on the west side of the river. He estimated approximately 6,400 vehicles out of the 11,304 go to the north Albany area on the west side of the river and the balance into the Corvallis area. He also mentioned that construction of the second bridge across the Willamette at Corvallis had not decreased the amount of traffic into Albany as had been anticipated. An additional hazard is caused at times by the

inability of fire department vehicles to get across the bridge during periods of traffic congestion. Industrial plants are moving into the Albany area and the need for a second bridge is urgent. The Chairman commented that the Commission is aware of the need for the bridge and that surveys pertaining to it are underway; however, the cost is estimated at something above three million dollars and the Commission's problem is finding the money to do the job. No promises can be made at this time but the project is being worked on and will be given every possible consideration.

Dr. G. E. Parrott, Richard Conrad, and John Buol, all from Oregon City and representing the Hilltop Boosters of Oregon City, came before the Commission concerning rerouting of the Cascade Secondary Highway in the Oregon City area. Dr. Parrott, Secretary to the Oregon City Planning Commission, recalled that a similar request had been made by a delegation in 1962. The existing route through the City, he said, is bad. Traffic signals have helped, but they do slow traffic down. He commented on the large volume of traffic which he said is approximately 20,500 vehicles per day at the Clackamas-Multnomah County line, and between 10 and 11 thousand vehicles in Oregon City. A more direct route or a bypass route which might utilize Newel Canyon is badly needed. The steep hills which the present route traverses create a dangerous condition particularly for trucks. He also mentioned that the Cascade Highway Association has endorsed the proposed project.

The Chairman inquired if the County and City have agreed upon a plan. Mr. Parrott replied that they have agreed upon the need for improvement, but details as to how and where have not been resolved; Chairman Jackson stated that the Commission has given considerable study to the project, but no solution has been presented which is agreeable to the governmental agencies involved. In addition to the need for an acceptable plan, the Commission is also faced with the problem of finding funds to perform the work. The Commission, he said, is very reluctant to undertake a project until there is agreement with local agencies and he suggested that more consideration be given to devising an acceptable plan.

Mr. Larry Rice and Mr. Roger Sinclair from Cottage Grove appeared before the Commission regarding transfer to the City for park purposes of a parcel of State-owned land near the North Cottage Grove Interchange. Mr. Larry Rice, City Manager of Cottage Grove, stated that the City would like to use the 50-acre tract owned by the State as a part of a park development consisting of a total of 80 acres. He showed a map of the development plan and stated that the property would be useful in beautifying the City. City plans are well advanced including the acquisition of river frontage and getting rid of several junkyards.

Mr. Sinclair commented on the large deposits of gravel which are available on Row River and that the main supply of gravel is upstream from the land owned by the State. Mr. Rice pointed out that in his opinion the best use of the State-owned land is for recreational use rather than as a

material source and he asked that the land be transferred to the City without cost. The City needs all of its funds for development purposes.

The Chairman stated that the Commission has a policy on disposal of land to other governmental agencies and it is difficult to justify a change; however, careful review will be made on the City's request and they will be advised when a decision has been made.

A delegation from Milton-Freewater came before the Commission concerning highway improvements on the Weston-Elgin Highway in the Toll Gate area in Umatilla and Union Counties. The following people were present: Rep. Don McKinnis; Pete Eyraud; Wayne Johnson; Al Beard; and Rep. Irvin Mann. Representative McKinnis commented on the rapidly increasing traffic consisting mainly of fishermen and winter sports enthusiasts. Not much commercial traffic uses the highway at the present time but it was his feeling that if the highway were improved there would be more commercial use.

Mr. Johnson stated that improvement of the highway would increase the tourist flow into the Wallowa area and would also benefit in the hauling of cattle, sheep, and wool from this area.

Mr. Eyraud, operator of a ski area near Toll Gate, stated that a great many of the winter sports visitors come from the Tri-City area in Washington. Jubilee Lake, he felt, will also be a great attraction to fishermen from the Tri-City area. The Boise Cascade Company is developing the use of cull White Fir and there is definite prospect that there will be a considerable haul of this material over Highway 204. He urged reconstruction of approximately 12 miles to remove a series of bad curves and inquired as to what plans there are for improvement.

The Chairman inquired of the Engineer as to what the cost of reconstruction of the 12-mile section would be. The Engineer replied that the cost would be near $4\frac{1}{2}$ million dollars and the nature of the road is such that realignment is needed. Mr. Beard mentioned that the Tri-City area is lacking in recreational resources and a greater effort should be made to attract people from that area into Oregon. Several letters from companies and chambers of commerce were presented for study. Rep. Mann also mentioned that when the Jubilee Lake Project is completed great numbers of people will be attracted. He asked the Commission to give the delegation's request their favorable consideration.

Chairman Jackson stated that the Commission is much interested in the matter and they would do their best to find some sort of an answer.

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

"Bargain and Sale Deed" conveying to the City of Corvallis a parcel of land on the South First Street Connection of the Pacific Highway West in Benton County.

"Bargain and Sale Deed" conveying to Lane County a parcel of land on the Eugene-West 11th Street Section of the Eugene-Swisshome Highway in Lane County.

"Bargain and Sale Deed" conveying to William H. and Lavonne Foster a parcel of land on the Clarno-Porcupine Butte Section of the Shaniko-Fossil Highway in Wheeler County.

"Quitclaim Deed" to the United States National Bank of Oregon covering the Mazama Junction-Collier Park Section of The Dalles-California Highway in Klamath County.

"Ground Lease" with Oregon Electric Railway Company covering the Gillespie Corners-County Line Section of the Territorial Highway in Lane County.

"Lease Renewal" with Marion F. and Mildred Walker covering the Pistol River Section of the Oregon Coast Highway in Curry County.

"Agreement" with Crown Zellerbach Corporation covering the Hjorteland Quarry on the Sunset Highway in Clatsop and Columbia Counties.

"Indenture of Access" to the Pacific Power & Light Company property on the Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Indenture of Access" to Gertrude Heitkamp property on the Medford-County Farm Section of the Pacific Highway (now designated as the Rogue Valley Highway) in Jackson County.

"Indenture of Access" to Marshall Carl Anderson property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to L. A. and Mary Jane Soder and Charles C. and Matilda J. Keller property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Grant of Access" to Selmar A. and Wilma F. Hutchins covering land on the Chenoweth Park-Deady Section of the Pacific Highway in Douglas County.

June 8, 1967

"Agreement" with the City of Lincoln City renewing to December 31, 1967, the connection of Devils Lake State Park overnight camp sewer to the City's sewage disposal plant.

"Amendatory Agreement" in letter form with Douglas County covering the abandonment of the Roberts Mountain-Myrtle Creek Section of the Pacific Highway in Douglas County.

"Supplemental Agreement" with Clatsop County covering abandonment on the Big Creek-Rock Creek Section of the Columbia River Highway in Clatsop County.

"Throughway abandonment agreement" with the City of Klamath Falls and Klamath County covering the Link River-Green Springs Junction Section of The Dalles-California Highway in Klamath County.

"Supplemental throughway construction agreement" with Morrow County covering frontage road construction along the Irrigon Junction-Umatilla County Line Section of the Old Oregon Trail in Morrow County.

"Supplemental throughway agreement" in letter form with Washington County covering the relocation and construction of Patton Road and its connection to the new Tualatin Valley Highway in Washington County.

"Throughway agreement" with Washington County Board of Commissioners pertaining to the Washington County Unit of the Pacific Highway (I-5)-Washington State Line Section of the East Portland Freeway (I-205) in Washington County.

"Throughway agreement" with Multnomah County Board of Commissioners pertaining to the Multnomah County Unit of the Pacific Highway (I-5)-Washington State Line Section of the East Portland Freeway (I-205) in Multnomah County.

"Throughway agreement" with Multnomah County covering the Burlington-Portland City Limits Section of the Columbia River Highway in Multnomah County.

"Cooperative construction finance agreement" with the City of Portland covering the N. W. Yeon Avenue-N. W. Kittridge Avenue Section of the Columbia River Highway in Multnomah County.

"Agreement" with Crook County covering the distribution of Federal-aid Funds under the Land and Water Conservation Fund Act of 1965.

"Agreement" with the U. S. Corps of Engineers covering the construction of bank protection at the Harrisburg Bridge on the Albany-Junction City Highway in Lane County.

"Agreement" with Klamath County covering revision of existing traffic signals at the intersection of the Klamath Falls-Lakeview Highway and Summers Lane; and the installation of traffic signals at the intersection of Klamath Falls-Malin Highway and Shasta Way in Klamath County.

"Agreement" with the City of Oregon City covering the installation of traffic signals at the intersections of Washington Street (Cascade Highway) with 14th and 15th Streets in Oregon City.

"Agreement" with the City of Corvallis covering the installation of traffic signals at the intersection of US99W and Seavy Road, and railroad crossing signals at the Southern Pacific grade crossing of Seavy Road in Corvallis.

"Agreement" with Jackson County covering the installation of traffic signals at the intersection of the Crater Lake Highway and Vilas Road in Jackson County.

"Agreement" with the City of Tillamook covering the installation of traffic signals at the intersection of Main Avenue and Fourth Street in Tillamook.

"Agreement" with the City of Portland covering the modernization of traffic signals at 12 intersections on North Lombard Street in Portland.

"Agreement" with the City of Milwaukie covering the installation of traffic signals and luminaire units on the Milwaukie-Harmony Road Interchange Section of the Clackamas Highway in Clackamas County.

"Agreement" with Oregon Welcome, Inc. for tourist promotion, extending the term to May 31, 1968.

"Agreement" with Spokane, Portland and Seattle Railway Company covering the relocation of its tracks required by the construction of the Delena-Rainier Section of the Columbia River Highway in Columbia County.

"Agreement" with Southern Pacific Company covering the installation of crossing gates at the grade crossing of the Corvallis-Lebanon Highway immediately east of the Albany-Junction City Highway in Linn County north of Tangent.

"Supplemental throughway agreement" in letter form with Umatilla County covering the Pendleton Section of the Old Oregon Trail in Umatilla County.

"Agreement" with Great Northern Railway Company covering the construction and maintenance of a crossing and automatic gates on the Lapine Recreation Area Park Access Road in Deschutes County.

There being no further business to conduct, the meeting was adjourned by the Chairman at 11:55 a.m.

Forrest Cooper
State Highway Engineer

Floyd Query
Secretary

Glenn L. Jackson
Chairman

Forrest Hill
Commissioner

David B. Simpson
Commissioner

Coos Bay, Oregon
July 24, 1967

The Oregon State Highway Commission met in regular session at 8 p.m. in a meeting room at the Dunes Motel in Coos Bay. Present were:

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, 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
Victor D. Wolfe, Administrative Assistant
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

F. B. Klaboe, Assistant State Highway Engineer, and Frank C. McKinney, Assistant Counsel, were excused.

Among others present were State Representative Norman Howard; State Representative J. B. Bedingfield; Frank Loggan and Robert Carey, Members of the Travel Advisory Committee; Newt Weir, Oregon State Motor Association; Ken Underdahl, Department of Finance; Jim Long, Oregon Journal; Don Dill, Radio Stations KOAC and KOAP; A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; and John Earley, Information Officer.

The Commission approved the minutes of the meeting held in Salem on June 8, 1967.

The Right of Way Engineer presented a list of options, Pages 1 through 79, secured for acquisition of real property needed for state highway use or for other purposes. He mentioned that the amounts offered are based upon competent appraisals and are in 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, Chairman Jackson and Commissioner Hill confirmed closing the options which had been sent to them for approval since the last Commission meeting. They also approved those options presented for the first time at this meeting and thereupon adopted "Right of Way Resolution No. 43," 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 May 18 to July 14, 1967, totaled \$29,174.80; timber sales \$12,052.48; rental receipts for May were \$14,081.35 and for June \$12,568.77. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale three parcels of property no longer needed for highway purposes. Minimum values have been determined by careful appraisal, and access and other conditions of sale are consistent with those applying to other properties in the vicinity. The Commission authorized public sale of the properties and thereupon adopted "Real Property Resolutions Nos. 475, 476, and 477," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 17.55 acres, File 11385, located west of the Klamath Falls-Malin Highway and north of Eberlein Avenue in the City of Klamath Falls, Klamath County, for not less than \$17,500. No access is to be allowed to the Klamath Falls-Malin Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 475.")
- (2) 502 square feet of land, Files 34084 and 34381, located north of the Stadium Freeway between 6th Avenue and S. W. Broadway in the City of Portland for not less than \$2,800. No access is to be permitted to the freeway, or to the ramp or acceleration lane, and a fence is to be relocated at the purchaser's expense. Signboard and junkyard restriction clauses are to be included in the deed as well as regulations from the Civil Rights Act of 1964. Approval by the Bureau of Public Roads was given June 23, 1967. (See "Real Property Resolution No. 476.")
- (3) 4.9 acres of land, File 16064, located on the southerly side of the old Columbia River Highway at its intersection with the realigned Sherman Highway at Biggs in Sherman County for not less than \$50,000. (See "Real Property Resolution No. 477.")

The Right of Way Engineer also requested authority to make direct sales of excess properties on which public sale is not feasible because of peculiarities of location and other conditions. He mentioned that the sale prices have been determined by competent appraisal or by offers in excess of appraised values. The Commission approved direct sale of the following properties:

- (1) 0.74 acre, File 4480, between Highway Engineer's Station 1189+50 and 1192+80 on the old alignment of the Coos Bay-Roseburg Highway approximately four miles east of the town of Remote in Coos County for \$250 to Evans Products Company which owns the land on both sides of the old section of highway. Signboard and junkyard restriction clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) 1,605 square feet of land, File 32027, located west of the Pacific Highway and north of North Holland Street in the City of Portland to C. F. Plantenberg, the adjacent property owner, for the sum of \$175. The sale is to be subject to signboard and junkyard restriction clauses and is to include portions of the Civil Rights Act of 1964. No access is to be permitted to the Pacific Highway. Approval by the Bureau of Public Roads was given May 29, 1967.

Relinquishments of title on three parcels of property to other governmental agencies were recommended by the Right of Way Engineer and approved by the Commission as follows:

- (1) 0.77 acre, File 1939 (S-559), a stockpile site located south of the town of Wolf Creek at Coyote Creek on the Pacific Highway in Josephine County to Josephine County for the sum of \$1. The County wishes to use the land for stockpiling rock. Relinquishment of title is to be subject to a public use clause and signboard and junkyard restriction clauses are to be included in the deed. Concurrence by the Bureau of Public Roads is not required.
- (2) 0.35 acre, Files 36675 and 36677, located on the easterly side of Wallace Road (Salem-Dayton Highway) at its junction with Taybin Road in Polk County, to the City of Salem for road purposes. The parcel relinquished lies within the area of reconstructed Taybin Road.
- (3) 1.8 acres of land, File Q-138 and Q-139, located approximately 0.4 mile easterly from the Oregon Coast Highway and the County road junction at Yachats in Lincoln County to Lincoln County for the sum of \$1. This property is the remainder of an old stockpile site and is no longer needed for state highway use. The County will use it in connection with property it already owns. The County also has agreed to provide for the State an amount of rock equal to that located on the land transferred to the County.

Indentures of Access for changes in location of existing points of access for the benefit and convenience of the property owners and for the protection of the traveling public were recommended by the Right of Way Engineer. The Commission approved the following Indentures:

- (1) Sari property, File 35957, for a change in location of one point of access, 35 feet in width, unrestricted as to use, on the northerly side of the relocated Klamath Falls-Lakeview Highway approximately two miles east of Klamath Falls. Approval by the Bureau of Public Roads was given March 7, 1967, subject to inclusion of provisions from the Civil Rights Act of 1964.
- (2) Golden property, File 36581, for a change in location of one point of access, 35 feet in width, unrestricted as to use, on the northerly side of the relocated Klamath Falls-Lakeview Highway approximately 2½ miles east of Klamath Falls. Approval by the Bureau of Public Roads was given March 7, 1967, subject to inclusion of portions of the Civil Rights Act of 1964.
- (3) Bureau of Land Management property, File 19599, for a change in location of one point of access, 35 feet in width, unrestricted as to use on the easterly side of The Dalles-California Highway approximately 7 miles north of the town of LaPine in Deschutes County. Approval from the Bureau of Public Roads was given March 11, 1965.
- (4) Standard Oil Company property, Files 30743 and 30744, for a change in location of two points of access, 35 feet in width, unrestricted as to use, one at Engineer's Station 278+98 and the other at Engineer's Station 277+73 on the southerly side of the Eugene-Springfield Highway in the City of Springfield, Lane County. Bureau of Public Roads' approval was given June 15, 1967, subject to inclusion of portions of the Civil Rights Act of 1964. (This confirms telephonic approval given by Chairman Jackson on June 27, 1967.)

July 24, 1967

Two Grants of Access to property owners were recommended by the Right of Way Engineer and approved by the Commission as follows:

- (1) To Charles Earl McCarty, File 36160, for an approach, 50 feet in width and unrestricted as to use, on the northerly side of the relocated Olds Ferry-Ontario Highway in Malheur County. A clause covering a future frontage road is to be included in the document.
- (2) To Pacific Northwest Bell Telephone Company, File 15274, for an approach on the south side of the Steens Highway in Harney County, opposite Engineer's Station 1252+69, 35 feet in width and restricted for the use of a telephone repeater station.

The Commission considered a proposed easement across Washburne State Park on the Oregon Coast Highway in Lane County to the U. S. Forest Service providing access to Forest Service land. A timber sale is planned by the Forest Service in the area to be served by the access road, and the road will increase the recreational value of the park. Following the Right of Way Engineer's favorable recommendation, the Commission approved the easement.

Consideration was given to a supplemental agreement with Robin M. Towne and Associates for additional work on a noise study pertaining to apartment buildings along freeways in Portland. The Right of Way Engineer mentioned that the original agreement called for an expenditure of \$34,000 and the additional work to complete the study will cost \$2,085.86. He remarked that the study has indicated that freeway traffic noise does not affect the value of adjacent property. Based upon his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Chief Counsel presented a list of properties needed for the uses indicated therein and 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. 2483 through 2485," 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 July 21, 1967, entitled "Condemnation Resolutions" in the Salem Office, General Files.)

July 24, 1967

The Commission accepted a report submitted by the Chief Counsel on cases which have been tried in court since the last Commission meeting 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-5211 George S. McDowell, et al.	Benton	Corvallis-Newport	Marys River-Wren Overcrossing	\$ 3,300.00	\$ 5,500.00	\$ 5,450.00
L-5254 Clarice A. Britton, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	7,700.00	12,000.00 (Answer)	8,500.00
L-5141 Della Powell, et al.	Clackamas	Pacific	Upper Boones Ferry Road Interchange	2,500.00	5,000.00	4,000.00
L-5228 Harley J. Hamilton, et ux.	Clatsop	Oregon Coast	Smith Point-Camp Rilea	7,450.00	15,000.00 (Answer)	8,750.00
L-5377 Hollum L. Hunley, et al.	Clatsop	Oregon Coast	Smith Point-Camp Rilea	175.00	500.00	Default Judgment 175.00
L-5016 Roger Sonneland, et ux.	Columbia	Columbia River	Delena-Rainier	650.00	3,700.00 (Answer)	1,850.00
L-5168 Donald T. Crockett, et al.	Coos	Coos Bay-Roseburg	Rink Creek-Myrtle Point	16,450.00	40,000.00	22,500.00
L-5222 Gertrude G. Bennett, et al.	Grant	Pendleton-John Day	Little Beech Creek-Mt. Vernon	875.00	5,000.00 (Answer)	1,350.00

July 24, 1967

Report of Condemnation Cases Tried (Continued)

<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-5224 Daniel Langenfeld, et al.	Grant	Pendleton-John Day	Little Beech Creek-Mt. Vernon	\$ 2,050.00	\$25,000.00 (Answer)	\$ 5,000.00
L-5225 R. E. Sproul, et al.	Grant	Pendleton-John Day	Little Beech Creek-Mt. Vernon	25.00	2,000.00 (Answer)	425.00
L-5171 Iva M. Carpenter, et al.	Lane	Springfield Creswell	Pleasant Hill-Creswell	7,300.00	12,500.00	8,000.00
L-5203 Cleo Hill, et al.	Lane	Eugene-Springfield	7th Avenue-Willamette River	9,000.00	None	9,000.00
Remarks: Default Judgment taken for an undivided $\frac{1}{2}$ interest in property concerned. Entire property appraised and valued at \$18,000.00, however, defendant Hill was the owner of undivided $\frac{1}{2}$ interest which was subject to interest of unknown heirs of Mrs. Hill's predecessor in interest. By appropriate legal process the judgment vests clear title in State with result that by purchase of $\frac{1}{2}$ interest and condemnation of the other State has acquired clear title to entire property for \$18,000.00, its appraised value.						
L-5257 Noel Katherine Ertel, et al.	Coos	Seven Devils State Wayside		35,000.00	99,800.00 (Answer)	56,250.00
Remarks: Subsequent to filing of the complaint State obtained additional fee appraisal in the amount of \$52,000. State's offer to settle just prior to trial in amount of \$55,000 refused by defendant.						
L-5379 L. P. Erpelding, et al.	Marion	Silver Creek Falls	State St.-North Santiam Hwy.	1,800.00	13,600.00 (Answer)	1,355.00

July 24, 1967

Report of Condemnation Cases Tried (Continued)

<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-5266 Thomas E. Doepke, et al.	Umatilla	Oregon- Washing- ton	South Pendleton Interchange- Court Place	\$ 50.00	\$ 800.00	\$ 400.00

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-5443 State of Oregon	Floyd Arthur Holtzen, et al.	Josephine	Damage to guardrail	\$106.94	
Remarks: Amount sued for paid in full.					
L-5353 State of Oregon	Cynthia L. Haner	Multnomah	Damage to guardrail	82.56	
Remarks: Amount sued for paid in full.					
L-5447 State of Oregon	Edna C. Jordal	Multnomah	Damage to guardrail	164.29	
Remarks: Amount sued for paid in full.					
L-5299 State of Oregon	Victor John Newton	Washington	Damage to guardrail	140.59	
Remarks: Amount sued for paid in full.					
L-5386 State of Oregon	Gabriel Boiler & Fabrication Co.	Multnomah	Suit for delinquent rent	525.00	\$525.00
Remarks: Default Judgment obtained for full amount plus costs.					
L-5387 State of Oregon	Bancroft Trailer & Equipment Co.	Multnomah	Suit for delinquent rent	450.00	450.00
Remarks: Default Judgment obtained for full amount plus costs.					

July 24, 1967

Report of Trial of Other Cases (Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5320 State of Oregon	Floyd Edward Logan, et al.	Douglas	Tort (see remarks)	\$472.82 plus atty fees and costs	For defendant

Remarks: State brought action to recover damages to State-owned truck as a result of an accident with defendant's truck. Defendant's truck pulled onto highway and then made a left turn in front of State vehicle causing it to drive into rear end of Defendant's truck. Evidence indicated defendant clearly negligent, however defense of contributory negligence on part of State driver was believed by jury.

(For additional details, see the Chief Counsel's letters dated July 14 and July 20 concerning cases tried in court in the General Files, Salem Office.)

In commenting on the cases tried, the Chief Counsel mentioned that the total amount demanded by the owners was approximately \$240,000; total offers by the State \$114,000; and total verdicts \$133,000.

The Chief Counsel also presented a report of cases which have been settled since the last Commission meeting. The settlements, he said, are based upon competent appraisals and are in order for Federal-aid. The Commission accepted 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-5229 Ross Enyart, et ux.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	\$ 3,750.00	\$ 3,750.00
L-5201 Bergliot A. Koppen, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	6,300.00 partial taking	7,100.00 entire taking

Remarks: Settlement is for the purchase of entire property at \$7,100 with appraisal at \$6,500.

July 24, 1967

Report of Condemnation Cases Settled (Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5256 Arnold P. Peterson, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$ 1,800.00	\$ 2,525.00
L-5376 M. W. Barth, et ux.	Clatsop	Oregon Coast	Smith Point-Camp Rilea	100.00	100.00
L-5162 Walter B. Gillespie, et al.	Lane	Springfield Creswell	Pleasant Hill-Creswell	4,500.00	4,750.00
L-5380 Arlington B. Smith, et al.	Lane	Springfield Creswell	Pleasant Hill-Creswell	1,450.00	1,900.00
Remarks: Review Appraisals \$1,450.00 and \$2,000.					
L-4367 Ila E. Craig, et al.	Josephine	Redwood	Hogan Creek-Selma Creek	2,500.00	4,250.00
Remarks: This is one of oldest cases on our docket, having been filed in July 1963 with possession taken in 1964. Interest due and costs of trial justify settlement figure. Trial of case would have posed problem of lapd values in view of development of shopping center in opposite segment of interchange.					
L-5412 Arthur Leppin, et al.	Polk	Pacific West	Holmes Gap-Basket Slough	3,300.00	4,000.00
Remarks: Fencing allowance of \$675 based on \$5.70 per rod vs. average contractor's bid for fencing at \$9.00 per rod. Immediate possession of right of way required, which would have made it necessary for State to have contractor erect fence before taking down existing fence.					
L-5038 Sunset Realty Co., et al.	Washington	Sunset	Cornelius Pass Rd.-Multnomah County Line	52,300.00	85,000.00
Remarks: \$82,300.00 (Review Appraisal) \$88,800.00 (high appraisal)					

July 24, 1967

Report of Condemnation Cases Settled (Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4945 Portland General Electric Co., et al.	Multnomah	Pacific	East Bank Freeway	\$ 9,235.00	\$10,306.00
Remarks: Settlement includes \$1,081 for removal of dolphins but not included in offer.					
L-4946 Lew Krause, et al.	Josephine	Gateway State	Wayside	82,500.00	164,000.00
Remarks: Review appraisal by State indicated value of \$153,000. Owners' appraisers showed value of \$187,453.					
L-5235 Elsie Noble, et vir.	Washington	Tualatin Valley	Multnomah Co. Line-Beaverton	150.00	350.00
Remarks: Insubstantial increase in view of fact that State has been occupying this property for highway purposes for many years and interest would be payable from date of possession.					
L-5264 Southern Pacific Co., et al.	Multnomah	Pacific East	Ross Island Bridge-Reedway	31,025.00	33,675.00
Remarks: Offer made for partial taking. Settlement made for entire taking.					
L-5415 Eileen Rohde, et al.	Umatilla	Old Oregon Trail	Stanfield Jct.-Pendleton	450.00	635.00
L-5483 Donald M. Short, et ux.	Lane	Eugene-Springfield	Seventh Ave.-Willamette R.	15,800.00	16,800.00
L-5267 Garnet E. Luck, et al.	Umatilla	Old Oregon Trail	Pendleton	58,350.00	65,000.00
Remarks: Trials on other cases (Campbell offer \$9,000 - award \$17,000 and Rugg offer \$18,000 - award \$25,000) indicate settlement is reasonable.					

July 24, 1967

Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5268 Marvin E. Horn, et al.	Umatilla	Oregon- Washington	South Pendleton Interchange- Court Place	\$ 9,500.00	\$10,500.00
Remarks: Two State appraisals showed value at \$9,500 and \$11,000.					
L-4693 Loson Winn, et ux.	Douglas	Pacific	Canyonville- Josephine Co. Line	2,100.00	2,300.00
L-5452 Muriel Robinson, et al.	Marion	Pacific	Fargo Road Interchange	1,025.00	1,225.00
L-5480 Benjamin Franklin Savings & Loan Assoc. of Portland	Washington	Beaverton- Tigard	Sunset Highway- Pacific Hwy.	20,000.00	18,000.00
Remarks: Owner to retain and remove home.					

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-5034 Lord Bros. Contractors, Inc.	State of Oregon	Marion	Additional com- pensation on Fremont Inter- change Contract No. 6068	\$8,010.24 interest & costs	\$4,500.24 with interest to 2-10-67 (\$481.50) Total: \$4,981.74
Remarks: Bureau of Public Roads has agreed to participate in settlement and same has been concluded and case dismissed.					
L-5328 Mike Kokich, et ux.	State of Oregon	Washing- ton	Suit for specific performance		\$3,850.00 plus con- struction of an approach road
Remarks: Appraisal of damages to remaining property by reason of not constructing the road is \$3,700.					

July 24, 1967

(For additional details, see the Chief Counsel's letters dated July 14 and July 20, 1967, concerning cases settled in the General Files, Salem Office.)

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

CAPE KIWANDA-NESKOWIN SECTION OF THE OREGON COAST HIGHWAY

R-39208 - Harold R. Schlicting, et ux. Parcel No. 1: 3.5 acres for right of way purposes; Parcel No. 2: 1.9 acres for right of way purposes; Parcel No. 3: 0.75 acre for right of way purposes. Offer of \$36,125.00 approved by Mr. Jackson July 10, 1967.

R-39211 - A. M. Woodcock, et ux. For acquisition of access. Offer of \$450.00 approved by Mr. Jackson July 7, 1967.

R-39214 - Albert E. Layer, et ux. 0.7 acre for right of way purposes. Offer of \$25,500.00 approved by Mr. Jackson July 17, 1967.

R-39215 - Isobel H. Ingham. Parcel No. 1: 1.1 acres for right of way purposes; Parcel No. 2: 0.02 acre for right of way purposes. Offer of \$4,500.00 approved by Mr. Jackson June 29, 1967.

R-39216 - Walter Stanley Carbaugh, et ux. 0.08 acre for right of way purposes. Offer of \$450.00 approved by Mr. Jackson, July 10, 1967.

R-39217 - Walter Affolter, et ux. Parcel No. 1: 0.23 acre for right of way purposes; Parcel No. 2: 4.3 acres for right of way purposes; Parcel No. 4: 0.34 acre for permanent easement. Offer of \$22,000.00 approved by Mr. Jackson July 7, 1967.

CENTRAL OREGON CANAL BRIDGE SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-40626 - William B. Anderson, et ux. 0.17 acre for right of way purposes. Offer of \$1,500.00 approved by Mr. Hill June 29, 1967.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-39919 - William Roy Perrin, et ux. 0.542 acre for right of way purposes. Offer of \$20,400.00 approved by Mr. Jackson June 29, 1967.

R-39971 - J. B. McCann, et ux. 0.69 acre for right of way purposes. Offer of \$104,500.00 approved by Mr. Jackson June 6, 1967.

EAST BANK FREEWAY SECTION OF THE PACIFIC HIGHWAY

R-28365 - Portland Traction Company. Parcel No. 1: 1 acre for permanent easement; Parcel No. 2: 0.7 acre for permanent easement; Parcel No. 3: 1.46 acres for permanent easement. Offer of \$85,250.00 approved by Mr. Jackson June 6, 1967.

July 24, 1967

FARGO ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-40957 - Muriel Robinson, et al. 0.33 acre for right of way purposes. Offer of \$1,025.00 approved by Mr. Jackson May 26, 1967.

R-40958 - Arthur J. Canby, et ux. Parcel No. 1: 1.6 acres for right of way purposes; Parcel No. 2: 0.7 acre for right of way purposes. Offer of \$3,275.00 approved by Mr. Jackson May 26, 1967.

R-40959 - Lucile M. Strange. 2.5 acres for right of way purposes. Offer of \$5,650.00 approved by Mr. Jackson May 26, 1967.

FREMONT STREET-CONNECTION TO I-5 SECTION OF THE PACIFIC HIGHWAY

R-38170 - Good Samaritan Church of God In Christ. 300 square feet for right of way purposes. Offer of \$850.00 approved by Mr. Jackson June 9, 1967.

HOLMAN STATE PARK

R-40658 - Charles H. Fowler, et ux. 1.55 acres for park purposes. Offer of \$3,000.00 approved by Mr. Jackson June 26, 1967.

INDIAN CREEK SECTION OF THE HOOD RIVER HIGHWAY

R-40841 - Raymond Downing, et al. Parcel No. 1: 780 square feet for right of way purposes; Parcel No. 2: 4,875 square feet for right of way purposes. Offer of \$31,800.00 approved by Mr. Jackson July 11, 1967.

R-40845 - William H. Tallman, Jr., et ux. Parcel No. 1: 2,700 square feet for right of way purposes; Parcel No. 2: 1,800 square feet for permanent easement. Offer of \$20,800.00 approved by Mr. Jackson July 10, 1967.

NORTH HILL-DEER CREEK SECTION OF THE OAKLAND-SHADY HIGHWAY

R-26506 - John V. Rast, Trustee, et al. Parcel No. 1: 0.09 acre for right of way purposes; Parcel No. 2: 0.02 acre for right of way purposes. Offer of \$16,650.00 approved by Mr. Jackson July 10, 1967.

R-40404 - Unknown Heirs or Devisees of William Thomas Perry and Ann A. Perry. 3,550 square feet for permanent easement. Offer of \$3,200.00 approved by Mr. Jackson June 27, 1967.

R-40405 - Delbert T. Nelson, et ux. Parcel No. 1: 350 square feet for right of way purposes; Parcel No. 2: 3,140 square feet for permanent easement. Offer of \$1,525.00 approved by Mr. Jackson June 23, 1967.

R-40407 - Walter C. Watkins, et ux. Parcel No. 1: 925 square feet for right of way purposes; Parcel No. 2: 6,600 square feet for permanent easement. Offer of \$5,400.00 approved by Mr. Jackson June 19, 1967.

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NORTH HILL-DEER CREEK SECTION OF THE OAKLAND-SHADY HIGHWAY

R-40412 - O. Veloris Baxter. 40 square feet for right of way purposes. Offer of \$125.00 approved by Mr. Jackson July 11, 1967.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-44068 - Sabilia DeRoest. 0.38 acre for right of way purposes. Offer of \$50.00 approved by Mr. Hill June 19, 1967.

R-41070 - Charles H. Hoag. 9.8 acres for right of way purposes. Offer of \$825.00 approved by Mr. Hill June 15, 1967.

OAK POINT BRIDGE SECTION OF THE INDEPENDENCE HIGHWAY

R-40293 - Wilbur Wymore, et ux. 0.13 acre for right of way purposes. Offer of \$275.00 approved by Mr. Jackson June 20, 1967.

R-40487 - John Clem Clarke. 0.02 acre for right of way purposes. Offer of \$50.00 approved by Mr. Jackson June 20, 1967.

OLNEY-JEWELL SECTION OF THE NEHALEM HIGHWAY

R-37484 - Frank Gindroz, et ux. 5.6 acres for stockpile site. Offer of \$5,600.00 approved by Mr. Jackson June 26, 1967.

ORO DELL-UNION JUNCTION SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-40392 - Lawrence Edsel Mardis, et ux. 0.48 acre for right of way purposes. Offer of \$8,750.00 approved by Mr. Hill June 29, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38725 - Johanna Mulder. 0.83 acre for right of way purposes. Offer of \$5,450.00 approved by Mr. Jackson June 27, 1967.

R-38726 - Walter A. Spindler, et ux. 2.37 acres for right of way purposes. Offer of \$22,350.00 approved by Mr. Jackson June 8, 1967.

R-38727 - Ruth Smith. Parcel No. 1: 4.0 acres for right of way purposes; Parcel No. 2: 0.1 acre for right of way purposes; Parcel No. 3: 0.13 acre for right of way purposes; Parcel No. 4: 0.46 acre for right of way purposes; Parcel No. 5: 0.73 for permanent easement. Offer of \$19,750.00 approved by Mr. Jackson June 23, 1967.

R-38763 - Ralph Lee Kendig, et ux. Parcel No. 1: 0.59 acre for right of way purposes; Parcel No. 2: 0.25 acre for right of way purposes; Parcel No. 3: 0.2 acre for temporary easement. Offer of \$25,075.00 approved by Mr. Jackson June 20, 1967.

R-40616 - Inland Construction Company. 0.13 acre for right of way purposes. Offer of \$1,050.00 approved by Mr. Jackson June 8, 1967.

July 24, 1967

SEVENTH AVENUE-WILLAMETTE RIVER SECTION OF THE EUGENE-SPRINGFIELD HIGHWAY

R-40165 - Donald M. Short. 4,608.5 square feet for right of way purposes. Offer of \$15,800.00 approved by Mr. Jackson June 8, 1967.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39490 - Carlton J. McLeod, et al. 0.23 acre for permanent easement. Offer of \$425.00 approved by Mr. Jackson June 9, 1967.

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

R-33562 - Western Mattress Company. Parcel No. 1: 0.8 acre for right of way purposes; Parcel No. 2: 0.09 acre for permanent easement. Offer of \$7,550.00 approved by Mr. Jackson July 11, 1967.

R-39989 - Luthada M. Matney. 2.75 acres for right of way purposes. Offer of \$18,000.00 approved by Mr. Jackson June 8, 1967.

R-39991 - William R. Robinson, et al. Parcel No. 1: 0.35 acre for right of way purposes; Parcel No. 2: 0.16 acre for right of way purposes. Offer of \$5,900.00 approved by Mr. Jackson June 8, 1967.

R-39994 - Russell E. Hamachek and Carolyn D. Hanson. 0.32 acre for right of way purposes. Offer of \$2,000.00 approved by Mr. Jackson June 22, 1967.

R-40591 - Robert W. Kenney, et ux. 1,200 square feet for right of way purposes. Offer of \$475.00 approved by Mr. Simpson June 20, 1967.

R-40657 - Chester Robinson, et al. 0.2 acre for right of way purposes. Offer of \$1,200.00 approved by Mr. Jackson June 8, 1967.

R-40762 - Ralph R. Smith, et ux. 215 square feet for right of way purposes. Offer of \$100.00 approved by Mr. Jackson June 23, 1967.

R-40763 - William E. Blair, et ux. 2,300 square feet for right of way purposes. Offer of \$1,200.00 approved by Mr. Jackson June 21, 1967.

R-41161 - Benj. Franklin Savings and Loan Association of Portland. 6,000 square feet for right of way purposes. Offer of \$20,000.00 approved by Mr. Jackson June 21, 1967.

R-41290 - Robert M. MacTarnahan, et ux. 0.12 acre for right of way purposes. Offer of \$1,500.00 approved by Mr. Jackson June 22, 1967.

WEST NEWBERG-CHEHALEM CREEK SECTION OF THE PACIFIC HIGHWAY WEST

R-40217 - Opal J. Hacke. Parcel No. 1: 1,000 square feet for right of way purposes; Parcel No. 2: 300 square feet for permanent easement. Offer of \$950.00 approved by Mr. Jackson June 29, 1967.

July 24, 1967

A report was made by the Chief Counsel concerning orders received from the Public Utility Commissioner regarding highway crossings summarized as follows:

1545 (Old File): Application of Weyerhaeuser Timber Company to construct a truck road crossing at grade at M.P. 4.14 of the McKenzie Highway in Lane County. Order No. 43759 was issued June 8, 1967. The applicant is to pay all costs in reconstructing the approaches and reconstructing and adding to the existing signals.

PUX 546: Order No. 43836 issued July 7, 1967, eliminated the pressure plate and changed the timing of signals at the private road crossings of Crown Zellerbach Corporation with Lower Columbia River Highway between Scappoose and St. Helens.

PUX 566: Application by the Highway Commission to construct an overcrossing over the tracks of Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, at the Ruckel Creek Overcrossing project on the Columbia River Highway in Multnomah County. Order No. 43547, amending Order No. 41898 to meet new construction plans was issued June 9, 1967.

A quarterly report of property damage claims covering the period from April 1 through June 30, 1967, was presented by the Chief Counsel. During this period he mentioned that \$40,381.22 had been collected, and seventeen claims totaling \$6,152.78 had been abandoned as being uncollectible for one reason or another. The Commission accepted the report.

The Chief Counsel also reported on a case in which the Commission is defendant in the case of Concrete Steel Corporation vs. the State Highway Commission. The plaintiff seeks to recover \$7,250.48 as being owed under Contract No. 6703 for repair of the Rogue River (Bybee) Bridge on the Table Rock Road, FAS 273, in Jackson County. The plaintiff claims that an underrun in rock backfill excavation caused additional costs. The defense of the case is being handled by the Highway Commission Legal Division. The Commission accepted the report.

The Chief Counsel reported that an answer had been received on the DeLong case concerning construction of piers for the bridge across the Columbia River at Astoria. DeLong, he said, has denied all of the State's allegations and alleges misrepresentation by the State on the subsurface conditions around the piers in the Columbia River. DeLong is asking approximately \$3,953,000 for damages and loss of profits or in the alternative \$3,200,000 to cover the value of the work done. In reply to the Chairman's inquiry as to when a court hearing might be held, the Chief Counsel replied that the time would probably be in October, 1967, in Marion County. DeLong has requested a change of venue to Multnomah County, but the Chief Counsel said that he does not expect that this request will be granted.

July 24, 1967

The Engineer requested increases in project authorizations to take care of overruns in costs. The Commission approved increases as follows:

- (1) Contract No. 6911 on the Elkton-Sutherlin Highway in Douglas County for \$65,382.62 (8.93%). Placing of the footings on Bents 4 and 5 at lower elevations than planned was the principal cause of the overrun.
- (2) Contract No. 6538 on the Netarts-Sand Lake Road (FAS 617) in Tillamook County for \$10,790.94 (6.29%). Slide correction work and drainage items to control ground water were the principal causes of the overrun.
- (3) Contract No. 6889 on the Columbia River Highway in Clatsop County for \$27,546.32 (6.5%). Embankment subsidence and additional engineering expense because of an inefficient crushing operation were given as the principal reasons for the overrun.
- (4) Contract No. 6947 on the Pacific Highway in Josephine County for \$22,168.47 (8.10%). Increased quantities of topsoil, irrigation pipe, shrubs, and fertilizer were required to satisfactorily complete the project.
- (5) Contract No. 6754 on the Corvallis-Newport Highway in Lincoln County for \$189,868.19 (9.96%). Slide correction work was the principal cause of the overrun.

Confirmation of approval given by the Chairman on June 12 was requested by the Engineer for a junkyard screening project at Gales Creek on the Wilson River Highway in Washington County. Estimated cost of the project is \$2,500, of which 75 percent will be chargeable to the Federal Beautification Appropriation for junkyard screening. The Commission confirmed the project to be added to the junkyard screening program.

Confirmation also was requested by the Engineer to include in the 1967 Landscaping and Scenic Enhancement Program landscaping of the Fargo Road Interchange on the Pacific Highway in Marion County. The project has been approved by the Bureau of Public Roads as a highway beautification project for 100 percent Federal participation at an estimated cost of \$20,000. The Commission confirmed the project.

Changes in the 1968 State Construction Program were presented and recommended by the Engineer. The Commission approved additions and deferrals as follows:

1968 STATE CONSTRUCTION PROGRAM

NEW PROJECTS

Central Oregon Highway, Third Street to East City Limits in Bend (Co-op Project) (Verbally approved June 27, 1967, by Commission)	State Share \$225,000
Rogue Valley Highway, Main Street to Green Springs Highway in Ashland (Co-op Project)	State Share \$ 50,000
Lower Columbia River Highway (Burnside Street) 19th Street to Park Street in Portland (Co-op Project)	State Share \$ 70,000
Sunset Highway, 12th to 13th Streets on S. W. Jefferson and 14th to 18th Streets on S. W. Columbia in Portland (Co-op Project)	State Share \$ 40,000
	(Unprogrammed Balance) <u>\$ 50,000</u>
	\$435,000

PROJECTS TO BE DEFERRED

1967 State Construction Program

Pacific Highway West, Washington Street to High Street in Eugene (Co-op Project)	State Share \$170,000
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1968 State Construction Program

Hood River Highway, Orchard Road- Tucker Bridge	<u>\$265,000</u>
	\$435,000

In explanation of these changes, the Engineer stated that in previously approved agreements with the cities involved, the time element in regard to financing was undetermined when the agreements were signed. The City of Portland has advised that they have accumulated their 25 percent share of the estimated cost on two projects, and the Cities of Ashland and Bend have reported that they have their share for one project in each city. In order to finance these projects, the Engineer recommended the removal of a project in Eugene approved November 19, 1965, which is no longer needed as the City has removed parking from the street. The second project to be removed is a section on the Hood River Highway which needs more study including an analysis of alternate locations.

A project for flattening slopes and easing of curves from M.P. 17.5 to M.P. 18.5 on the Weston-Elgin Highway in Umatilla County was recommended by the Engineer. He recalled that at the June Commission meeting a delegation had appeared requesting improvement of a 12-mile section. Funds are not available for a project this size and he recommended that work be done as outlined at an estimated cost of \$20,000 as a part of the current State Construction Program. He also recommended that it be included in the inventory of hazardous locations. The Commission approved the project.

A list of projects from the Department's safety inventory to be added to the current State Construction Program was recommended by the Engineer. He pointed out that the projects are relatively small in size and most of them can probably be done with State forces. It is planned that the projects be programmed with the Bureau of Public Roads so that the State may receive credit for safety projects. The Commission approved the following projects:

STATE FORCE
SAFETY INVENTORY PROJECTS
7-1-67 to 6-30-68

<u>Highway</u>	<u>Section</u>	<u>Length Miles</u>	<u>Estimated Amount</u>
John Day	Mayville, Shldrs., Control Parking	1.00	\$10,000
John Day	Shelton Street Park, Pave Shldrs.	1.00	5,000
John Day	Devils Gulch, Shldrs., Signing	1.00	10,000
McKenzie	McVay Junction, Install 12" Signal Heads	0.55	7,500
K.Falls-Lakeview	9 mi. east of Quartz Mtn., Reshape Pvt., Guardrail	1.00	15,000
Lakeview-Burns	15 mi. south of Suntex, Shoulders	1.00	5,000
Nehalem	4 mi. east of Olney, Widen Shldr., Sign	1.00	5,000
Wasco-Heppner	M.P. 48 - 50, Shldrs., Signing	2.00	10,000
Medical Sprgs.	M.P. 5 - 6, Shldrs., Signing	1.0	5,000

(Continued on next page)

July 24, 1967

Safety Inventory Projects (Continued)

<u>Highway</u>	<u>Section</u>	<u>Length Miles</u>	<u>Estimated Amount</u>
Ukiah-Hilgard	Dark Canyon Rd.-Spr. Cr. Rd., Shldrs., Signing	1.0	\$10,000
Redmond-Bend	Near Jct. McKenzie-Bend, Shldrs., Signing	1.00	5,000
Paulina	M.P. 16 - M.P. 17, Signs, Surface	1.00	5,000
Midland	Washburn Way @ S. 6th St., Signals, Channelize	0.15	3,000
TOTAL			\$95,500

Development of a modern rest area at Suntex approximately 27 miles west of Burns on the Central Oregon Highway in Harney County was recommended by the Engineer. Plans, he said, provide for truck and passenger car parking, rest-room facilities, picnic tables, water supply and irrigation system, lawn, sun shelters, and information shelter at an estimated cost of \$74,000 to be financed entirely with Federal funds under the Highway Beautification Fund. The Commission approved the project.

Confirmation of approval given by the Chairman on June 28 for expenditure of an additional \$5,000 to \$10,000 at the Brothers Oasis Safety Rest Area on the Central Oregon Highway approximately 37 miles east of Bend in Deschutes County was requested by the Engineer. He commented that cost of the rest area is estimated at \$60,000, the major portion to be financed from Beautification Act Funds. The additional State funds are required to complete the project to satisfactory standards. The Commission confirmed expenditure of the additional money.

To eliminate wrong-way traffic movements on the Pacific Highway (I-5), the Engineer recommended that signs with the message "Wrong Way" be installed at all exit ramps. These signs, he said, will not be visible from the freeway but will serve as a warning to traffic if it endeavors to enter the freeway improperly. He estimated cost of the project at \$50,000 which is eligible for Interstate Federal-aid Financing as a safety project and is to be contracted as soon as possible. The project was verbally approved by the Chairman on June 19, 1967. The Commission confirmed the project.

Requests by contractors for extensions of time to complete highway contracts were considered by the Commission. These requests, the Engineer said, have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action on the following contracts:

July 24, 1967

- (1) C. R. O'Neil and Hannan Bros. Company, Contract No. 6643, on the Grave Creek Section of the Pacific Highway in Josephine County requested an extension of the completion date from July 31, 1966, to September 28, 1966. The Commission extended the specified completion date to September 3, 1966, without assessment of liquidated damages, and specified that no liquidated damages be assessed for the "stop work" time. Approval by the Bureau of Public Roads was given in their letter of June 2, 1967.
- (2) All City Tree and Landscape and Meuser Construction Company, Contract No. 6939, for construction of rest-room facilities in Ecola State Park in Clatsop County requested a 60-day extension of the completion date from February 28, 1967. The Commission approved an extension to April 18, 1967, without assessment of liquidated damages.
- (3) Earl L. McNutt Company, Contract No. 6842, on the Murphy Hill Section of the Salmon River Highway in Polk County requested an increase in the number of calendar days from 370 to 496. The Commission approved an extension of 97 calendar days without assessment of liquidated damages.
- (4) Trowbridge Electric Company of Medford, Contract No. 6871, on the Barnett Road (Medford) Section of the Pacific Highway in Jackson County requested an increase in the number of calendar days from 120 to 342. The Commission approved an increase of 220 calendar days without assessment of liquidated damages.
- (5) Roy L. Houck Sons' Corporation, Contract No. 6519, on the Glendale Junction-Coyote Creek Section of the Pacific Highway in Josephine County requested an extension of the completion date from October 1, 1966, to March 8, 1967. The Commission approved an extension of the completion date to March 8, 1967, without assessment of liquidated damages. The Bureau of Public Roads concurred in this approval on July 3, 1967.
- (6) C. R. O'Neil, Contract No. 6571, on the Canyonville-Bear Gulch Section of the Pacific Highway in Douglas County requested an extension of the completion date from September 30, to November 4, 1966. The Commission approved an extension of the completion date to November 4, 1966, without assessment of liquidated damages. The Bureau of Public Roads approved this extension on July 3, 1967.

- (7) Sims Electric, Inc., Contract No. 6954, for illumination at the Second Street Interchange in Hood River on the Columbia River Highway in Hood River County requested an increase in the number of workdays from 100 to 117. The Commission approved an extension of 13 days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of May 29, 1967.
- (8) Rogers Construction Company, Contract No. 6388, on the Airport Road-Irrigon Junction Section of the Columbia River Highway in Morrow County, requested an extension of time beyond August 5, 1965. The Commission approved an extension to August 23, 1965, the time of completion, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of June 29, 1967.
- (9) Ace Electric Company, Contract No. 6973, for installation of traffic signals on the North River Road Section of the Junction City-Eugene Highway in Lane County, requested five additional calendar days. The Commission granted a five-day extension of time without assessment of liquidated damages.
- (10) Craig Landeen, Contract No. 6949, on the Olds Ferry Truck Scale Site on the Old Oregon Trail in Malheur County, requested an increase in the number of calendar days from 240 to 320. The Commission denied the request. The Bureau of Public Roads concurred in this denial.
- (11) DeGree Construction Company, Contract No. 6920, for rest room facilities in Cline Falls State Park in Deschutes County, requested that the completion date be extended from November 30, 1966, to April 18, 1967. The Commission approved an extension of time to April 18, 1967, without assessment of liquidated damages.
- (12) Murphy Brothers, Inc., Contract No. 6747, on the Lime-Malheur County Line Section of the Old Oregon Trail in Baker County, requested an extension of the completion date from June 30 to October 1, 1967. The Commission approved an extension of time to October 6, 1967, without assessment of liquidated damages. The Bureau of Public Roads gave their approval on July 14, 1967.

(13) E. E. Steinlicht, Contract No. 6937, for construction of a concession building in Cove Palisades State Park in Jefferson County, requested that the completion date be extended from February 28, 1967, to April 20, 1967. The Commission approved an extension of time to April 20, 1967, without assessment of liquidated damages.

(14) Rogers Construction Company, Contract No. 6858, on the Cascade Locks-Mitchell Point Section of the Columbia River Highway requested an additional 60 workdays. The Commission confirmed an extension of 60 workdays without assessment of liquidated damages verbally approved by the Chairman on July 17. Approval by the Bureau of Public Roads has been secured.

The Engineer reported that Contract Nos. 6519; 6571; 6665; 6729; 6771; 6840; 6879; 6887; 6915; 6922; 6928; 6929; 6930; 6935; 6936; 6948; 6956; 6958; 6980; and 6983 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof and said contracts are now ready for acceptance 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. 160," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next Commission meeting date was confirmed for August 29, 1967, in the State Highway Building in Salem. A tentative date for the following meeting was set for October 10, 1967.

The Commission confirmed telephonic approval given June 28, 1967, approving award of contracts for bids received June 22, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM JUNE 22, 1967

Grading, paving, signing and illumination on the South Baker Interchange-Encina Section of the Old Oregon Trail in Baker County. Federal-aid Interstate Highway Project No. I-80N-7(21)305. Fourteen bids were received. The Commission elected to accept the low bid of Charles T. Parker Construction Company, Portland, in the sum of \$2,045,505.10 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading and oiling on the Glynn Payton Lane-James School Section of FAS 937 in Baker County. FAP No. S-560(1). Three bids were received. The Commission elected to accept the low bid of J. C. Compton Company, McMinnville, in the sum of \$188,089.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of Baker County is received and the sum of \$42,900 is deposited by the County.

Dooley Mountain Rock Production Project on the Baker-Unity Highway in Baker County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Arthur Simonsen and Company, Inc., Baker, at \$34,400.00.

Grading and paving on the Alsea Mountain Slide Correction Project on the Alsea Highway in Benton County. State Project. This project was withdrawn from the bid letting.

Grading and oiling in the Lapine State Recreation Area access road in Deschutes County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Don Greene Construction, Inc., Salem, at \$114,866.50.

Roadside improvement on the Azalea-Glendale Junction Section of the Pacific Highway in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(53)82. Two bids were received. The Commission awarded the contract to the low bidder, Baltz and Son Company, Portland, at \$162,201.20.

Grading, paving, structure, and signals on the North Hill-Deer Creek (Roseburg) Section of the Oakland-Shady Highway in Douglas County. State Project. Two bids were received. The Commission elected to accept the low bid of Tom Lillebo Construction Company, Reedsport, in the sum of \$353,470.75 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Roseburg is received and the sum of \$13,500 is deposited by the City.

Guardrail on the Gardiner Hill Section of the Oregon Coast Highway in Douglas County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Laam, Irving and Company, Gladstone at \$11,373.50.

Grading and oiling on the Mt. Vernon (Ingle Creek Road) Section in Grant County. City Street. State Project. Three bids were received. The Commission elected to accept the low bid of Steelman-Duff, Inc., Portland, in the sum of \$23,520 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Mt. Vernon is received and the sum of \$1,690 is deposited by the City.

Rock Production on the Vance Creek-Poison Creek Section of the John Day-Burns Highway in Grant and Harney Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, C. B. Construction Company, Walla Walla, Washington, at \$39,400.00.

Grading and paving on the Drinkwater Pass-Malheur County Line Section of the Central Oregon Highway in Harney County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, at \$444,470.50.

Paving on the Multnomah County Line-East Cascade Locks Section of the Columbia River Highway in Hood River County. Federal-aid Interstate Highway Project No. I-80N-2(37)39. Five bids were received. The Commission awarded the contract to the low bidder, Dorman Construction Company, Vancouver, Washington, at \$536,922.20.

Grading, paving, and structure on East Street in the City of Jacksonville in Jackson County. City Street. State Project. Two bids were received. The Commission elected to accept the low bid of M. C. Lininger and Sons, Inc., Medford, in the sum of \$22,754.75 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the City of Jacksonville is received and the sum of \$1,000 is deposited by the City.

Chemult Rock Production Project on the East Diamond Lake and The Dalles-California Highways in Klamath County. State Project. Three bids were received. M. C. Lininger and Sons, Inc., Medford, and Hal Bailey Equipment Rentals Inc., submitted identical low bids at \$22,800.00. The Commission awarded the contract to M. C. Lininger and Sons, Inc., by the flip of a coin.

Leveling course and oiling on the Drake Creek-Warner Highway Section of FAS 807 in Lake County. FAP-S-522(3). Six bids were received. The Commission elected to accept the low bid of Morse Bros., Inc., Lebanon, in the sum of \$131,891.50 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 \$30,000 is deposited by the County.

Paving on the 25th Street-"D" River (Lincoln City) Section of the Oregon Coast Highway in Lincoln County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, at \$61,160.00.

Grading and paving on the Cox Creek-Santiam Junction (Albany) Section of the Albany-Junction City Highway in Linn County. State Project. Three bids were received. The Commission elected to accept the low bid of Corvallis Sand and Gravel Company, Corvallis, in the sum of \$156,685.20 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the City of Albany is received and the sum of \$46,000 is deposited by the City.

Grading and paving on the Sweet Home (Long Street) Section in Linn County. City Street. State Project. Only one bid was received. The Commission elected to accept the lone bid of Morse Bros., Inc., Lebanon, in the sum of \$35,903.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the City of Sweet Home is received and the sum of \$16,550.00 is deposited by the City.

Grading and paving on the Silverton Road-Sunnyview Avenue Section of FAS 741 (Lancaster Drive) in Marion County. FAP No. SU-528(2). Two bids were received. The Commission elected to accept the low bid of D & D Paving, Inc.; D & D Construction, Inc.; and Salem Black Top Paving Co., Inc., Salem, in the sum of \$195,853.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of Marion County is received and the sum of \$45,000.00 is deposited by the County.

Grading and paving on Chicago Street in the City of Turner in Marion County. City Street. State Project. Three bids were received. The Commission elected to accept the low bid of North Santiam Sand and Gravel, Inc., Stayton, in the sum of \$19,236.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the City of Turner is received and the sum of \$2,600.00 is deposited by the City.

Roadside improvement on the West City Limits-St. Johns Bridge (Portland) Section of the Columbia River Highway in Linnton, Multnomah County. FAP No. LSF-1(1). Two bids were received. The Commission elected to accept the low bid of All-City Tree and Landscape Service, Portland, in the sum of \$23,951.20 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Roadside improvement on the West Salem Section of the Willamina-Salem Highway in Polk County. FAP No. LSF-47(2). Two bids were received. The Commission awarded the contract to the low bidder, All-City Tree and Landscape Service, Portland, at \$73,834.50.

Roadside improvement on the Independence Junction-West Salem Section of the Willamina-Salem Highway in Polk County. FAP No. LSF-47(3). Two bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Gresham, at \$115,932.00.

Grading on the Independence Junction-West Salem Slide Correction Section of the Willamina-Salem Highway in Polk County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Richard Blickle, Portland, at \$142,432.50.

Paving on the Polk Station-Dallas Section of the Kings Valley Highway in Polk County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Salem Road and Driveway Company, Salem, at \$111,102.00.

Grading and oiling on the Kent Section of FAS 666 and 668 in Sherman County. FAP Nos. S-561(1) and S-457(2). Four bids were received. The Commission elected to accept the low bid of Vernie Jarl, The Dalles, in the sum of \$89,739.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of Sherman County is received and the sum of \$20,300.00 is deposited by the County.

Grading on the Cape Lookout-Sand Lake Section of FAS 617 in Tillamook County. FAP No. S-432(5). Twelve bids were received. The Commission elected to accept the low bid of TAR Company, Medford, in the sum of \$245,108.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of Tillamook County is received and the sum of \$59,000.00 is deposited by the County.

Elgin Rock Production Project on the Wallowa and Weston-Elgin Highways in Union County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, C. B. Construction Company, Walla Walla, Washington, at \$39,400.00.

Wallowa Lake State Park concession building in Wallowa County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, Eastern Oregon Construction Company, Pendleton, at \$47,983.98.

Grading, paving, structure and signing on the Beaverton-Progress Section of the Beaverton-Tualatin Highway in Washington County. Six bids were received. The Commission elected to accept the low bid of Slate-Hall and Hannan Bros. Company, Portland, in the sum of \$3,319,720.65 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

Screen planting on the Tillamook-Washburn Section of the Wilson River Highway in Washington and Tillamook Counties. FAP No. CJF 000 B(2) and CJF-35(1). Only one bid was received. The Commission awarded the contract to the lone bidder, Aichele Landscaping, Inc., Gresham, at \$14,135.00.

Traffic signals on Cedar Hills Boulevard at Jenkins Road (Beaverton) on FAS 838 in Washington County. FAP No. SU-433(4). Five bids were received. The Commission elected to accept the low bid of Ace Electric Company, Portland, in the sum of \$8,567.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of Washington County is received and the sum of \$2,000.00 is deposited by the County.

The Commission also confirmed telephonic approval given by the Chairman on July 11, 1967, for award of the contract for the Alsea Mountain Slide Correction Project on which bids were received July 6. The Commission authorized the Secretary to sign the following contract:

BIDS RECEIVED IN SALEM JULY 6, 1967

Grading and paving on the Alsea Mountain Slide Correction Project on the Alsea Highway in Benton County. State Project. Eleven bids were received. The Commission awarded the contract to the low bidder, Buswell Bros., Roseburg, at \$114,117.80.

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

- (1) Traffic signal installation on S.E. 82nd Avenue at Harmony Road on the Cascade Highway in Clackamas County. Bids received May 11, 1967. Contract No. 6994 awarded June 9, 1967, to Madson and Stokes Electrical Contractors, Roseburg, low bidder.
- (2) Grading, paving, signing and illumination on the South Baker Interchange-Encina Section of the Old Oregon Trail in Baker County. Bids received June 22, 1967. Contract No. 7019 awarded June 29, 1967, to Charles T. Parker Construction Company, Portland, low bidder.
- (3) Grading and oiling on Glynn Payton Lane-James School Section of FAS 937 in Baker County. Bids received June 22, 1967. Contract No. 7020 awarded July 7, 1967, to J. C. Compton Company, McMinnville, low bidder.
- (4) Grading and oiling on Ingle Creek Road in City of Mt. Vernon in Grant County. Bids received June 22, 1967. Contract No. 7026 awarded June 28, 1967, to Steelman-Duff, Inc., Portland, low bidder.
- (5) Grading, paving, and structure on "E" Street in the City of Jacksonville in Jackson County. Bids received June 22, 1967. Contract No. 7030 awarded June 29, 1967, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (6) Leveling course and oiling on the Drake Creek-Warner Highway Section of FAS 807 in Lake County. Bids received June 22, 1967. Contract No. 7032 awarded June 28, 1967, to Morse Bros., Inc., Lebanon, low bidder.
- (7) Grading and paving on Cox Creek-Santiam Junction (Albany) Section of the Albany-Junction City Highway in Linn County. Bids received June 22, 1967. Contract No. 7034 awarded July 6, 1967, to Corvallis Sand and Gravel Company, Corvallis, low bidder.

- (8) Grading and paving on Long Street in the City of Sweet Home in Linn County. Bids received June 22, 1967. Contract No. 7035 awarded July 7, 1967, to Morse Bros., Inc., Lebanon, low bidder.
- (9) Grading and paving on Silverton Road-Sunnyview Avenue Section of FAS 741 (Lancaster Drive) in Marion County. Bids received June 22, 1967. Contract No. 7036 awarded June 28, 1967, to D & D Construction, Inc., D & D Paving, Inc., and Salem Black Top Paving Co., Inc., Salem, low bidder.
- (10) Grading and paving on Chicago Street in the City of Turner in Marion County. Bids received June 22, 1967. Contract No. 7037 awarded June 29, 1967, to North Santiam Sand and Gravel, Inc., Stayton, low bidder.
- (11) Roadside improvement on West City Limits-St. Johns Bridge (Portland) Section of Columbia River Highway in Multnomah County. Bids received June 22, 1967. Contract No. 7038 awarded June 29, 1967, to All-City Tree and Landscape Service, Portland, low bidder.
- (12) Grading and oiling on Kent Section of FAS 666 and 668 in Sherman County. Bids received June 22, 1967. Contract No. 7043 awarded June 29, 1967, to Vernie Jarl, The Dalles, low bidder.
- (13) Grading on the Cape Lookout-Sand Lake Section of FAS 617 in Tillamook County. Bids received June 22, 1967. Contract No. 7044 awarded June 28, 1967, to TAR Company, Medford, low bidder.
- (14) Grading, paving, structures, and signing on the Beaverton-Progress Section of the Beaverton-Tigard Highway in Washington County. Bids received June 22, 1967. Contract No. 7047 awarded July 5, 1967, to Slate-Hall and Hannan Bros. Company, Portland, low bidder.
- (15) Traffic signals on Cedar Hills Boulevard at Jenkins Road in City of Beaverton on FAS 838 in Washington County. Bids received June 22, 1967. Contract No. 7049 awarded July 3, 1967, to Ace Electric Company, Portland, low bidder.

A resolution was presented by the Engineer apportioning to the cities ten per cent of the amount credited to the Highway Fund during the first half of 1967. This apportionment, he stated, is according to law and the amounts have been computed in that manner. The Commission thereupon adopted "City Allocations of State Highway Funds Resolution No. 45," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests were considered from Deschutes, Lane, Linn, and Malheur Counties for Federal-aid Secondary projects totaling \$635,000. The Engineer stated that the projects have been investigated and are eligible for the use of FAS Funds. Following his favorable recommendation, the Commission approved the following projects and authorized the Secretary to sign agreements when prepared:

County	FAS	Section and Description	Programmed Amount	FAS Funds
Deschutes	397	Airport Jct.-Hamehook Market Road, Construct an O-11 oil mat 30' wide, 2 miles.	\$25,000.00	1968
Lane	859	30th Avenue Overcrossing structure 74' H C. To be supplemented with 100% County money.	120,000.00	1968
Linn	761	Murder Creek Bridge, 64' H C, and increase the undercrossing of the SPRR structure.	400,000.00	1968
Malheur	23-108	Halliday Bridge, 28' H C on existing alignment.	90,000.00	1968
TOTAL.....			\$635,000.00	

SUMMARY BY FISCAL YEARS	1967	1968	Total
Allocated Funds	\$3,952,000	\$3,953,000	\$7,905,000
Approved Projects (Corrected to date)	3,952,000	406,000	4,358,000
Unprogrammed Balance	\$	\$3,547,000	\$3,547,000
Projects proposed 7/24/67		635,000	635,000
Unprogrammed Balance	\$	\$2,912,000	\$2,912,000

Two surveys for relocation or improvement of sections of state highways were presented and recommended by the Engineer. The Commission approved the surveys and thereupon adopted "Survey Resolutions 339 and 340," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County. (See "Survey Resolution No. 340.")
- (2) Hogback Summit-Pike Ranch Section of the Lakeview-Burns Highway in Lake County. (See "Survey Resolution No. 339.")

Establishment of a midblock crosswalk across the Fort Stevens Secondary Highway midway between S. W. 1st and S. W. 2nd Streets in the City of Warrenton in Clatsop County was considered. The Engineer commented that the City of Warrenton had enacted an ordinance establishing the crosswalk but because it is between intersections it must be approved by the State Highway Commission. His recommendation for approval was accepted by the Commission.

The Engineer requested confirmation of parking restrictions on highway shoulders near the intersection of the Lower Columbia River Highway and Knappa Road in Clatsop County. He explained that large trucks which park on the highway shoulders while patronizing a nearby restaurant restrict site distance for drivers entering the highway from the crossroad. Action to restrict parking on both sides of this highway between a point 0.15 mile east of Knappa Road and a point 0.15 mile west of Knappa Road was tentatively approved by the Chairman on June 29. The Commission confirmed the action and thereupon adopted "No Parking Resolution No. 265," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to an agreement with Portland Terminal Railroad Company allowing the State to enter on railroad property to construct a 48-inch storm sewer on the N. W. Johnson Street-Willamette River Section of the Stadium Freeway in Portland. The agreement requires the State to bear all cost of construction, maintenance, and use or removal of the sewer. The Engineer explained further that the agreement, which is in effect a permit of entry, will be superseded in the future by an easement from the railroad. Following his favorable recommendation, the Commission approved the agreement.

The Commission also considered a permit given by the Oregon Trunk Railway Company for the establishment of a permanent private grade crossing at Railway Mile Post 2.18 (Station 736+98) east of Celilo on the Columbia River Highway in Wasco County. The Engineer explained that the purpose of the permit is to extend to the State the use of a grade crossing used by the State's contractor for access to a State-owned material source. The permit gives the State permanent access to this source. Cost of construction and maintenance at the grade crossing and stop signs on either side of crossing are to be borne by the State. Following his favorable recommendation, the Commission approved the agreement.

July 24, 1967

Attention was given to a request from the U. S. Bureau of Land Management for an easement across the Swamp Creek area east of the Pacific Highway between Glendale Junction and Quines Creek in Douglas County. The BLM wishes to sell timber in this area and the only access is across land purchased by the State for a quarry site. The BLM will improve the road and the State will benefit by having a well-developed road into and across the quarry site. The BLM has also agreed to pay \$140 for timber to be removed in construction of the road. The Engineer stated that this matter had been tentatively approved by the Chairman on June 15, 1967, and he requested confirmation. The Commission confirmed the action.

Consideration was given to a request by the U. S. Geological Survey for cooperation in extending a continuous stream gaging program on small watersheds in the State. The Engineer explained that for the past sixteen years, the State has cooperated in this program which provides information valuable in determining the size of bridges and culverts. He recommended that the program be extended for another year from July 1, 1967, through June 30, 1968, on the following basis:

\$10,000 as part of the Highway Planning and Research
Program (80 per cent Bureau of Public Roads,
20 per cent State)
5,000 State funds
5,000 Geological Survey funds

\$20,000 total program

The Commission approved the program and authorized the Secretary to sign an agreement letter. The Chairman requested that an investigation be made as to the use of this information by other agencies.

The Commission also considered the matter of cooperating with the U. S. Coast and Geodetic Survey in establishing horizontal geodetic control on and near federal-aid highways. In this instance, the Engineer stated that the State has also, for several years past, cooperated in establishing geodetic control near federal-aid highways. The work is valuable to the State as a basis for mapping, coordination of survey points, and the establishment and preservation of points of known elevation (bench marks). He recommended continuing the program for the fiscal year 1968 in an amount not to exceed \$3,000 from the Highway Planning Research budget. The Commission accepted his recommendation.

An agreement with the Federal Aviation Administration for relocation of FAA facilities which conflict with construction on the Stanfield Junction-Pendleton Section of the Old Oregon Trail (I-80N) in Umatilla County was discussed. The Engineer recalled that in June, 1967, he had advised the Commission that the estimated cost was \$2,357. The FAA, however, has revised the estimate to \$2,717. He recommended that the agreement be approved and that the Secretary be authorized to sign it for the Commission. The Commission accepted his recommendation.

July 24, 1967

The Chairman inquired if there had been any further information received on the clearance for the bridge across the Columbia River on the East Portland Freeway (I-205). The Deputy Engineer recalled that the Army Engineers had requested the State to restate the amount of clearance and the last information that he had was that the State would go along with the Governor's recommendation of 48 feet.

A form of agreement was presented by the Engineer to be used by counties through the 1967-1969 biennium for the development of marine parks and related facilities. He pointed out that the Highway Department's budget for the 1967-1969 biennium includes \$300,000 to be made available for marine park facilities. This is the same amount as set up in the prior biennium. The agreement form, he continued, is to be used by each county that wishes to participate in the program and requires that the counties establish priorities for projects within their boundaries, arrange for maintenance of the facilities, and act as liaison agency between the State and local units of government. The agreement also provides a distribution formula for apportionment of these funds to county areas; 25 per cent is to be split equally among the 36 counties and 75 per cent to be apportioned on the basis of need as indicated by a study previously made by the State Marine Board. He presented a tabulation of apportioned amounts as shown following, and an agreement form and recommended that they be approved and the Secretary authorized to sign completed agreements in behalf of the Commission. The Commission accepted the recommendation.

RELATIVE BOAT USE AND NEED BY COUNTIES FOR APPORTIONING MARINE
FACILITIES GRANT FUNDS

County	Apportionment		
	Equal Share	By Need	Total
Baker	\$ 2,083.33	\$ 1,676.25	\$ 3,759.58
Benton	2,083.33	3,026.25	5,109.58
Clackamas	2,083.33	18,326.26	20,409.59
Clatsop	2,083.33	7,053.75	9,137.08
Columbia	2,083.33	5,073.75	7,157.08
Coos	2,083.33	9,506.26	11,589.59
Crook	2,083.33	6,761.25	8,844.58
Curry	2,083.33	4,545.00	6,628.33
Deschutes	2,083.33	21,240.02	23,323.35
Douglas	2,083.33	15,153.76	17,237.09
Gilliam	2,083.33	202.50	2,285.83
Grant	2,083.33	303.75	2,387.08
Harney	2,083.33	697.50	2,780.83
Hood River	2,083.33	1,023.75	3,107.08
Jackson	2,083.33	9,303.76	11,387.09

(Continued on following page)

Relative Boat Use and Need by Counties for Apportioning Marine
Facilities Grant Funds (Continued)

County	Apportionment		
	Equal Share	By Need	Total
Jefferson	\$ 2,083.33	\$ 6,783.75	\$ 8,867.08
Josephine	2,083.33	2,621.25	4,704.58
Klamath	2,083.33	11,272.51	13,355.84
Lake	2,083.33	1,496.25	3,579.58
Lane	2,083.33	18,731.26	20,814.59
Lincoln	2,083.33	18,405.01	20,488.34
Linn	2,083.33	4,083.75	6,167.08
Malheur	2,083.33	2,846.25	4,929.58
Marion	2,083.33	8,943.75	11,027.08
Morrow	2,083.33	348.75	2,432.08
Multnomah	2,083.33	25,076.27	27,159.60
Polk	2,083.33	2,295.00	4,378.33
Sherman	2,083.33	303.75	2,387.08
Tillamook	2,083.33	9,360.01	11,443.34
Umatilla	2,083.33	1,653.75	3,737.08
Union	2,083.33	427.50	2,510.83
Wallowa	2,083.33	697.50	2,780.83
Wasco	2,083.33	1,597.50	3,680.83
Washington	2,083.33	2,126.25	4,209.58
Wheeler	2,083.33	67.50	2,150.83
Yamhill	2,083.33	1,968.75	4,052.08
TOTALS	\$74,999.88	\$225,000.12	\$300,000.00

An agreement with Pittsburgh Testing Laboratory to inspect steel to be used in the Willamette River Bridge on the Belt Line Road in Lane County, Contract No. 6986, was presented by the Engineer. He explained that inspection of material and fabrication practices is necessary at the plant site, and as has been done in the past, it is planned to engage a consultant firm to do this work. Pittsburgh Testing Laboratory has agreed to perform the inspection services for a unit price of \$5.45 per ton, with a total not to exceed \$2,128. Approval has been received from the Bureau of Public Roads and he recommended that the agreement be approved and the Secretary authorized to sign it for the Commission. His recommendation was accepted by the Commission.

The Commission also considered an agreement with Pittsburgh Testing Laboratory for inspection of steel to be used for structures on the Willamette River Bridge Section of the Eugene-Springfield Highway in Lane County, Contract No. 6985. As in the other agreement, the inspection

is to be performed for the unit price of \$5.45 per ton, with the total not to exceed \$2,368. The Engineer stated that the Bureau of Public Roads has approved the arrangement and he recommended that it be approved by the Commission and the Secretary authorized to sign it in their behalf. His recommendation was accepted by the Commission.

An agreement with Herman Adalist & Associates, Inc., for inspection of steel to be used in structures on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah and Hood River Counties, Contract No. 6976, was considered. The Engineer stated that inspection of the material and fabrication practices at the Issacson Iron Works in Seattle at a unit price of \$3 per ton, with a total not to exceed \$9,220, has been agreed upon. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A construction agreement with Hood River County and the City of Hood River pertaining to construction work on the Indian Creek Section of the Hood River Highway was considered. The Engineer explained that the agreement contains the usual provisions for construction and connections to various streets and roads at grade intersections. The one-half mile project is estimated to cost \$285,000. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Confirmation was requested by the Engineer for approval given by the Chairman on June 27, 1967, on a cooperative construction-finance agreement with the City of Ashland pertaining to the East Main Street-Ashland Street (Siskiyou Boulevard) Section of the Rogue Valley Highway in Jackson County. The agreement contains provision for construction of the project, relocation of utilities, parking restrictions, grade revisions and other matters. The State is to bear 75 per cent of the cost of the construction and the City 25 per cent. The project will consist basically of reconstruction to facilitate left-turn movements and will eliminate parking. Total cost of the project is estimated at \$66,600 with the State's share estimated at \$50,000. The Commission confirmed the agreement and approved adding this project to the State Construction Program. The Secretary was authorized to sign the agreement for them.

Consideration was given to a cooperative construction-finance agreement with the Multnomah County Board of Commissioners pertaining to the N. E. 91st Avenue-Sandy Boulevard Section (N. E. Killingsworth Avenue) of the Northeast Portland Highway (US 30 Bypass). The agreement provides for construction of the project, relocation of utilities, grade revisions and other matters. Construction on N. E. Killingsworth Avenue is to be paid for by the State. Construction on N. E. Columbia Boulevard northerly from the southerly O.W.R.&N. Company, right-of-way is to be paid for by the County. The State's portion will consist basically of widening and reconstructing N. E. Killingsworth Avenue, including a separation structure for eastbound traffic from Columbia Boulevard to Killingsworth Avenue. Cost of the State's portion including the separation structure is estimated at

\$1,277,000. The County's portion of the project is estimated to cost \$570,000, plus right of way. The Engineer pointed out that Multnomah County is aware that construction will have to be held in abeyance until funds are available. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

A letter form supplemental throughway construction agreement with the City of Milwaukie pertaining to the Pacific Highway East-Cascade Highway Section (Omark Road) of the Clackamas Highway was considered. The Engineer commented that the supplement includes portions of the Civil Rights Assurance Act pertaining to utility relocation as well as obtaining State concurrence for new utility installations. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a throughway agreement with the City of La Grande concerning the La Grande Section of the Old Oregon Trail (I-80N) in Union County. The agreement provides for highway construction, reconstruction of portions of certain streets, street closures, utility relocation and other matters. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a throughway agreement with Union County pertaining to the La Grande Section of the Old Oregon Trail (I-80N). This agreement, the Engineer commented, provides for highway construction, reconstruction or closure of portions of various roads, utility relocation, and other pertinent matters and is a companion agreement to the one just approved by the Commission. Construction is tentatively scheduled for January, 1968. The Commission approved the agreement and authorized the Secretary to sign it for them.

A throughway agreement with the City of North Plains and the Washington County Board of Commissioners pertaining to the North Plains Interchange-Cornelius Pass Road Section of the Sunset Highway was presented by the Engineer. He stated that the agreement provides for construction and maintenance of the highway, reconstruction of road connections, interchanges, road closures, utility relocations, and other matters. It is planned to receive bids on the project July 27, 1967. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a throughway agreement with Umatilla County concerning the Pendleton-Emigrant Hill Section of the Old Oregon Trail (I-80N) in Umatilla County. The Engineer commented that it is planned to receive bids in March, 1968, or later. The agreement contains provisions for construction of the throughway, for various frontage roads, and other matters. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement for them.

An agreement with the City of Cannon Beach for installation of a luminaire unit at the intersection of the southbound off-ramp of the Sunset Boulevard Interchange on the Oregon Coast Highway in Clatsop County was discussed. The agreement provides that the State perform the work at an estimated cost of \$750 from Minor Betterment Funds, and maintain the installation. The City is to pay for all electrical energy consumed. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

Attention was given to an agreement with the City of Ontario for installation of traffic signals at the intersection of S.W. Fourth Avenue and S.W. First Street on the Olds Ferry-Ontario Highway in Malheur County. The State is to perform the installation, with the City to pay one-half the cost of installation and provide all future maintenance and electrical energy. The total cost of the project the Engineer estimated at \$8,000 with the State's portion of \$4,000 to be taken from Minor Betterment Funds. It was his recommendation that the agreement be approved and the Secretary authorized to sign the agreement. The Commission accepted his recommendation.

The Commission also considered an agreement with the City of Hillsboro in Washington County for the installation of traffic signals at the intersection of the Tualatin Valley Highway and S. E. 13th Avenue. Under terms of the agreement, the State is to perform the installation, with the City to pay one-half the cost of installation and furnish all maintenance and electrical energy requirements. The Engineer estimated the total cost of the project at \$20,000 with the State's share of \$10,000 to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with the City of Cornelius for the installation of pedestrian-actuated traffic signals at intersections of N.E. Third Avenue with N.E. First Street and East Baseline Street on the Tualatin Valley Highway in Washington County. Under this agreement, the Engineer commented that the State is to do the work, with the City agreeing to pay one-half the cost of installation and provide all of the maintenance and electrical energy required. He estimated the total cost of the project at \$7,000 with the State's share of \$3,500 to be taken from Minor Betterment Funds and he recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with the Washington County Board of Commissioners for installation of a temporary traffic signal at the intersection of S.W. 145th Avenue with the Tualatin Valley Highway in Beaverton was considered. The State will make the installation but the cost of installation and removal of the temporary signal, as well as required maintenance and the furnishing of electrical energy, is to be paid for by the County. The Engineer estimated the cost of installation at \$5,000 and recommended that the agreement be approved and the Secretary authorized to sign it for the Commission. The Commission accepted his recommendation.

The Commission also considered an agreement with the City of Beaverton for installation of traffic signals on the Beaverton-Hillsdale Highway at the intersections of S. W. Jamieson Road, S. W. Western Avenue and S. W. 110th Avenue in Washington County. The Engineer estimated the total cost of the project at \$31,000 of which the City is to pay one-half and provide for all maintenance and electrical energy requirements. The State's share of the project in the amount of \$15,500 is to be taken from Minor Betterment Funds. It was his recommendation that the agreement be approved and the Secretary authorized to sign the agreement in behalf of the Commission. The Commission accepted his recommendation.

An agreement with the City of Beaverton for installation of traffic signals and luminaire units at the Beaverton-Hillsdale Highway Interchange and at Allen Avenue on the Beaverton-Progress Section of the Beaverton-Tigard Highway in Washington County was considered. The Engineer pointed out that the work is to be done by the State at an estimated cost of \$81,000 as a part of the construction project. The City has agreed to maintain the signals and luminaire units and pay for all electrical energy needed. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement for them.

Consideration was also given to an agreement with the City of Gresham for installation of traffic signals at the intersection of East Powell Boulevard and Hogan Avenue on the Mt. Hood Highway in Multnomah County. Under this agreement, the State is to perform the work and the City agrees to pay one-half the cost of installation and pay for all maintenance and electrical energy required. The Engineer estimated the total cost of installation at \$12,000, the State's share of \$6,000 to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement was considered with the City of Burns for installation of traffic signals at the intersection of Monroe Street (Central Oregon Highway) with Egan Avenue and Broadway Avenue in Harney County. The Engineer commented that the agreement provides that the State do the work at an estimated cost of \$17,000 and the City agrees to pay one-half the cost of installation. The State's share of \$8,500 is to be taken from Minor Betterment Funds. The City is to provide all the maintenance and electrical energy that is required. He recommended that the agreement be approved and the Secretary authorized to sign it for the Commission. The Commission accepted his recommendation.

The Commission also considered an agreement with the City of Roseburg for the installation of traffic signals and luminaire units at the intersection of Stephens Street (Oakland-Shady Highway) and Diamond Lake Boulevard. The Engineer estimated the cost of the signals and illumination at \$22,500. The City is to pay for the entire cost of the illumination and one-half the cost of the traffic signals for an estimated total of \$13,650. The City is to provide all maintenance and electrical power requirements. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer recalled that at the June 8, 1967, Commission meeting an agreement had been approved with the Corps of Engineers pertaining to revetment to be placed along the Willamette River to protect the bridge at Harrisburg on the Albany-Junction City Highway in Lane County. Because of difficulty with the "hold harmless" clause, the Corps of Engineers did not approve the agreement. The Tri-County Improvement District has agreed to sponsor the project to provide the formal assurances required by the Corps of Engineers, including the "hold harmless" clause, and also to provide the necessary right of way. The State is to provide for maintenance of the revetment upon completion and is to deed to the Improvement District 0.3 of an acre for right of way. The Engineer recommended that the agreement with the Tri-County Improvement District be approved and that 0.3 of an acre of land be deeded to them. He mentioned that this arrangement had been verbally approved by the Chairman on July 7. The Commission confirmed the transaction and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a supplemental agreement with Moffatt, Nichol & Bonney, Inc., successors to Moffatt, Nichol & Taylor, covering design and preparation of plans for the bridge across the Willamette River at Oregon City on the East Portland Freeway (I-205) in Clackamas County. The Engineer commented that the Bureau of Public Roads recently issued instructions on design features to increase traffic safety. One of these instructions requires a change in plans so that the median area on the bridge will be 16 feet rather than 11 feet as contained in the original agreement. The change, he said, will cost approximately \$28,300 and he recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

A cooperative construction-finance agreement with the City of Albany pertaining to improvement of the Chicago Street-Southern Pacific Railroad Overcrossing Section of the Albany-Junction City Highway in Linn County was brought up by the Engineer. The agreement provides for construction of the project, relocation of utilities, parking restrictions, grade revisions, and other matters. The City agrees to pay 25 per cent of the construction costs and 50 per cent of the traffic signal revision costs, for a total estimated amount of \$12,875. The Engineer estimated the cost of the State's portion at \$30,125 and recommended approval of the project when funds are available. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

Consideration was given to a fourth supplemental agreement with Union Pacific Railroad Company concerning installation of a 66-inch culvert under the railroad on the Cascade Locks-Mitchell Point Section of the Columbia River Highway in Hood River County, Contract No. 6858. The Engineer explained that the culvert was added to the project plans subsequent to the original agreement and he recommended that it be approved. The Commission approved the agreement.

The Commission also gave attention to an agreement with Portland Traction Company for improvement of grade crossing signals at 82nd Avenue (Cascade Highway) and Kendall Station in Multnomah County. The agreement provides that the railroad salvage the existing wigwag signal and install crossing gates. The State is to pay 75 per cent and the Railroad 25 per cent of the cost of installation, estimated at \$15,847, the State's share being \$11,885. The Engineer explained that the reason for the State paying 75 per cent is because the average daily traffic at this location exceeds 19,000 vehicles per day against only two trains per day. Following his favorable recommendation, the Commission approved the agreement, and authorized the Secretary to sign it in their behalf.

An agreement with Southern Pacific Company for re-establishment of a grade crossing required by construction of the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County was brought up by the Engineer. The Railroad is to remove the old crossing, construct a new crossing and erect crossing gates. The State is to pay all of the cost of relocating the crossing estimated at \$6,175 and 90 per cent of the crossing gate installation, the State's share estimated at \$12,465, or a total of \$18,640. The agreement also provides that if the Railroad abandons its line the State will be required to purchase the land occupied by the crossing at market value. This price is not to include the value for railroad signals, trackage, ballasts, ties, or related railroad facilities. The Commission accepted the Engineer's favorable recommendation for approval of the agreement.

The Commission also considered an agreement with Southern Pacific Company covering work to be performed by the Railroad on the Beaverton-Progress Section of the Beaverton-Tigard Highway in Washington County. The Engineer stated that the agreement provides that the State construct an overcrossing of the railroad tracks at Beburg and that the Railroad install crossing gates and improve the grade crossing at Denny Road, Allen Avenue, and Scholls Highway. The total estimated cost for the State's share is \$70,810 including 90 per cent of cost of installing the crossing gates. The State is to maintain the overcrossing and the Railroad is to maintain the crossing gates and all other railroad facilities. The Commission accepted the Engineer's recommendation for approval.

The Engineer reported that pursuant to Chapter 601, Oregon laws of 1967, two applications for permits have been received for construction on the beaches of the Pacific Ocean between the extreme low tide and elevation of 16 feet. He read the following applications:

Application #1

L.E.W. Engineering, Inc., L. E. Fultz, President, of Cloverdale, Oregon. Construct a beach access road and erosion protection at Neskowin, Oregon. Work on this road was started on May 22, 1967.

Application #2

Carefree Resorts, Inc., Peter M. Gunnar, President,
Lincoln City, Oregon. Construct a 102-unit condomini-
um resort hotel at Lincoln City.

He stated that according to law notices of the applications have been posted at the sites.

An agreement with Tillamook County pertaining to relocation of the Oregon Coast Highway in the Pacific City area (Neskowin-Cape Kiwanda Section) along the so-called "Sand Spit Route" was presented by the Engineer. Following his favorable recommendation, the Commission approved the agreement, and authorized the Secretary to sign the agreement in their behalf.

Attention was also given to a construction agreement with Spokane, Portland & Seattle Railway Company covering construction of a storm sewer and relocated grade crossing at the approach to the Fremont Bridge on the Stadium Freeway in Portland. Following the Engineer's favorable recommendation, the Commission approved the agreement, and authorized the Secretary to sign the agreement.

The Commission inquired of the Engineer as to procedures that are necessary in connection with petitions for construction on the ocean beaches below the 16 foot level. The Engineer outlined briefly the procedures that are set up in the law. He stated there is a 30-day period in which interested persons can request a public hearing and there is a 60-day period in which to take action. If no action is taken within the 60-day period, the application is denied. The Chairman inquired as to what might be the effect of the interim study on use of the beaches. The Engineer replied that Legislation as enacted is final at this time, and that the interim report may have a bearing on legislation to be considered by the next Legislature. The Chief Counsel pointed out that if applications are made for construction below the 16 foot level, the Engineer must determine if such requests are detrimental to the public interest. The Chairman then inquired if the responsibility for determining whether applications should be approved or denied is the Commission's responsibility or the Highway Engineer's. The Chief Counsel replied that the law specifies that the Engineer make the decision.

For the benefit of those at the Commission meeting who were not familiar with Commission meeting practices, the Chairman explained that the Commission was able to act quickly upon the various items presented because these items had been explained by letters sent to the Commission prior to the meeting. All of the matters had been carefully studied and recommendations made by those administratively responsible. He also pointed out that the Commission is seeking to streamline its actions to expedite highway work.

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

"Bargain and Sale Deed" conveying to Richard C. Beesley a parcel of land on the Pelican City-South 6th Street Section of The Dalles-California Highway in Klamath County.

"Extension of Lease" to Douglas County for a gravel site on Cow Creek on the Azalea-Josephine County Line Section of the Pacific Highway in Douglas County.

"Bargain and Sale Deed" conveying to the State Game Commission a parcel of land on Winchester Gravel Pit on the Minam Recreation Area in Douglas County.

"Bargain and Sale Deed" conveying to the State Game Commission a parcel of land on the Touvelle Gravel Pit on the Minam Recreation Area in Jackson County.

"Indenture of Access" to Matilda and Enzo C. Sari property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to C. V. and Gladys Golden property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to the Bureau of Land Management property on the Bend-LaPine Section of The Dalles-California Highway in Deschutes County.

"Grant of Access" to Charles Earl McCarty covering land on the Snake River Bridge Section of the Olds Ferry-Ontario Highway in Malheur County.

"Grant of Access" to the Pacific Northwest Bell Telephone Company covering land on the Burns-Crane Section of the Burns-Crane Highway in Harney County.

"Easement" to the U.S. Forest Service covering land on the Lincoln County Line-Cape Creek Section of the Oregon Coast Highway in Lane County.

"Supplemental Agreement" with Robin M. Towne and Associates covering additional work on a noise study in relation to apartment buildings adjacent to freeways in Portland.

"Agreement" with Portland Terminal Railroad Company allowing the State to enter on property to construct a storm sewer on N.W. Johnson Street-Willamette River Section of Stadium Freeway in Multnomah County.

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"Permit" from Oregon Trunk Railway Company providing for the establishment of a permanent private grade crossing east of Celilo on the Columbia River Highway in Wasco County.

"Access Road Easement" to the Bureau of Land Management to harvest timber on land across the Swamp Creek Area between Glendale Junction and Quines Creek east of Interstate 5 in Douglas County.

"Agreement" with the Federal Aviation Administration covering relocation of facilities which conflict with our construction on Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Agreement" with Pittsburgh Testing Laboratory to inspect steel for the Willamette River Bridge on the Belt Line Road in Lane County.

"Agreement" with Pittsburgh Testing Laboratory for the inspection of steel for structures on the Willamette River Bridge Section of the Eugene-Springfield Highway in Lane County.

"Agreement" with Herman Adalist and Associates, Inc., for the inspection of steel for structures on the Bonneville-Hood River County Line Section of the Columbia River Highway in Multnomah and Hood River Counties.

"Construction Agreement" with Hood River County and the City of Hood River covering the Indian Creek Section of the Hood River Highway in Hood River County.

"Cooperative construction finance agreement" with the City of Ashland covering the East Main Street-Ashland Street (Siškiyou Boulevard) Section of the Rogue Valley Highway in Jackson County.

"Cooperative construction finance agreement" with Multnomah County covering the N.E. 91st Avenue-Sandy Boulevard (N.E. Killingsworth Avenue) Section of the Northeast Portland Highway (US30 Bypass) in Multnomah County.

"Supplemental throughway construction agreement" in letter form with the City of Milwaukie covering the Pacific Highway East-Cascade Highway Section (Omark Road) of the Clackamas Highway in Clackamas County.

"Throughway agreement" with the City of LaGrande covering the LaGrande Section of the Old Oregon Trail in Union County.

"Throughway agreement" with Union County covering the LaGrande Section of the Old Oregon Trail in Union County.

"Throughway agreement" with the City of North Plains and Washington County covering the North Plains Interchange-Cornelius Pass Road Section of the Sunset Highway in Washington County.

"Throughway agreement" with Umatilla County covering the Pendleton (Mission Junction)-Emigrant Hill Section of the Old Oregon Trail in Umatilla County.

"Agreement" with the City of Cannon Beach for the installation of a 400-watt mercury-vapor luminaire unit at the intersection of southbound off-ramp at Sunset Boulevard Interchange in Clatsop County.

"Agreement" with the City of Ontario for the installation of pre-timed traffic signals at the intersection of S.W. Fourth Avenue and S.W. First Street in Malheur County.

"Agreement" with the City of Hillsboro covering the installation of traffic signals at the intersection of Tualatin Valley Highway and S.E. 13th Avenue in Washington County.

"Agreement" with the City of Cornelius for the installation of pedestrian-actuated traffic signals at the intersections of N.E. Third Avenue with N.E. First Street and East Baseline Street on the Tualatin Valley Highway in Washington County.

"Agreement" with Washington County for the installation of a temporary traffic signal at the intersection of Tualatin Valley Highway and S.W. 145th Avenue in Beaverton.

"Agreement" with the City of Beaverton for the installation of traffic signals on the Beaverton-Hillsdale Highway at the intersections of S.W. Jamieson Road, S.W. Western Avenue and S.W. 110th Avenue in Washington County.

"Agreement" with the City of Beaverton covering the installation of traffic signals and luminaire units at the Beaverton-Hillsdale Highway Interchange and at Allen Avenue on the Beaverton-Progress Section of the Beaverton-Tigard Highway in Washington County.

"Agreement" with the City of Gresham for the installation of traffic signals at the intersection of East Powell Boulevard and Hogan Avenue on the Mt. Hood Highway in Multnomah County.

"Agreement" with the City of Burns for the installation of traffic signals at the intersection of Monroe Street with Egan Avenue and Broadway Avenue in Harney County.

"Agreement" with the City of Roseburg covering the installation of traffic signals and luminaire units at the intersection of Stephens Street and Diamond Lake Boulevard in Douglas County.

"Bargain and Sale Deed and Agreement" with the Tri-County Improvement District covering the Harrisburg Bridge Revetment Section of the Albany-Junction City Highway in Lane County.

"Supplemental Agreement" with Moffatt, Nichol and Bonney, Inc., covering the design and preparation of plans for the Oregon City-West Linn Bridge on I-205 in Clackamas County.

"Cooperative construction finance agreement" with the City of Albany covering the improvement of Chicago Street-Southern Pacific Railroad Overcrossing Section of the Albany-Junction City Highway in Linn County.

"Fourth supplemental agreement" with Union Pacific Railroad Company covering the installation of a culvert under the railroad on the Cascade Locks-Mitchell Point Section of the Columbia River Highway in Hood River County (Contract 6858).

"Agreement" with Southern Pacific Company covering re-establishment of a grade crossing required by construction of the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Agreement" with Southern Pacific Company covering work on the Beaverton-Progress Section of the Beaverton-Tigard Highway in Washington County.

"Agreement" with Portland Traction Company providing for improvement of the grade crossing signals at 82nd Avenue (Cascade Highway) and Kendall Station near Portland in Multnomah County.

"Throughway agreement" with Tillamook County covering the Neskowin-Cape Kiwanda Section of the Oregon Coast Highway in Tillamook County.

There being no other business to consider, the Chairman adjourned the meeting at 9:30 p.m.

Floyd Query
State Highway Engineer

Floyd Query
Secretary

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

David B. Simpson
Commissioner

Salem, Oregon
August 29, 1967

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

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
F. B. Klaboe, Assistant State Highway Engineer
Victor D. Wolfe, Administrative Assistant
G. E. Rohde, Chief Counsel
Frank C. McKinney, Assistant Counsel
David H. Moehring, Right of Way Engineer
C. H. Maison, Controller
Floyd Query, Secretary

Lloyd P. Shaw, Assistant State Highway Engineer, was excused.

Among others 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 Talbot, Parks Superintendent; E. S. Hunter, Maintenance Engineer; John Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Assistant City and County Engineer; and John Earley, Information Officer.

The Commission approved the minutes of the meeting held in Goos Bay on July 24, 1967.

The Right of Way Engineer presented a list of options, pages 1 through 54, secured for acquisition of real property needed for state highway use or for other purposes. He mentioned that the amounts offered are based upon competent appraisals and are in 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, Chairman Jackson and Commissioner Hill confirmed closing the options, including those sent to them for approval since the last Commission meeting, as well as those options presented for the first time at this meeting. The Commission thereupon adopted "Right of Way Resolution No. 44," 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. From July 15 to August 15, 1967, miscellaneous sales totaled \$25,485; land sales \$9,200; and timber sales \$10,298.96. Rental receipts for the month of July were \$14,663.09. The Commission accepted the report.

Authority to offer at public sale three parcels of property no longer needed for highway purposes was requested by the Right of Way Engineer. Minimum values have been determined by competent appraisals and access and other conditions of sale are consistent with those applying to other properties in the vicinity. The Commission authorized public sale of the following properties:

- (1) 2.81 acres, File No. Q-156, located southwest of the intersection of Main Street with South Water Street on the southerly side of the relocated Lexington-Echo Highway at the west city limits of Echo, Umatilla County, for not less than \$150. Signboard and junkyard restriction clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) 4.73 acres, File No. 3618 (Q-509), located in the northwest corner of the town of Echo on the northeasterly side of the Umatilla River on the Lexington-Echo Highway in Umatilla County, for not less than \$250. Signboard and junkyard restriction clauses are to be included in the deed and approval by the Bureau of Public Roads is not required.
- (3) 1.11 acre, File No. 6461, located on the northerly side of the old McKenzie Highway approximately 1.49 miles west of Blue River near the Elk Creek Bridge in Lane County, for not less than \$560. Signboard and junkyard restriction clauses are to be included in the deed and approval by the Bureau of Public Roads is not required.

Direct sale of 29.02 acres of land on the Boardman Oasis-Irrigon Section of the Columbia River Highway in Morrow County, to the U. S. Army Corps of Engineers was brought up by the Right of Way Engineer. This parcel of land, he explained, is located on the northwesterly side of the old alignment of the Columbia River Highway and has been bypassed by the relocated highway. The Army Engineers are to pay \$4,770 for the land, which is appraised value, and turn the land over to the Fish and Wildlife Service as a part of a proposed bird sanctuary. Following the Right of Way Engineer's favorable recommendation, the Commission approved the sale and thereupon adopted "Real Property Resolution No. 478," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Indentures of Access for changes and widening of existing points of access for the benefit and convenience of the property owners, and for the protection of the traveling public were recommended by the Right of Way Engineer. The Commission approved the following Indentures to:

- (1) Braunberger, Kendall and Investment Pool, Inc., property, File No. 34393, for a change in location and widening to 35 feet of two points of access restricted to private residential use on the easterly side of the Redwood Highway approximately seven miles southwest of Grants Pass, Josephine County. Approval by the Bureau of Public Roads is not required.
- (2) B K N Corporation property, File No. 22834, for a change in location and widening to 35 feet on one point of access unrestricted as to use on the northerly side of the Tualatin Valley Highway approximately two miles west of Beaverton in Washington County. This request has been made to provide access to a drive-in restaurant. Approval by the Bureau of Public Roads was given November 23, 1966, subject to inclusion of portions of the Civil Rights Act of 1964.
- (3) Wescom property, File No. 36570, for a change in location of one 35 foot point of access and an additional 35 foot access, both unrestricted as to use, on the northerly side of the relocated Klamath Falls-Lakeview Highway approximately 2.25 miles east of Klamath Falls in Klamath County. This request was made so that the record may agree with the location of the approaches as constructed. Bureau of Public Roads' approval was received March 22, 1967.
- (4) U. S. Department of Agriculture (Forest Service), property, File No. 24182, for a change in location of one 44 foot point of access unrestricted as to use on the southerly side of the Willamette Highway approximately $8\frac{1}{2}$ miles northwesterly from The Dalles-California Highway in Klamath County. This indenture is to provide access to a new timber access road and will be located within an area covered by an easement the Forest Service has with the property owner. Approval by the Bureau of Public Roads was given March 29, 1967.
- (5) Venn property, File No. 30735, for a change in location of one unrestricted 35-foot access on the northerly side of the Eugene-Springfield Highway in Springfield, Lane County. Portions of the Civil Rights Act of 1964 are to be included in the indenture. Bureau of Public Roads' approval was given June 15, 1967.

Grants of Access to two property owners were recommended by the Right of Way Engineer and approved by the Commission as follows:

- (1) Wayne N. and Shirley Y. Horton, File No. 35945, for one unrestricted point of access 35 feet in width on the northerly side of the Klamath Falls-Lakeview Highway approximately 1.75 miles east of Klamath Falls in Klamath County. The request is presented at this time to make the record agree with actual construction. Approval by the Bureau of Public Roads was given March 22, 1967.
- (2) Vergil D. and Retta Ann Brannock, File No. 26517, for a change in width to 35 feet of one point of unrestricted access on the north side of the Tualatin Valley Highway on a city street section in the town of Forest Grove, Washington County. Bureau of Public Roads' approval was given April 27, 1967, with inclusion of portions of the Civil Rights Act of 1964.

The Right of Way Engineer requested confirmation of approval given by the Chairman on August 7 for the award of a demolition contract to Northwest Housemovers, Inc., d.b.a. Signal Sales Company, in the amount of \$3,640. Five bids were received for this project, the low bid being submitted by Northwest Housemovers, Inc., for the removal of buildings, garages, rough grading, and clean up of debris near the intersection of Taylors Ferry Road on the Oswego Highway, Portland, Multnomah County. The Commission confirmed award of the contract and authorized the Secretary to sign it.

Confirmation was also requested by the Right of Way Engineer for approval given by the Chairman on August 7 for award of a contract for demolition on the Fremont Street Connection to I-5 Section (Pacific Highway) in Portland, Multnomah County. Five bids were received, the low bid being submitted by Northwest Housemovers, Inc., d.b.a. Signal Sales Company, in the amount of \$1,632 for removal of buildings, rough grading, and clean up. The Commission confirmed the award of the contract and authorized the Secretary to sign it.

Award of a demolition contract on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County was recommended by the Right of Way Engineer. Three bids were received for this work, the low bidder being Eugene Building Wreckers at \$2,895 for removal of buildings, rough grading, and clean up. The Commission accepted his recommendation for award to the low bidder and authorized the Secretary to sign the contract.

A petition directed to the Multnomah County Board of Commissioners for vacation of a portion of S. W. Huber Street, Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County was brought up by the Right of Way Engineer. Vacation of this portion of the street,

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he said, has been approved by the Multnomah County Engineer and the vacated street will be added to an excess state highway property which has been recommended for sale. After Commission approval, concurrence will be requested from the Bureau of Public Roads. The Commission approved the petition and authorized the Secretary to sign it in their behalf.

The Chief Counsel presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public 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. 2486 through 2490," 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 August 28, entitled "Recommendations for Condemnation," in the Salem Office, General Files.)

A report was submitted by the Chief Counsel and accepted by the Commission on cases which have been tried in court since the last Commission meeting 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-4701 Loson Winn, et al.	Douglas	Pacific	Canyonville- Josephine County	\$ 8,250.00	\$ 19,000.00	\$ 19,000.00
L-5139 John Murray, et al.	Grant	John Day	Dayville	110.00	None	110.00
L-4938 C. H. Parkway, et al.	Washington	Beaverton- Tigard	Sunset Hwy.- Pacific Hwy.	812,500.00	1,040,000.00	900,000.00
L-5310 Unknown Heirs of Devisees of Eugene Thoren, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	None (no probate or known heirs)	None	155.00

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Report of Condemnation Cases Tried (Continued)

<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-5247 Shady Cove Development Co., et al.	Jackson	Crater Lake	Shady Cove Bridge	\$100.00	None	\$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-5364 State of Oregon	Donald Schockman	Umatilla	Suit to enjoin defendant from continued operation of a boat dock and gas pump on lake at Hat Rock State Park without authority.		Injunction granted
L-5184 State of Oregon	Penny A. Blacketer, et al.	Jackson	Negligent operation of motor vehicle damaging guardrail.	\$177.80	\$177.80
L-5276 State of Oregon	James C. McKenzie	Klamath	Negligent operation of motor vehicle damaging guardrail.	82.38	82.38
L-5322 State of Oregon	David Eric Robinson, et al.	Klamath	Negligent operation of motor vehicle damaging overcrossing.	315.25	315.25
L-5442 State of Oregon	Kenneth H. Pound	Klamath	Negligent operation of motor vehicle damaging guardrail.	105.74	105.74
L-5194 State of Oregon	Marvin Leroy Newton	Linn	Negligent operation of motor vehicle damaging guardrail.	195.45	195.45

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Report of Trial of Other Cases (Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5277 State of Oregon	Harlen LaVern Johnson	Linn	Negligent operation of motor vehicle damaging guardrail.	\$137.35	\$137.35
L-5323 State of Oregon	Wayne Tate Edwards	Linn	Negligent operation of motor vehicle damaging light pole.	263.53	263.53
L-5312 State of Oregon	Merle Trachsel	Polk	Negligent operation of motor vehicle damaging Highway truck.	40.58 plus costs and disbursements	for plaintiff
L-5370 State of Oregon	Delmouth C. Pursifull, et al.	Tillamook	Negligent operation of motor vehicle damaging light pole.	430.91	430.91
L-5468 State of Oregon	Marguerite Jordan	Umatilla	Damage to guard-rail caused by collision of defendant's car which went out of control while being operated at a high speed - drag racing.	290.82	290.82
L-5308 State of Oregon	Clayton Olvis Piper	Wasco	Negligent operation of motor vehicle damaging guardrail.	140.32	140.32
L-5238 State of Oregon	John Edward Young	Washington	Negligent operation of motor vehicle damaging guardrail.	100.91	100.91
L-5326 State of Oregon	Danny Joe Day	Washington	Negligent operation of motor vehicle damaging signs.	61.50	61.50

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(For additional details, see the Chief Counsel's letter dated August 23, 1967, entitled "Report of Cases Tried," in the Salem Office, General Files.)

A report was also presented by the Chief Counsel concerning cases which have been settled since the last Commission meeting. These settlements, he said, are based upon competent appraisals and are in order for federal aid. He also pointed out that the total settlements show a very slight increase over the total appraised amount. The Commission accepted 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-5345 Norbert N. Schaedler, et ux.	Deschutes	The Dalles-California	Bend-Lapine	\$3,175.00	\$ 3,500.00
L-5378 Robert Oberg, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	100.00	750.00
			Remarks: Settlement within Review Appraisal of \$800.		
L-5098 Shannon Transport, Inc., et al.	Linn	Santiam	Sweet Home-Foster	1,200.00	1,500.00
			Remarks: Defendant alleges value of taking plus damages are \$4,000 plus attorneys fees.		
L-5453 Lucile M. Strange, et al.	Marion	Pacific	Fargo Road Interchange	4,700.00 land only	4,700.00 land only
L-5413 Herbert G. Palmberg, et al.	Multnomah	Columbia River	Burlington-Sauvie Island Bridge	3,350.00	3,850.00
			Remarks: Owner has appraisal at \$3,850 by fee appraiser often used by State.		
L-5411 Lott S. Carr, et al.	Tillamook	Wilson River	M.P. 6.95 Slide	100.00	750.00
			Remarks: Additional appraisal for \$750 received after original offer and filing of complaint.		

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Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5399 Shirley Alta Hevel, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	\$2,300.00 right of way only	\$5,900.00 includes taking of 23+ acres of land-locked remainder
L-5407 Dean Rohde, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	3,000.00 including crop allowance	2,426.00
			Remarks: Offer made on basis crop would be destroyed. In fact owner able to harvest crop.		
L-5408 Eileen Rohde, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	200.00	210.00
L-5410 Roy Rohde, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	1,150.00	1,285.00
L-5426 Mayme Mark Sorey, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	6,800.00 (\$6,100 for land plus \$700 for damage to growing crops)	6,496.00 (includes \$396 for crops destroyed)
			Remarks: Appraisals and State's offer made on basis that growing wheat crop would be destroyed. In fact a portion of crop was harvested.		
L-5503 Russell E. Hamachek, et al.	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Highway	2,000.00	2,200.00
L-5528 John T. Curtis, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road	200.00	200.00
L-5019 Harold G. Corby, et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	1,000.00	1,750.00
			Remarks: The main issue to be tried in this case involves damages to the remaining land. Owner claims he could have, except for the taking, placed another duplex on the land, but can now only add one unit.		

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Report of Condemnation Cases Settled (Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5218 Mabelle W. Jeffcott, a widow	Washington	Beaverton-Tualatin	Tualatin River Bridge	\$1,000.00	\$ 3,500.00
		Remarks:	\$3,500.00 revised appraisal.		
L-5504 Peter M. Olson, et al.	Washington	Beaverton-Tigard	Sunset Hwy.- Pacific Hwy. West	2,400.00	2,400.00
L-5481 Inland Construction Co.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	1,050.00	1,050.00
R-37202 Bate Plywood Co.	Douglas	Pacific	Canyonville-Josephine County Line	None	1,500.00
		Remarks:	Bate Plywood Company held an easement over a portion of the land for logging road purpose. The logging road included a bridge which was taken during construction of the highway. The logging road was reconstructed so that it could be used without the bridge.		
L-5433 Oneita Michaels, et al.	Multnomah	Pacific	North Portland Harbor-North Russell Street taking	2,950.00 partial	11,000.00 entire taking
		Remarks:	Negotiations and State's offer was made on basis of a partial taking (563 square feet) from a tract consisting of 8,700 square feet. Resale of excess property for this purpose should more than equal cost of acquisition and relieve the problem of damages in a condemnation action.		
L-5306 Clarence Edmond Brown, et al.	Umatilla	Old Oregon Trail	Pendleton	200.00	375.00
		Remarks:	Appraisal revision made at \$400.		
L-5500 Wilbur Wymore, et al.	Polk	Independence	Oak Point Bridge	275.00 0.13 acre	250.00 0.09 acre

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Report of Condemnation Cases Settled (Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5505 Veloris Baxter, et al.	Douglas	Oakland-Shady	North Hill Deer Creek	\$ 110.00	\$ 575.00
		Remarks:	New construction widens existing street from two to four lanes and in so doing creates possible damage claim by reason of change of grade.		
R-40671 George A. Hansen, et ux.	Jackson	Lake of the Woods	Brownsboro-Hanley Ranch	1,150.00	2,010.00
L-5463 Del J. Cristoforo, et ux.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	23,500.00	25,500.00

(For additional details, see the Chief Counsel's letters dated August 23 and August 29, 1967, concerning cases settled, in the General Files, Salem Office.)

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

BROWNSBORO-HANLEY RANCH SECTION OF THE LAKE OF THE WOODS HIGHWAY

R-40671 - Bruce E. Hansen, et ux. 0.13 acre for right of way purposes. Offer of \$1,150.00 approved by Mr. Jackson August 10, 1967.

R-40675 - Kenton E. Stover, et ux. 1.5 acres for right of way purposes. Offer of \$800.00 approved by Mr. Jackson August 11, 1967.

R-40677 - Wayne E. Wakefield, et ux. Parcel No. 1: 4.8 acres for right of way purposes; Parcel No. 2: 2.1 acres for permanent easement; Parcel No. 3: 2.1 acres for temporary easement. Offer of \$3,250.00 approved by Mr. Jackson August 14, 1967.

R-40680 - Charles W. Stanley, et al. Parcel No. 1: 5.8 acres for right of way purposes; Parcel No. 2: 1.1 acres for right of way purposes; Parcel No. 3: 0.5 acre for permanent easement; Parcel No. 4: 400 square feet for temporary easement; Parcel No. 5: 400 square feet for temporary easement; Parcel No. 6: 0.04 acre for temporary easement; Parcel No. 7: 0.45 acre for temporary easement; Parcel No. 8: 0.18 acre for temporary easement; Parcel No. 9: 0.5 acre for temporary easement. Offer of \$6,425.00 approved by Mr. Jackson August 11, 1967.

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BROWNSBORO-HANLEY RANCH SECTION OF THE LAKE OF THE WOODS HIGHWAY (Continued)

R-40682 - Kenneth B. Owen. Parcel No. 1: 10.5 acres for right of way purposes; Parcel No. 2: 0.48 acre for temporary easement. Offer of \$11,700.00 approved by Mr. Jackson August 10, 1967.

R-40683 - Charles Sheldon Marsters, et ux. 5.0 acres for right of way purposes. Offer of \$2,750.00 approved by Mr. Jackson August 10, 1967.

R-40684 - Myrtle Marsters. Parcel No. 1: 7.6 acres for right of way purposes; Parcel No. 2: 0.27 acre for permanent easement; Parcel No. 3: 0.55 acre for temporary easement. Offer of \$3,750.00 approved by Mr. Jackson August 15, 1967.

R-40685 - Louis R. Walch. Parcel No. 1: 2.54 acres for right of way purposes; Parcel No. 2: 0.03 acre for right of way purposes. Offer of \$8,200.00 approved by Mr. Jackson August 21, 1967.

R-40687 - Richard A. Osterman, et ux. Parcel No. 1: 6.6 acres for right of way purposes; Parcel No. 2: 1.6 acres for right of way purposes; Parcel No. 3: 1.1 acres for permanent easement. Offer of \$5,175.00 approved by Mr. Jackson August 17, 1967.

R-40688 - Theodore Bloomberg, et al. 6.4 acres for right of way purposes. Offer of \$2,500.00 approved by Mr. Jackson August 11, 1967.

R-40692 - Julia Sidley and Helen Sidley. Parcel No. 1: 10.0 acres for right of way purposes; Parcel No. 2: 0.9 acre for right of way purposes; Parcel No. 3: 0.01 acre for temporary easement; Parcel No. 4: 50 square feet for temporary easement; Parcel No. 5: 0.45 acre for temporary easement. Offer of \$3,300.00 approved by Mr. Jackson August 18, 1967.

R-41861 - Willard Monroe Walch, et ux. 0.16 acre for right of way purposes. Offer of \$1,250.00 approved by Mr. Jackson August 17, 1967.

INDIAN CREEK SECTION OF THE HOOD RIVER HIGHWAY

R-40830 - James Rich, et ux. 290 square feet for right of way purposes. Offer of \$400.00 approved by Mr. Jackson August 16, 1967.

R-40836 - John Arens, et al. 0.5 acre for right of way purposes. Offer of \$500.00 approved by Mr. Jackson August 15, 1967.

R-40839 - W. J. Swick, et ux. Parcel No. 1: 19,950 square feet for right of way purposes; Parcel No. 2: 2,250 square feet for right of way purposes; Parcel No. 4: 1,200 square feet for permanent easement. Offer of \$20,450.00 approved by Mr. Jackson August 18, 1967.

R-40843 - Tom & Tom, Inc. Parcel No. 1: 1,410 square feet for right of way purposes; Parcel No. 2: 115 square feet for permanent easement. Offer of \$5,075.00 approved by Mr. Hill August 22, 1967.

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NORTH PLAINS INTERCHANGE-CORNELIUS PASS ROAD INTERCHANGE SECTION OF THE SUNSET HIGHWAY

R-41190 - J. W. Thomas. 1.0 acre for right of way purposes. Offer of \$1,650.00 approved by Mr. Jackson July 27, 1967.

R-41191 - Laura E. Currin. 0.73 acre for right of way purposes. Offer of \$450.00 approved by Mr. Jackson July 27, 1967.

R-41192 - Glenn Koennecke. 0.14 acre for right of way purposes. Offer of \$75.00 approved by Mr. Jackson August 3, 1967.

R-41195 - Ida Sandstrom. Parcel No. 1: 0.4 acre for right of way purposes; Parcel No. 2: 0.4 acre for right of way purposes. Offer of \$1,100.00 approved by Mr. Jackson July 27, 1967.

R-41196 - Rosi Goldsmith, et al. Parcel No. 1: 0.02 acre for right of way purposes; Parcel No. 2: 0.23 acre for right of way purposes; Parcel No. 3: 0.10 acre for permanent easement. Offer of \$375.00 approved by Mr. Jackson July 28, 1967.

R-41201 - Ernest Zurcher, et ux. Parcel No. 1: 9.0 acres for right of way purposes; Parcel No. 2: 2.8 acres for right of way purposes; Parcel No. 3: 0.85 acre for right of way purposes. Offer of \$12,000.00 approved by Mr. Jackson July 26, 1967.

R-41202 - Jacob Jossi, et ux. 0.58 acre for right of way purposes. Offer of \$725.00 approved by Mr. Jackson July 17, 1967.

R-41203 - Robert Kauer, et ux. 0.2 acre for right of way purposes. Offer of \$250.00 approved by Mr. Jackson July 17, 1967.

R-41337 - Richard L. Rice, et ux. 1.15 acres for right of way purposes. Offer of \$2,200.00 approved by Mr. Jackson July 26, 1967.

R-41338 - Arnold L. Leppin, et ux. 3.0 acres for right of way purposes. Offer of \$3,000.00 approved by Mr. Jackson July 26, 1967.

R-41341 - Lydia Leppin. 2.4 acres for right of way purposes. Offer of \$2,400.00 approved by Mr. Jackson July 27, 1967.

R-41342 - Carl Berger, et ux. 0.42 acre for right of way purposes. Offer of \$6,400.00 approved by Mr. Jackson July 26, 1967.

R-41343 - Esther Berger. Parcel No. 1: 0.52 acre for right of way purposes; Parcel No. 2: 0.1 acre for right of way purposes; Parcel No. 3: 0.24 acre for permanent easement. Offer of \$925.00 approved by Mr. Jackson July 27, 1967.

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NORTH PLAINS INTERCHANGE-CORNELIUS PASS ROAD INTERCHANGE SECTION OF THE SUNSET HIGHWAY (Continued)

R-41344 - Carl A. Wiederhold, et ux. Parcel No. 1: 0.01 acre for right of way purposes; Parcel No. 2: 0.16 acre for permanent easement. Offer of \$1,100.00 approved by Mr. Jackson July 27, 1967.

R-41345 - John T. Curtis, et ux. Parcel No. 1: 0.01 acre for right of way purposes; Parcel No. 2: 0.07 acre for permanent easement. Offer of \$200.00 approved by Mr. Jackson August 1, 1967.

R-41352 - Robert J. Davis, et ux. Parcel No. 1: 0.08 acre for right of way purposes; Parcel No. 2: 0.42 acre for right of way purposes. Offer of \$1,125.00 approved by Mr. Jackson July 27, 1967.

R-41354 - Charles E. Pope, et ux. Parcel No. 1: 0.65 acre for right of way purposes; Parcel No. 2: 0.01 acre for right of way purposes; Parcel No. 3: 0.6 acre for right of way purposes. Offer of \$8,250.00 approved by Mr. Jackson July 26, 1967.

R-41356 - Kenneth A. Berger, et ux. Parcel No. 1: 1.2 acres for right of way purposes; Parcel No. 2: 0.6 acre for right of way purposes; Offer of \$2,775.00 approved by Mr. Jackson July 27, 1967.

R-41357 - Arnold Berger, et ux. Parcel No. 1: 3.1 acres for right of way purposes; Parcel No. 2: 0.04 acre for right of way purposes. Offer of \$5,850.00 approved by Mr. Jackson July 20, 1967.

R-41442 - Rosi Goldsmith and Thea Grunbaum. 0.02 acre for right of way purposes. Offer of \$50.00 approved by Mr. Jackson July 28, 1967.

R-41814 - Carl Berger. Acquisition of access. Offer of \$50.00 approved by Mr. Jackson July 27, 1967.

PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38475 - John Evan Meredith, et al. 3.5 acres for right of way purposes. Offer of \$19,250.00 approved by Mr. Jackson August 2, 1967.

R-38476 - Walter J. Freeman, et ux. Parcel No. 1: 1.15 acres for right of way purposes; Parcel No. 2: 0.9 acre for right of way purposes. Offer of \$11,275.00 approved by Mr. Jackson July 28, 1967.

R-38477 - Arthur W. Teveliet, et ux. 1.9 acres for right of way purposes. Offer of \$11,400.00 approved by Mr. Jackson July 28, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39115 - Harry H. Lane, et ux. Parcel No. 1: 50 square feet for right of way purposes; Parcel No. 2: 550 square feet for permanent easement. Offer of \$150.00 approved by Mr. Hill August 21, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL (Continued)

R-41459 - D. D. Banks. 1,430 square feet for permanent easement. Offer of \$50.00 approved by Mr. Hill August 21, 1967.

PENDLETON SECTION AND WEST EXTENSION OF THE PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39144 - O. Jay Brogoitti, et ux. Parcel No. 1: 5.2 acres for right of way purposes; Parcel No. 2: 56.0 acres for right of way purposes; Parcel No. 3: 0.6 acre for right of way purposes; Parcel No. 4: 1.45 acres for temporary easement. Offer of \$65,925.00 approved by Mr. Hill August 3, 1967.

SIXES RIVER-ELK CREEK SECTION OF THE OREGON COAST HIGHWAY

R-39606 - James L. Kreiger and Audrey M. Kreiger. 0.2 acre for right of way purposes. Offer of \$750.00 approved by Mr. Jackson July 31, 1967.

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

R-40764 - Peter M. Olson. Parcel No. 1: 7,000 square feet for right of way purposes; Parcel No. 2: 10,200 square feet for temporary easement. Offer of \$42,100.00 approved by Mr. Jackson July 19, 1967.

WALL CREEK-CALIFORNIA LINE SECTION OF THE PACIFIC HIGHWAY

R-40489 - Henry Metz. 0.14 acre for maintenance site. Offer of \$100.00 approved by Mr. Jackson July 19, 1967.

A report was presented by the Chief Counsel concerning orders received from the Public Utility Commissioner regarding highway crossing matters summarized as follows:

PUX 623: Application by the Highway Commission to construct a highway grade crossing over the tracks and right of way of Southern Pacific Company on the Pacific Highway West, approximately five miles north of the community of Rickreall in Polk County. Amending Order #43954 was issued August 8, 1967.

PUX 626: Application by the Highway Commission to construct two overcrossings over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, known as the Rieth Highway Overcrossings on the Old Oregon Trail (I-80N) near Pendleton in Umatilla County. Amending Order #43962 was issued August 7, 1967.

PUX 625: Application of the Highway Commission to construct an overcrossing over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, known as the Frazier Street Overcrossing on the Oregon-Washington Highway in Umatilla County. Order #43952 was issued August 3, 1967.

PUX 627: Application by the Highway Commission to extend an existing undercrossing of the Spokane, Portland & Seattle Railway Company, known as the Nehalem Boom Undercrossing on the Lower Columbia River Highway near Burlington in Multnomah County. Order #43945 was issued August 9, 1967, canceling the application, as a new one has been filed for an overcrossing in the same area.

PUX 634: Application by the Highway Commission to widen an existing overcrossing structure and construct a new overcrossing structure over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, known as the "Umatilla River Bridge Widening Eastbound" and the "Umatilla River Bridge Westbound" overcrossings on the Old Oregon Trail (I-80N) in Umatilla County. Order #43708 was issued August 2, 1967.

PUX 640: Application by the Highway Commission to construct two overcrossing structures over the tracks and right of way of the Oregon-Washington Railroad & Navigation Company, Union Pacific Railroad Company, Lessee, known as the Old Oregon Trail overcrossings project in Union County. Order #43964 was issued August 15, 1967.

PUX 643: Application by the Highway Commission to alter a grade crossing over the tracks and right of way of the Southern Pacific Company, known as the "Denny Road Grade Crossing Alteration" project on the Beaverton-Tigard Highway at the south city limits of Beaverton in Washington County. Order #43951 was issued August 3, 1967.

PUX 644: Application by the Highway Commission to alter a highway crossing over the tracks and right of way of Southern Pacific Company, known as the "Allen Avenue Grade Crossing Alteration" project on the Beaverton-Tigard Highway in Beaverton, Washington County. Order #43950 was issued August 3, 1967.

An agreement with the U. S. National Park Service for an historic interpretive prospectus of Fort Stevens State Park in Clatsop County was presented by the Engineer. He pointed out that a portion of the area at Fort Stevens is under lease from the U. S. Corps of Engineers and the State has an agreement with the State Game Commission pertaining to the area between Fort Stevens State Park and the Corps area. Consolidation of the tracts into one recreation area may be accomplished within the next two or three years. The National Park Service has personnel experienced in historic matters as an aid in development of the area emphasizing historical and recreational values. The Park Service has agreed to perform the work at a cost not to exceed \$1,000, to be completed by June 1, 1968. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An easement to Tillamook County to cross a portion of Oswald West State Park in Tillamook County was brought up by the Engineer. The County wishes to improve the road crossing the park which also serves as an access to a subdivision known as Falcon Heights. Granting of the 50-foot wide easement, he said, would cause practically no damage to the park and he recommended the transfer for public road purposes for the sum of \$1.00. The Commission approved the transfer.

Increases in project authorizations on state highway contracts were presented by the Engineer and approved by the Commission as follows for:

- (1) Contract No. 7054 on the Central Oregon Highway in the City of Bend, Deschutes County, for an increase of \$3,000 (26.9%). The overrun was caused by an extra work item originally intended to be included under a contract which was not awarded.
- (2) Contract No. 6888 on the Sumpter Valley Highway in Baker County for an increase of \$15,518.97 (6.6%). Removal of poor foundation material on the westerly end of the project was given as the principal reason for the overrun.
- (3) Contract No. 6978 on FAS 250 in Coos County for an increase of \$25,059 (12.4%). Additional embankment construction over a silted flood plain, relocation of a channel change, and additional base rock were cited as the principal reasons for the overrun.
- (4) Contract No. 6840 in the Santiam Safety Rest Area on the Pacific Highway in Marion County for an increase of \$18,242.96 (5.06%). Major reasons for the overrun were given as additional embankment to fill to the curb grade controls, additional seeding to utilize available area, and the installation of breakaway sign posts.

A survey was presented by the Engineer on the Kittridge Avenue Channelization Section of the Columbia River Highway in Multnomah County. Following his favorable recommendation, the Commission approved the survey and thereupon adopted "Survey Resolution No. 341," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a project to improve drainage and provide storm sewers along the Monmouth-Independence Highway in Polk County. The Engineer recalled that delegations had appeared in the past urging improvement to the highway. The proposed project, he estimated, would cost \$100,000, of which approximately \$60,000 will be expended in the City of Independence. He recommended that the work be undertaken as a Minor Betterment job over a period of about three years provided the City of Independence will pay 25 percent of the cost of the work within the City. The Commission approved the project and authorized the Secretary to sign an agreement with the City of Independence with the understanding that the work is to be done when funds are available.

Reimbursement to the City of Eugene for the cost of railroad protection on Washington and Jefferson Streets was discussed. The Engineer stated that the State has a responsibility in this situation as state highway traffic has been routed over the streets even though they were not a part of the highway system. He recommended that the City be reimbursed in the amount of \$8,674.23 which is one half of the total cost. The Commission approved the reimbursement.

Installation of "WRONG WAY" signs at all exit ramps on the completed portions of I-80N was recommended by the Engineer. This work, he said, is estimated to cost \$27,000 and is eligible for Interstate Federal-aid financing. The Commission approved the project and granted authority to call for bids.

Requests made by contractors for extensions of time to complete highway contracts were considered by the Commission. The Engineer commented that these requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. The Commission took action on the following contracts:

- (1) C. B. Construction Company, Contract No. 6912, on the Central Oregon Highway in Harney County, requested an increase of three calendar days from 300 to 303. The Commission denied the request.
- (2) Schrader Construction Company, Inc., Contract No. 6884, for work in Ainsworth State Park on the Crown Point Highway in Multnomah County, requested that the completion date be advanced from November 30, 1966, to June 10, 1967. The Commission approved an extension of time to June 9, 1967, the date of completion, without assessment of liquidated damages.

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- (3) Page Paving Company, Contract No. 6903, on The Dalles-California Highway in Klamath County, requested an increase in the number of calendar days from 95 to 135. The Commission approved an increase of six calendar days without assessment of liquidated damages.
- (4) Lee Construction Company, Contract No. 6935, for work in Milo McIver State Park in Clackamas County, requested 34 additional calendar days to complete the contract. The Commission granted an extension of 28 calendar days without assessment of liquidated damages.
- (5) Tom Lillebo Construction Company, Contract No. 6952, on the Oregon Coast Highway in Coos County, requested 45 additional calendar days to complete the contract. The Commission approved an extension of five calendar days without assessment of liquidated damages.
- (6) Wildish Construction Company, Contract No. 6862, on the Eugene-Springfield Highway in Lane County, requested an increase from 150 to 174 calendar days. The Commission approved an increase of 18 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given on August 11, 1967.
- (7) Warren Northwest, Contract No. 6755, for work in the Baldock Safety Rest Area on the Pacific Highway in Clackamas County, requested an increase in calendar days from 150 to 219. The Commission approved an increase of 45 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of August 10, 1967.
- (8) Rogers Construction Inc., Contract No. 6729, on the Old Oregon Trail in Baker County, requested an extension of time from January 23 to June 14, 1967. The Commission approved an extension of time to June 14, 1967, without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of August 22, 1967.

The Engineer reported that Contract Nos. 6671, 6797, 6868, 6871, 6889, 6890, 6894, 6903, 6908, 6914, 6917, 6920, 6924, 6933, 6937, 6952, 6955, 6973, 6974, 6981, 6984, 6987, 7003, 7004, and 7018 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for

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acceptance, 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. 161," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission set the date for the next Commission meeting for Tuesday, October 24, 1967, in the Conference Room of the State Highway Building in Salem. (This date was later changed to October 31.) A tentative date for the following meeting was set for November 28, 1967. (This date was later changed to December 12, 1967.)

The Commission confirmed telephonic approval given August 7, 1967, approving award of contracts on which bids were received July 27, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM JULY 27, 1967

I-5 Exit Ramp Signing Project on the Pacific Highway from the Columbia River to California State Line in Western Oregon. Federal-aid Interstate Highway Project No. I-000S(1). Four bids were received. The Commission awarded the contract to the low bidder, Traffic Appliance Corporation, Los Angeles, California, at \$27,989.00.

Grading and paving on 9th Street in the City of Philomath in Benton County. State Project. Three bids were received. The Commission elected to accept the low bid of M. O. Salmon, Albany, in the sum of \$23,792.40 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Philomath is received and the sum of \$2,950.00 is deposited by the City.

Improvement in the Ophir Safety Rest Area on the Oregon Coast Highway in Curry County. FAP No. LSF-2(6). Four bids were received. The Commission awarded the contract to the low bidder, Robert L. Jensen, North Bend, at \$34,248.75.

Paving on Franklin Avenue at Bond Street in the City of Bend on the Central Oregon Highway in Deschutes County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$9,395.00.

Traffic signal installation on Franklin Avenue at Greenwood Avenue in the City of Bend on the Central Oregon Highway in Deschutes County. State Project. Three bids were received. All bids were rejected as being too high.

Grading and paving on East 3rd Street at the East City Limits in the City of Bend on the Central Oregon Highway in Deschutes County. State Project. Two bids were received. The Commission elected to accept the low bid of R. L. Coats, Bend, in the sum of \$170,222.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Bend is received and the sum of \$50,000.00 is deposited by the City.

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Grading and paving on the Lapine-Shevlin Camp Road Section of the Fremont Highway in Deschutes and Klamath Counties. State Project. Four bids were received. The Commission elected to accept the low bid of Babler Bros., Inc., Portland, in the sum of \$804,378.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as the railroad permit of entry is executed.

Improvement in the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County. Federal-aid Interstate Highway Project No. I-5-2(55)112. Three bids were received. The Commission awarded the contract to the low bidder, M. R. Holst, Oakridge, at \$141,646.50.

Improvement in the Starvation Creek Safety Rest Area on the Columbia River Highway in Hood River County. Federal-aid Interstate Highway Project No. I-80N-2(38)53. Three bids were received. The Commission awarded the contract to the low bidder, Frank H. Lockyear, Portland, at \$87,855.63.

Grading and paving on the Indian Creek Section of the Hood River Highway in Hood River County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, Interstate Paving Company, The Dalles, at \$287,656.50.

Roadside improvement on the Barnett Road-Bear Creek Section of the Pacific Highway in Jackson County. Federal-aid Interstate Highway Project No. CJI-5-1(2). Two bids were received. The Commission awarded the contract to the low bidder, Art Van Leeuwen, Central Point, at \$19,586.95.

Grading, paving and structure on the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway in Jackson County. FAP No. S-239(10). Eight bids were received. The Commission elected to accept the low bid of S. A. Hutchins & Associates Construction Co., Sutherlin, in the sum of \$1,619,481.90 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 paving on "I" Street in the City of Talent in Jackson County. State Project. Two bids were received. The Commission elected to accept the low bid of M. C. Lininger & Sons, Inc., Medford, in the sum of \$17,226.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Talent is received and the sum of \$2,160.00 is deposited by the City.

Paving on the Pine Street-"L" Street (Madras) Section of the Dalles-California Highway in Jefferson County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, at \$46,186.00.

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Rock production on the Lane County Line-Odell Butte Section of the Willamette Highway in Klamath County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, L. V. Anderson, General Contractor, Oakridge, at \$75,480.00.

Storm sewer and building demolition on the Willamette River-N. W. Johnson Section of the Stadium Freeway in Portland in Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(18)303. This project was withdrawn from this letting.

Structures, grading and paving on the S.P. & S. Railway Overcrossing and U.P.R.R. Undercrossing Sections of FAS-940 (North Columbia Boulevard) in Portland in Multnomah County. FAP No. S-559(1). Seven bids were received. The Commission elected to accept the low bid of Lord Bros. Contractors, Inc., Portland, in the sum of \$422,279.00 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 \$97,600.00 is deposited by the County.

Grading and paving on the N. E. 8th Avenue-N. E. 60th Avenue Section of N. E. Portland Highway in Multnomah County. State Project. Four bids were received. The Commission elected to accept the low bid of Porter W. Yett Co., Portland, in the sum of \$713,145.00 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the City of Portland is received.

Portland Thermoplastic Striping Project on Pacific, Pacific West, Beaverton-Tigard, Sandy Boulevard, Mt. Hood, Tualatin Valley, Beaverton-Hillsdale and Cascade Highways in Multnomah County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Cataphote Corporation, Jackson, Mississippi, at \$91,680.00.

Five structures on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County. Federal-aid Interstate Highway Project No. I-80N-5(28)187. This project was withdrawn from this letting. (Bids were received August 10, 1967.)

Construction of the Wallowa River (Wallowa Creamery) Bridge on FAS Route 487 in the City of Wallowa in Wallowa County. Federal-aid Secondary Highway Project No. S 488(2). Five bids were received. The Commission elected to accept the low bid of Ross Bros. Construction Co., Salem, in the sum of \$82,904.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Wallowa County is received and the sum of \$18,500.00 is deposited by the County.

Roadside improvement on The Dalles Bridge Section of the Columbia River Highway in Wasco County. Federal-aid Interstate Highway Project No. I-80N-3(51)84. Three bids were received. The Commission awarded the contract to the low bidder, Baltz and Son Co., Portland, at \$98,403.99.

Grading, paving, structures and signing on the North Plains Interchange-Cornelius Pass Road Interchange Section of the Sunset Highway in Washington County. FAP No. F-186(23). Five bids were received. The Commission elected to accept the low bid of McNutt & Sons, Inc., Springfield, in the sum of \$1,194,906.45 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Bureau of Public Roads is received.

Grading, paving and signals on the Seavy Street (Corvallis) Channelization Section of the Pacific Highway West in Benton County. State Project. Two bids were received. The Commission elected to accept the low bid of Morse Bros., Inc., Lebanon, in the sum of \$55,348.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Corvallis is received and the sum of \$15,400.00 is deposited by the City.

Traffic signal installation on Washington Street (Ore. 213) at 14th and 15th Streets in Oregon City in Clackamas County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Graham Electric Company, Portland, at \$15,190.00.

Maintenance Painting on the Coquille River Drawbridge on the Coquille-Bandon Highway in Coos County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Industrial Painting & Sandblasting Co., Milwaukie, at \$16,000.00.

Maintenance painting on Bullards Bridge on the Oregon Coast Highway in Coos County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, B-G Paint Co., Seattle, Washington, at \$19,600.00.

Maintenance painting on the Rhinehart Creek Bridge on the Oregon Coast Highway in Curry County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, J. E. Brown Company, Portland, at \$8,738.00.

Parkdale Rock Production Project on the Mt. Hood Highway in Hood River County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Max J. Kuney Company, Spokane, Washington, at \$51,500.00.

Signing and illumination on the Depot Street Intersection (Rogue River) Section of the Rogue River Highway in Rogue River in Jackson County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Steeck Electric Co., Medford, at \$6,918.00.

Traffic signal installation on Vilas Road at Crater Lake Highway in Jackson County. State Project. Three bids were received. The Commission elected to accept the low bid of Steeck Electric Co., Medford, in the sum of \$13,490.00 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 \$7,590.00 is deposited by the County.

Retaining wall at M. P. 4.5 on the Pacific Highway West (Barbur Boulevard) in Multnomah County. State Project. Ten bids were received. The Commission awarded the contract to the low bidder, Lord Bros. Contractors, Inc., Portland, at \$62,953.00.

Traffic signal installation on 4th Street at Main Avenue on the Oregon Coast Highway in the City of Tillamook in Tillamook County. State Project. Three bids were received. The Commission elected to accept the low bid of Sims Electric, Inc., Roseburg, in the sum of \$6,400.00 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 \$3,600.00 is deposited by the City.

Maintenance painting on the Sam Reed Bridge on the Oregon Coast Highway in Tillamook County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, J. E. Brown Company, Portland, at \$19,701.00.

Traffic signal installation on the 110th Avenue-Jamieson Road (Beaverton) Section of the Beaverton-Hillsdale Highway in Washington County. State Project. Four bids were received. The Commission elected to accept the low bid of Sims Electric, Inc., Roseburg, in the sum of \$33,500.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Beaverton is received and the sum of \$18,850.00 is deposited by the City.

The Commission also confirmed telephonic approval given August 14, 1967, approving the award of contracts on which bids were received August 10, 1967, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM AUGUST 10, 1967

Maintenance buildings in the Parkdale Maintenance Station on the Mt. Hood Highway in Hood River County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Charles T. Parker Construction Company, Portland, at \$134,590.00.

Construction of the Bennett Pass Sand Shed on the Mt. Hood Highway in Hood River County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Charles T. Parker Construction Company, Portland, at \$32,624.00.

Construction of the Santiam Summit Sand Shed on the Santiam Highway in Linn County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, C. A. Lantz Construction Company, Salem, at \$37,890.00.

Storm sewer and building demolition on the Willamette River-N. W. Johnson Section of the Stadium Freeway in Portland in Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(18)303. This project was withdrawn from the bid letting.

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Five structures on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County. Federal-aid Interstate Highway Project No. I-80N-5(28)187. Nine bids were received. The Commission elected to accept the low bid of Rogers Construction, Inc., Portland, in the sum of \$532,555.70 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Union Pacific Railroad and Bureau of Public Roads is received.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions had been fulfilled. The Commission confirmed the Engineer's award of the following contracts:

- (1) Grading, paving, structure, signals, and illumination on North Hill-Deer Creek (Roseburg) Section of the Oakland-Shady Highway in Douglas County. Bids received June 22, 1967. Contract No. 7024 awarded July 21, 1967, to Tom Lillebo Construction Company, Reedsport, low bidder.
- (2) Grading and paving Ninth Street in Philomath in Benton County. Bids received July 27, 1967. Contract No. 7052 awarded August 7, 1967, to M. O. Salmon, Albany, low bidder.
- (3) Grading and paving on East Third Street-East City Limits in Bend on the Central Oregon Highway in Deschutes County. Bids received July 27, 1967. Contract No. 7056 awarded August 7, 1967, to R. L. Coats, Bend, low bidder.
- (4) Grading and paving "I" Street in Talent in Jackson County. Bids received July 27, 1967. Contract No. 7063 awarded August 7, 1967, to M. C. Lininger and Sons, Inc., Medford, low bidder.
- (5) Structures, grading and paving on S.P. and S. Railway Overcrossing and U.P.R.R. Undercrossing Section of FAS 940 in Multnomah County. Bids received July 27, 1967. Contract No. 7066 awarded August 21, 1967, to Lord Bros. Contractors, Inc., Portland, low bidder.
- (6) Grading and paving the N.E. 8th Avenue-N.E. 60th Avenue Section of Northeast Portland Highway in Multnomah County. Bids received July 27, 1967. Contract No. 7067 awarded August 10, 1967, to Porter W. Yett Company, Portland, low bidder.

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- (7) Construction of Wallowa River (Wallowa Creamery) Bridge on FAS 487 in Wallowa County. Bids received July 27, 1967. Contract No. 7069 awarded August 14, 1967, to Ross Bros. Construction, Inc., Salem, low bidder.
- (8) Grading, paving, structures, and signing on the North Plains Interchange-Cornelius Pass Road Interchange Section of the Sunset Highway in Washington County. Bids received July 27, 1967. Contract No. 7071 awarded August 9, 1967, to McNutt and Sons, Inc., Springfield, low bidder.
- (9) Traffic signal installation on Vilas Road at Crater Lake Highway in Jackson County. Bids received July 27, 1967. Contract No. 7079 awarded August 15, 1967, to Steeck Electric Company, Medford, low bidder.
- (10) Traffic signal installation on 4th Street at Main Avenue in the City of Tillamook on the Oregon Coast Highway in Tillamook County. Bids received July 27, 1967. Contract No. 7081 awarded August 9, 1967, to Sims Electric, Inc., Roseburg, low bidder.
- (11) Traffic signal installation on 110th Avenue-Jamieson Road (Beaverton) Section of the Beaverton-Hillsdale Highway in Washington County. Bids received July 27, 1967. Contract No. 7083 awarded August 9, 1967, to Sims Electric, Inc., Roseburg, low bidder.
- (12) Structures on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County. Bids received August 10, 1967. Contract No. 7087 awarded August 15, 1967, to Rogers Construction Inc., Portland, low bidder.
- (13) Grading, paving, and traffic signals on Seavy Street (Corvallis) Channelization Section of the Pacific Highway West in Benton County. Bids received July 27, 1967. Contract No. 7072 awarded August 25, 1967, to Morse Bros., Inc., Lebanon, low bidder.
- (14) Grading, paving and structure on the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway in Jackson County. Bids received July 27, 1967. Contract No. 7062 awarded August 25, 1967, to S. A. Hutchins and Associates Construction Company, Sutherlin, low bidder.

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- (15) Grading and paving Lapine-Shevlin Camp Road Section of Fremont Highway in Deschutes and Klamath Counties. Bids received July 27, 1967. Contract No. 7057 awarded August 25, 1967, to Babler Bros., Inc., Portland, low bidder.

Changes in the State Construction Program were presented by the Engineer. These changes, he said, are to take care of shoulder paving and overlay projects which were considered on the July Highway Commission inspection trip. The Commission approved changes in the State Construction Program as follows:

1968 State Construction Program

PROJECTS TO BE DEFERRED

Oregon Coast Highway Sherman Avenue at Virginia Avenue (North Bend)	\$300,000
Rogue Valley Highway, Central and Riverside Couplet (Medford)	<u>500,000</u>
	<u>\$800,000</u>

NEW PROJECTS

Redwood Highway, Sauers Flat-Wilderville	\$400,000
Oregon Coast Highway, Lincoln County Line-Squaw Creek	<u>185,000</u>
	<u>\$585,000</u>

PROJECTS TO BE FINANCED WITH FEDERAL AID FUNDS (To be removed from State Construction Program)

Highlands Interchange-Stadium Freeway	\$2,000,000
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The Engineer reported that the 1967 Legislature had revised the statute for establishment of private road crossings across State highways to provide that the State Highway Commission shall adopt regulations and issue permits for private road crossings. Prior to the 1967 legislative action, such authority was vested with the Public Utility Commissioner. Private road crossings, he said, means any privately owned road used by

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trucks which are prohibited by law from using state highways, county roads, or other public highways. To conform with the revised statute, he presented a form of permit and applicable rules covering private road crossings, and a resolution authorizing the State Highway Engineer or his authorized representative to issue permits. Following his favorable recommendation, the Commission approved the permit form and the rules and thereupon adopted "Authorization Resolution No. 40," authorizing the Highway Engineer or his representative to issue the permits, which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer to allow operation of 75-foot vehicle combinations consisting of a truck-tractor and two trailer boxes over all Class I highways. He pointed out that the 1967 Legislature had passed legislation allowing the Commission to authorize the operation of such vehicles which were formerly restricted to 65 feet. The new legislation, however, retains the previous limit of 60 feet overall length for truck-tractor and one semitrailer. An investigation has indicated that the 75-foot combination of truck-tractor and two trailer boxes can operate safely over all Class I highways. Based on his favorable recommendation, the Commission approved the operation of the 75-foot combination and thereupon adopted "Permit Resolution No. 24k," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also canceled "Permit Resolution No. 24j" adopted March 12, 1964.

The Chairman commented that it had come to his attention that the trucking industry is well pleased with trucking regulations in effect in Oregon--apparently more so than in the adjoining States. The Engineer stated that in issuing permits for special loads it is the policy to use common sense and to allow such loads as will not damage the highways or cause undue hazards to the traveling public. He also pointed out that correction of many minor highway deficiencies, particularly in widening and reducing curves, has allowed the use of larger vehicles.

Cancellation of a Federal-aid Secondary Project on the Allen Avenue-S. W. Old Scholls Ferry Road Section of S. W. 145th Avenue in Washington County was brought up. The Engineer commented that the County has requested cancellation of the project as they are unable to purchase right of way. The County has agreed to transfer \$10,045 from FAS funds to the Commission as reimbursement for expenditure by the State on surveys for this section. The Commission approved the cancellation.

The Engineer announced that in conformance with Chapter 601, Oregon Laws 1967, a hearing will be held in the City of Newport in the National Guard Armory at 2 p.m., September 21, 1967. The hearing is on a request from Carefree Resorts Inc., for a permit to construct a condominium resort hotel at Lincoln City in Lincoln County. A portion of the proposed construction would be below the 16-foot elevation line on the beach. The first request, he continued, was filed on July 14, 1967, but an amended request was filed August 18, 1967. Both documents were filed by Peter Gunnar, President of Carefree Resorts, Inc. Requests for a hearing have been received.

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The Engineer also announced that in conformance with Chapter 601, Oregon Laws 1967, a hearing will be held in the City of Tillamook at the Tillamook City Hall at 2 p.m., September 14, 1967, concerning a permit requested by L.E.W. Engineering, Inc., to construct a beach access road and erosion protection at Neskowin. This request involves construction below the 16-foot elevation line on the beach. Requests for a hearing have been received.

A change in speed zone regulations between Canyonville and the Jumpoff Joe Interchange on the Pacific Highway in Josephine and Douglas Counties was brought up by the Engineer. He stated that difficulty has been experienced in enforcing the present designated speeds which vary from 50 to 70 miles per hour. It was his opinion that it would be safer to establish a uniform speed and install recommended speed signs at approaches to curves. He recommended that "Speed Zone Resolution No. 502," adopted March 8, 1966, be rescinded and that a 70 mile-per-hour speed zone be adopted from the south city limits of Canyonville at M. P. 220.38 to a point 0.87 mile north of the Jumpoff Joe Interchange Undercrossing at M. P. 251.18. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 524," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer to establish a 35 mile-per-hour speed zone on a frontage road along the Crater Lake Highway through the community of Prospect in Jackson County beginning at a point 0.31 mile south of Red Blanket Road at M. P. 43.81F and extending to a point 0.38 mile north of Red Blanket Road at M. P. 44.50F with the exception of a 20 mile-per-hour school zone between M. P. 44.05F and M. P. 44.24F. The existing statutory speed of 25 miles per hour has been found by investigation to be unduly low. Based on his favorable recommendation, the Commission adopted "Speed Zone Resolution No. 525," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Because of development of roadside culture, the Engineer stated that an existing speed zone on the Oregon Coast Highway south of Florence in Lane County should be revised and extended. He recommended that "Speed Zone Resolution No. 464," adopted July 14, 1964, be rescinded and a 40 mile-per-hour speed zone placed in effect from the south city limits of Florence at M. P. 190.98 to a point 0.27 mile south of the south city limits of Florence at M. P. 191.25; and that a speed zone of 50 miles per hour be established from M. P. 191.25 south of Florence to a point 0.90 mile south of South Jetty Road at M. P. 192.82. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 526," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Abandonment resolutions abandoning certain portions of old state highways which have been replaced by new construction were recommended by the Engineer. He commented that in each instance the new section of highway has been completed and the old section is to be abandoned in compliance with an agreement previously executed. The Commission approved abandonment of the following sections of highways and thereupon adopted "Abandonment Resolutions Nos. 436, 455, and 458," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Dayville Section of the John Day Highway in Grant County. (See "Abandonment Resolution No. 455.")
- (2) Oxman-Bubbs Ranch Section of the Old Oregon Trail (I-80N) in Baker County. (See "Abandonment Resolution No. 436.")
- (3) Aumsville-Mehama Secondary Highway and a portion of the Silver Creek Falls Highway in Marion County. (See "Abandonment Resolution No. 458.")

A release of roadway easement on an 80-foot strip of land 450 feet long along the Springfield-Creswell Highway in the southwest quadrant of the Creswell Interchange in Lane County was brought up by the Engineer. The proposed release to Mr. and Mrs. Duane L. Coop is in exchange for their conveyance of access rights to the property this easement was to serve and to other abutting property. Future access will be by way of two future streets dedicated to the City of Creswell. The Commission accepted his recommendation for approval of the release.

Attention was given to a letter-form agreement with the Douglas County Board of Commissioners pertaining to a scenic area along the Umpqua River between Scottsburg and Reedsport on the Umpqua Highway in Douglas County. The Engineer explained that the agreement insures that land within sight of the highway under County jurisdiction will be retained in its natural state. If the County decides to dispose of its holdings, the State is to be offered first opportunity to purchase. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A construction agreement with the City of Portland pertaining to the N. E. 8th Avenue-N. E. 60th Avenue Section of the Northeast Portland Highway was considered. The agreement provides for construction of the project, encroachments, traffic control and other matters, and obligates the State to reimburse the City for actual cost in adjusting or extending City-owned facilities. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Attention was given to an agreement with Westside Water District covering relocation of the District's water main which conflicts with construction of the Indian Creek Section of the Hood River Highway in Hood River County. The Engineer commented that the agreement provides that the District relocate its facilities and that the State pay the actual cost of the relocation. The District is to repay the State in six equal payments, the first payment on September 1, 1968, and for five subsequent years on September 1. He estimated the amount to be repaid at \$9,187 and recommended that the agreement be approved. The Commission approved the agreement and authorized the Secretary to sign it for them.

A third supplemental agreement with United Pacific Railroad Company was discussed. This agreement, the Engineer said, extends the expiration date of the original agreement from July 28, 1967, to July 28, 1969, covering construction of the Hermiston-Hinkle Section of the Hermiston Highway in Umatilla County. The Commission approved the supplemental agreement.

The Engineer presented to the Commission an amendment to a co-operative construction-finance agreement with the City of Coos Bay pertaining to the Central Avenue-Newmark Avenue Section of the Empire-Coos Bay Highway in Coos County. He pointed out that the amendment provides that the State will acquire any rights of way needed along the project, and the City will reimburse the State for 25 per cent of the cost of right-of-way acquisition. He estimated the cost of the project at \$400,000, with the State's portion at approximately \$300,000. This project is tentatively scheduled for construction in mid-1968, dependent upon right-of-way acquisition and availability of funds. The Commission approved the amendment, and authorized the Secretary to sign the amendment letter on their behalf.

An agreement with the City of Portland for installation of traffic signals at the intersection of N. W. Vaughn Street and N. W. 25th Avenue on the Lower Columbia River Highway in the City of Portland was considered. The City is to perform the work of installation and pay for it in the first instance. After completion, the City is to provide for all maintenance and electrical energy requirements. Cost of installation is estimated at \$4,600 to be shared equally by the State and the City. The State's share, not to exceed \$2,300, is to be taken from Minor Betterment Funds. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer presented an agreement with the City of Portland for installation of illumination on the Steel Bridge-Tillamook Avenue Section of North Interstate Avenue on the Pacific Highway West. The City is to perform the installation work at an estimated cost of \$55,500 and provide all maintenance and electrical energy requirements after the installation is completed. The State's share of the project in the amount of \$27,750 is to be taken from Minor Betterment Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to an agreement with the City of Portland for revision of traffic signals on the Pacific Highway West at the intersection of S. W. Barbur Boulevard and S. W. Terwilliger Boulevard and at the intersection of S. W. Barbur Boulevard and S. W. Bertha Boulevard. The agreement provides that the City perform the work, pay one half the cost of the revision and provide all of the maintenance and electrical energy for signal operation. The Engineer estimated the total cost of the project at \$9,000 with the State's share of \$4,500 to be taken from Minor Betterment Funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A wireline agreement and a pipeline crossing agreement with Union Pacific Railroad Company covering installation of a water supply line and an electric line to serve a pump required by the expansion of Memaloose State Park on the Columbia River Highway in Wasco County was discussed. The Engineer explained that both agreements are standard permit forms which require the State to bear all of the cost of installation and reimburse the Railroad for any expense it may incur. Both agreements contain a 30-day cancellation clause. The Commission approved both agreements.

The Commission considered an agreement with Southern Pacific Company for installation of crossing gates near Progress where the Beaverton-Tualatin Highway crosses the railroad between Denny Road and Scholls Highway grade crossings in Washington County. The Engineer explained that at the July 24 meeting an agreement was approved with the Railroad for installation of other crossing gates in the same vicinity. The grade crossing near Progress should have the same treatment as the others and he recommended that crossing gates be installed at a total estimated cost of \$15,000. The cost is to be paid 90 per cent by the State and 10 per cent by the Railroad. The State's share is to be approximately \$13,500. The Commission approved entering into an agreement with Southern Pacific Company.

Consideration also was given to an agreement with Southern Pacific Company for installation of crossing gates at the grade crossing of the railroad main line and the Halsey-Sweet Home Highway in Halsey in Linn County. The Engineer remarked that the improvement was requested by the Public Utility Commissioner. The agreement provides that crossing gates be installed in addition to the existing flashing light signals. He estimated the total cost at \$5,800 to be split fifty-fifty between the State and the Railroad. The Railroad is to install the gates and maintain them at its own cost. The Commission accepted the Engineer's recommendation for approval.

An agreement with Southern Pacific Company for installation of crossing gates on the Halsey-Sweet Home Highway west of Brownsville in Linn County was also considered. Under terms of this agreement, the Railroad is to install the signals at an estimated cost of \$13,000 and provide all future maintenance requirements. The State is to pay half the cost of installation or approximately \$6,500. Following the Engineer's favorable recommendation, the Commission approved the agreement.

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An extension rider to an agreement with Union Pacific Railroad Company dated November 26, 1962, was discussed. The Engineer commented that the extension covers the period from November 25, 1967, to November 25, 1968, for making surveys on Railroad property in connection with the Fremont Bridge on the Stadium Freeway in Portland. The Commission approved the extension.

The Commission also considered an agreement with Union Pacific Railroad Company concerning construction of Umatilla River and railroad overcrossing structures immediately west of Stanfield Junction on the Stanfield Junction-Pendleton Section of the Old Oregon Trail (I-80N) in Umatilla County. The Engineer explained that the agreement provides to the State a temporary easement allowing the State to occupy Railroad property for construction purposes. It also provides that the Railroad within two years will grant the State a permanent easement for the overcrossing. The State is required to reimburse the Railroad for all work caused by the State's construction, which the Engineer estimated at \$33,695. Based on his favorable recommendation, the Commission approved the agreement.

Attention was given to a construction agreement and an easement indenture with Southern Pacific Company covering work on the Milwaukie-Harmony Road Interchange Section of the Clackamas Highway in Clackamas County. The Engineer stated that the documents are the usual type executed with the Railroad in this kind of work and require that the State reimburse the Railroad for all costs incurred by the Railroad because of this project, which he estimated at \$11,045. The Commission accepted his recommendation for approval.

The Commission also considered an agreement and an easement indenture with Southern Pacific Company pertaining to the Scoggin Creek Overcrossing on the Forest Grove-Gaston Section of the Tualatin Valley Highway in Washington County. These instruments, the Engineer said, are also the routine type of papers executed with the Railroad Company and provide that the State is to reimburse the Railroad for its actual expense, which he estimated at \$18,325. Following his favorable recommendation, the Commission approved the agreement and the easement indenture.

At 10 a.m., Chairman Jackson stated that he had before him a number of 40 and 45-year service award pins to be awarded to employees at this time. He pointed out that anyone who has worked for the State Highway Department for 40 or 45 years is entitled to more recognition than most people receive. It is not an organization, but people who construct and maintain highways and, in so doing over a long period of time, these people have sacrificed a great deal for the sake of public service. Oregon, he continued, is very proud of its reputation for its fine highways and parks. The Commission, he said, is really concerned about securing adequate replacements for people that have had this length of service. Competition from industry and other governmental agencies is making it increasingly difficult to secure high-type personnel for replacements. The Commission is deeply appreciative of the service that has been provided. He then presented 45-year pins to the following people:

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- (1) Forrest Cooper, State Highway Engineer, Salem, who began service with the Department April 1, 1922.
- (2) Edward F. Chidsey, Assistant Maintenance Engineer, Salem, who started work initially on July 1, 1919.
- (3) Lloyd E. Barnes, Automotive Upholsterer, Salem, who began work February 8, 1921.
- (4) William L. Lockyear, Bridge Maintenance Foreman, Eugene, who began work September 21, 1921.
- (5) Alfred E. Archibald, Sign Superintendent, Salem, who started work in November, 1921.
- (6) Earl E. Stream, Division Office Engineer, Milwaukie, who started to work on March 15, 1920.

The following employees were presented with 40-year pins:

- (1) Clarence W. Tandy, Engineering Assistant, Salem, who began work September 23, 1926.
- (2) Lowell M. Stratton, Senior Resident Engineer, Woodburn, who started work on September 26, 1926.
- (3) Clarence S. Carter, Section Foreman, Drain, who was hired July 12, 1926.
- (4) Sam C. Taylor, Section Foreman, Alkali Lake, who was first hired March 7, 1927.
- (5) Frank W. Sijota, Drawbridge Superintendent, Reedsport, who was hired in November, 1925.
- (6) L. H. "Buck" Warfield, Assistant Division Engineer, Bend, who started work in 1925.

The meeting was recessed at 10:15 and coffee was served in the Maintenance Engineer's Office for the people who had been awarded 40 and 45 year pins and others at the Commission meeting. The meeting was reconvened at 10:45 a.m. in the same room with the same persons present.

A delegation from Arlington appeared before the Commission concerning right-of-way width on the John Day Highway across Shutler's Flat between Arlington and Condon in Gilliam County. The following people were present, all from Arlington: Marion T. Weatherford; David Chiles; Ken Walters; and Rudolph Steinke. Mr. Weatherford acted as spokesman. He thanked the Commission for highway improvements recently made in Gilliam County. The delegation present today, he said, is much opposed to using 100 feet right of way for the highway improvement which is contemplated. It was his opinion that 60 feet of right of way is adequate for this type of highway and he called attention to a section of US 97 about 7 miles south of Kent in Sherman County in which most of the right of way is 60 feet in width. He also mentioned a section of the Bay Shore Highway near San Francisco in which three 12-foot lanes of traffic, shoulders, and ditches are contained within a 60-foot right of way. Using a 100-foot right of way on this section will remove 20 acres of land from any further use and farm land should not be taken unless it is absolutely necessary. He also pointed out that on sections of highway where there is extra width not used by the highway facilities, that the extra width becomes filled with weeds which spread into the adjoining fields. The people in this area, he continued, do not want a wider right of way and no delegation has ever complained about the present right-of-way width. If the Commission is fearful that the price of right of way will be higher when it may be needed in future years the property owners, he said, have agreed to furnish right of way at that time at the price that is now in effect.

Mr. Chiles pointed out that not only is the ground lost for food production, but people actually have to pay taxes on the ground in the form of weed control. He gave to the Commission several pictures showing the utilization of 60-foot right of way and also showing the lack of utilization of 100 feet. He asked that the Commission reconsider the 100-foot right-of-way width. The property owners involved, he said, have agreed to remove and replace fences after construction on the 60-foot width. The Chairman stated that their presentation would be given careful consideration.

Mr. James Mehelis of Pacific City and Bend came before the Commission concerning routing of the Oregon Coast Highway along the Sand Spit at Pacific City in Lincoln County. He criticized the newspapers for giving out information that was not factual, and he mentioned that the proposed highway was never intended to be a freeway, that it was not to be four-lane construction, and that it was not to be built at tide water line. It was his belief that the source of opposition to the Sand Spit Route came principally from about twenty owners of property along the route. It was also his opinion that use of the Sand Spit for highway construction was not the real source of the controversy. He pointed out that if the highway is constructed at some distance from the beach, it will be impossible for the public to reach the beach except across private property. The general public, he said, is being deprived of the use of the beach by Secretary of Interior Udall's ruling that the highway cannot be constructed on Bureau of Land Management land. He added that he was going to instigate a campaign to have people send letters to Governor McCall.

Chairman Jackson commented that the Commission has studied several routes in this area over a period of approximately three years and the Sand Spit Route had been agreed upon by all governmental agencies involved. The Commission regrets the controversy that has arisen but action taken by Secretary Udall, he said, precludes construction of the highway on the Sand Spit Route. The Commission, he continued, will review other possible routes in order to select one which will be in the best interest of the general public. He also mentioned that those who were most in favor of the Sand Spit Route did not speak up when most needed. The Commission, he said, realizes there are two sides to every question and that it is the Commission's responsibility to consider all factors on an unemotional basis, and they would carry on in that manner in the selection of another route.

Mr. William Bollman, City Manager of Albany; Mr. C. B. Greenough; and Mr. Bob Jones, representing the Albany Safety Council, appeared before the Commission concerning early construction on the Chicago Street (Santiam Highway)-Southern Pacific Railroad Overcrossing Section of the Albany-Junction City Highway in Albany. Mr. Bollman stated that the City Council had asked them to appear before the Commission regarding early construction of left-turn refuge lanes on this section. Approximately one third of the accidents in this area, he said, involved left turns. He recalled that the Commission at the July 24 meeting had approved an agreement covering this work on a cost basis of 75 per cent State, 25 per cent City, but time of construction had not been set because funds at that time were not available. He estimated the cost of the project at \$43,000, and asked the Commission to allocate funds to do the work now.

The Engineer stated that there is no question but what the project is needed but there are many other equally urgent projects and there is not enough money to go around. He pointed out that two projects have been completed or are underway on this section and funds are not available to do the work in 1967. The Chairman stated that approximately one half billion dollars in highway work is needed to take care of urgent projects and there is a question of priority in the use of available funds. The Commission, he said, will give careful consideration to this project when the next budget is set up.

An agreement with the Spokane, Portland and Seattle Railway Company concerning realignment and widening of the Lower Columbia River Highway near Burlington in Multnomah County, Contract 7009, was presented by the Engineer. Under terms of the agreement, the railroad tracks are to be moved, an overpass constructed over the railroad, and an exchange of lands is involved. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer also explained that the change of plans, in which the railroad tracks will be placed under rather than over the highway, involves an increase in cost of \$450,338 but will enable the project to be

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completed in the fall of 1968 rather than the spring of 1969. The additional work has been negotiated with the contractor, Slate-Hall, who has requested 75 additional calendar days to complete the work under Contract 7009. Based on the Engineer's favorable recommendation, the Commission approved an increase in authorization of \$450,338 and an extension of time of 75 calendar days without liquidated damages on Contract 7009.

A construction agreement and an easement indenture with Southern Pacific Company covering reconstruction of a grade crossing on the North Hill-Deer Creek (Roseburg) Section of the Oakland-Shady Highway in Douglas County was discussed. The agreement calls for the installation of crossing gates and signals at an estimated cost of \$16,000, of which the railroad is to pay \$1,200 and the State \$14,800. Also, the State is to reimburse the railroad for reinstallation of the grade crossing, engineering, signal and circuit work totaling approximately \$9,910. The Commission accepted the Engineer's recommendation for approval.

The Commission confirmed verbal approval given on August 4, 1967, and authorized the Secretary to sign an agreement with the firm of Wilbur Smith and Associates, Inc., to assemble data for presentation to the Bureau of Public Roads concerning an alternate route for the Banfield Freeway (I-80N) in and near the City of Portland. Assembly of the data and preparation of the report, the Engineer stated, is estimated to cost \$67,500.

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

"Relinquishment of Title" to Josephine County covering land on the Wolf Creek-Josephine County Line Section of the Pacific Highway in Josephine County.

"Relinquishment of Title" to the City of Salem covering land on the Orchard Heights Road-Edgewater Street Section of the Salem-Dayton Highway in Polk County.

"Bargain and Sale Deed" conveying to Dale L. Turnidge a parcel of land on the Steiwer Hill-Santiam River Section of the Pacific Highway in Marion County.

"Bargain and Sale Deed" conveying to James H. and Bessie R. Weir a parcel of land on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County.

"Extension of Lease" to June Bronder covering land on the Lakeview-New Pine Creek Section of the Fremont Highway in Lake County.

"Indenture of Access" to Braunberger, Kendall and Investment Pool, Inc., property on the Wilderville-Jerome Prairie Section of the Redwood Highway in Josephine County.

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"Indenture of Access" to B K N Corporation property on the Beaverton-Forest Grove Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to Don E. and Maxine Wescom property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Indenture of Access" to U.S. Department of Agriculture (Forest Service) property on the Odell Butte-The Dalles-California Junction Section of the Willamette Highway in Klamath County.

"Indenture of Access" to Eugene C. and Sarah S. Venn property on the Mohawk Road-McKenzie Highway Section of the Eugene-Springfield Highway in Lane County.

"Indenture of Access" to Standard Oil Company property on the Mohawk Road-McKenzie Highway Section of the Eugene-Springfield Highway in Lane County.

"Grant of Access" to Wayne N. and Shirley Y. Horton covering land on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Grant of Access" to Vergil D. and Retta Ann Brannock covering land on the Forest Grove-Hillsboro Section of the Tualatin Valley Highway in Washington County.

"Petition" to vacate a portion of S. W. Huber Street in Multnomah County which lies in S. E. quadrant of Capitol Highway Interchange.

"Agreement" with U. S. National Park Service for an historian interpretive prospectus of Fort Stevens State Park area in Clatsop County.

"Relinquishment of Title" to Tillamook County for an easement for right of way across a part of Oswald West State Park in Tillamook County.

"Release of a roadway easement" with Duane L. Coop covering land on the Goshen-Divide Section of the Pacific Highway in Lane County.

"Agreement" in letter form with Douglas County pertaining to a scenic area lying along Umpqua River between Scottsburg and Reedsport on the Umpqua Highway in Douglas County.

"Construction Agreement" with the City of Portland covering the N. E. 8th Avenue-N. E. 60th Avenue Section of the Northeast Portland Highway in Multnomah County.

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"Agreement" with the Westside Water District covering the relocation of the District's water main which conflicts with construction of the Indian Creek Section of the Hood River Highway in Hood River County.

"Third supplemental agreement" with Union Pacific Railroad Company covering construction of the Hermiston-Hinkle Section of the Hermiston Highway in Umatilla County extending the expiration date to July 28, 1969.

"Amendment to a cooperative construction finance agreement" with the City of Coos Bay covering the Central Avenue-Newmark Avenue Section of the Empire-Coos Bay Highway in Coos County.

"Agreement" with the City of Portland for the installation of traffic signals at the intersection of N. W. Vaughn Street and N. W. 25th Avenue in Multnomah County.

"Agreement" with the City of Portland covering the installation of illumination on the Steel Bridge-Tillamook Avenue Section of North Interstate Avenue in Multnomah County.

"Agreement" with the City of Portland for revision of traffic signals on the Pacific Highway West at the intersection of S. W. Barbur Boulevard and S. W. Terwilliger Boulevard and at the intersection of S. W. Barbur Boulevard and S. W. Bertha Boulevard in Multnomah County.

"Wire Line Agreement and Pipeline Crossing Agreement" with Union Pacific Railroad Company for the installation of a water supply line and an electric line to serve Memaloose State Park on the Columbia River Highway in Wasco County.

"Agreement" with Southern Pacific Company providing for the installation of crossing gates at the grade crossing of the main line and the Halsey-Sweet Home Highway in Halsey in Linn County.

"Agreement" with Southern Pacific Company for the installation of crossing gates on the Halsey-Sweet Home Highway, west of Brownsville, in Linn County.

"Extension Rider" to an agreement with Union Pacific Railroad Company extending the expiration date to November 25, 1968, concerning license to make surveys on Railroad property for the proposed Fremont Bridge.

"Agreement" with Union Pacific Railroad Company providing for the construction of the Umatilla River and Railroad overcrossing structures immediately west of Stanfield Junction on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Construction agreement and easement indenture" with Southern Pacific Company covering work on the Milwaukie-Harmony Road Interchange Section of the Clackamas Highway in Clackamas County.

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"Agreement and easement indenture" with Southern Pacific Company in connection with Scoggin Creek Overcrossing on the Forest Grove-Gaston Section of the Tualatin Valley Highway in Washington County.

"Agreement and easement indenture" with Southern Pacific Company providing for signals and crossing gates on the North Hill-Deer Creek Section of the Oakland-Shady Highway in Douglas County.

"Agreement" with the Spokane, Portland and Seattle Railway Company for the realignment and widening of Primary State Highway No. 2W at Burlington in Multnomah County.

There being no further business to consider, the meeting was adjourned by the Chairman at 11:48 a.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

David B. Simpson
Commissioner

Floyd Query
Secretary

David B. Simpson
Commissioner

August 29, 1967

Salem, Oregon
October 31, 1967

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 (New Conference Room) of the State Highway Building, Salem. Present were:

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, 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
F. B. Klaboe, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

*(Commissioner Hill came in about 11 a.m. His plane was delayed by fog.)

Among others present were Victor D. Wolfe, Administrative Assistant; C. H. Maison, Controller; Frank C. McKinney, Assistant Counsel; L. H. Young, Office Engineer; C. W. Head, Assistant Secretary; David Talbot, Parks Superintendent; John Oakes, Assistant Right of Way Engineer; Kenneth Chatwood, Administrative Right of Way Agent; Donald Harwell, Assistant County and City Engineer; John Earley, Information Officer; and A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads. Mr. L. I. Lindas, former Chief Counsel for the State Highway Commission, also was present for a short while.

The Commission approved the minutes of the meeting held on August 29, 1967.

The Right of Way Engineer presented a list of options, pages 1 through 86, secured for acquisition of real property needed for state highway use or for other purposes. He mentioned that the amounts offered are based upon competent appraisals and are in 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 careful consideration, the Commission approved closing the options, including those sent to them for approval since the last Commission meeting as well as those options presented for the first time at this meeting. The Commission thereupon adopted "Right of Way Resolution No. 45," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report covering sales of miscellaneous properties and rental receipts was presented by the Right of Way Engineer.

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During the period of August 16 to October 16, 1967, miscellaneous sales totaled \$45,895; land sales during the same period were \$175; rental receipts for August were \$19,873.21 and for September, \$19,139.08. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale five parcels of property no longer needed for highway purposes. The stipulated minimum values have been determined by competent appraisals and access and other conditions of sale are consistent with those applying to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 479, 480, 481, and 482," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 0.92 acre, File S-248, in the community of Shady Cove on the Crater Lake Highway in Jackson County for not less than \$3,500. Signboard and junkyard restriction clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 480.")
- (2) 0.11 acre, File 22982, located on the southerly side of the Redwood Highway at the east city limits of Wilderville in Josephine County for not less than \$100. No access is to be permitted to the Redwood Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (3) 23,150 square feet of land, Files 36009 and 36010, on the southerly side of the Willamina-Salem Highway east of Duram Street in Eola, Polk County, for not less than \$4,150. No access is to be permitted to the Willamina-Salem Highway and signboard and junkyard exclusion clauses are to be included in the deed. Bureau of Public Roads' approval is not required. (See "Real Property Resolution No. 481.")
- (4) 0.20 acre of land, File 41277, northeast of the Coos Bay-Roseburg Highway and adjacent to Johnson Mill Road south of Coquille in Coos County for not less than \$6,050. Payment is to be made by a contract of sale with \$2,500 as a down payment and the balance to be paid in five years with interest at 6%. No access is to be permitted to the Coos Bay-Roseburg Highway and signboard and junkyard exclusion clauses are to be included as part of the contract. Concurrence by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 479.")

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- (5) A 30-foot strip of land and the use of an easement to provide access to landlocked property, File 19341, located southerly from the Stout Creek crossing approximately 1.47 miles west of Mehama on a Marion County road, for not less than \$1,300. The minimum price includes the estimated cost of relocating property corners to the retained side of the 30-foot strip. In addition, the purchaser will be required to fence the State's side of the proposed roadway at an estimated cost of \$1,000. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 482.")

An Indenture of Access, File 35940, to Sandmeyer, Brown, Roby, Robertson, and Sandmeyer property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County was presented by the Right of Way Engineer. The purpose of the indenture is to change the location of one 35 foot point of access, unrestricted as to use, on the northerly side of the Klamath Falls-Lakeview Highway approximately $1\frac{1}{2}$ miles east of Klamath Falls. Approval of the Indenture will make the public record agree with the actual location of the approach as it was constructed. A portion of the Civil Rights Act of 1964 is included in the instrument which was approved by the Bureau of Public Roads February 15 1967. Following the Right of Way Engineer's favorable recommendation, the Commission approved the Indenture.

The Commission considered a Modification of Access Restrictions instrument to Menasha Wooden Ware Corporation on the Davis Slough Section of the Oregon Coast Highway in Coos County, File Nos. 25897 and 28468. The purpose of the modification, the Right of Way Engineer explained, is to change the use restriction of an access point 25 feet in width on the easterly side of the Oregon Coast Highway approximately 8 miles south of Coos Bay. The access point was previously restricted to farm and forest products and residential use. The modification allows use of the access to accommodate a proposed County boys' forest camp. Approval by the Bureau of Public Roads was given June 26, 1967. The Commission approved the document.

Consideration was given to a Release of Use Restrictions to James S. Hedges on the Sandy-Forest Boundary Section of the Mt. Hood Highway in Clackamas County, File 25565. The Right of Way Engineer commented that the instrument will change the existing use restriction to unrestricted use on three access points located on the south side of the Mt. Hood Highway approximately $3\frac{1}{2}$ miles east of Sandy. No difference in property value will be caused by lifting of the use restriction. Approval by the Bureau of Public Roads was given August 15, 1967. The Commission approved the change in access restriction.

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Grants of Access to three parcels of property were recommended by the Right of Way Engineer and approved by the Commission as follows:

- (1) To Multnomah County, File 15196, on the Union Avenue-Swift Road Junction Section of the Pacific Highway West; and on the North Portland Harbor-Russell Street Section of the Pacific Highway in Multnomah County, File 32517. This will provide access to Multnomah County's parking area on the west side of Swift Boulevard, approximately two miles north of Portland (formerly the Pacific International parking area). The approach is to be 35 feet in width, limited to public use, and if the ownership reverts to private ownership, the point of access is to be eliminated. Approval by the Bureau of Public Roads was given April 19, 1967.
- (2) To Joe and Nina M. Harms, File 37368, for a second point of access 35 feet in width and restricted to commercial use, to a new drive-in restaurant on the west side of the Wallowa Lake Highway immediately south of the Elgin city limits in Union County. Appraisal indicates that the value of the property will not be increased because of the additional access. Bureau of Public Roads' approval is not required.
- (3) To Pacific Gas Transmission Company, File 19596, for one point of access 35 feet in width to serve a proposed gas compressor station, approximately 16 miles south of Bend on The Dalles-California Highway in Deschutes County. The gas company is to be required to construct and maintain a set-back gate to prevent unauthorized and improper use of the access road. Approval by the Bureau of Public Roads was given June 22, 1967.

A Release of Easement, File 36164, to J. F. Modlin on the former W. S. Thomas property located at Strawbridge Creek adjacent to the Salmon River Highway in Lincoln County was considered. The Right of Way Engineer explained that the owner wishes to sell his property for subdivision purposes. On August 4, 1931, the State was granted an easement to deposit silt materials on this property. Most of the materials have been removed from the State's pit and the easement is no longer needed. He recommended that it be released for the sum of \$1. The Commission approved the release.

Confirmation of approval given by the Chairman on September 19, 1967, to enter into a lease with Industrial Export Company for use of an area in Block 50, Holladay's Addition to East Portland, beneath the Pacific Highway freeway structure in Portland was requested by the Right of Way Engineer. He pointed out that the lease covers a period of five years beginning October 1, 1967, and provides that the State be paid \$250 per month for the period of the lease. The lease may be terminated by mutual consent, or by the State giving 90 days' written notice to the lessee if the property is needed for public use. The Commission confirmed the Chairman's action and confirmed authority for the Secretary to sign the lease.

Consideration was given to a proposed lease with Johnson Plumbing Company of Astoria for the use of a 4,050 square-foot parcel of land in Lots 11 and 12, Block 2, Taylor's Astoria, including a 20-foot strip of vacated West Marine Drive adjoining the lots in the City of Astoria, Clatsop County. The Right of Way Engineer commented that this property is on the Astoria Bridge Approach of the Oregon Coast Highway and is proposed to be used for operation of a commercial plumbing shop. The lease covers a period of five years beginning September 1, 1967, and provides that the State be paid \$150 per month during the period of the lease. The lease may be terminated by either party by giving 60 days' written notice. Following his favorable recommendation, the Commission approved the lease and authorized the Secretary to sign it for them.

Confirmation was requested for telephonic approval given by the Chairman on July 5, 1967, to expend \$1,520 for relocation of a septic tank and drain field on the Scott property, File 38252, on the Cedar Hills Boulevard Interchange Section of the Sunset Highway in Washington County. In explanation, the Right of Way Engineer pointed out that the Scott property was acquired as a result of a legal settlement approved by the Commission April 25, 1967. To make the property rentable, it was necessary to relocate the septic tank and drain field. The property is now being rented at \$135 per month. The Commission confirmed the action.

The Chief Counsel presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public 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 Resolutions Nos. 2491 through 2495," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

In connection with these properties, the Chief Counsel recalled that on October 6, 1967, he had secured verbal approval for condemnation, if necessary, of the following properties on the Klamath Falls-Greens Springs Junction Section of The Dalles-California Highway in Klamath County:

R-40750	Cleve	4.3 acres
R-40753	Reames Golf & Country Club	8.2 acres
R-40758	Erlandson	1.45 acre
R-40759	Depuy	0.25 acre
		0.01 acre
R-40761	Great Northern Railroad	0.62 acre
		0.31 acre
		0.26 acre
		0.15 acre
R-41570	Mann	0.02 acre
		2.5 acres
		0.12 acre
R-42145	Mann	0.3 acre

The Commission confirmed authority to condemn these properties which are all included with other properties under "Condemnation Resolutions Nos. 2491 and 2492."

(For additional information, see the Chief Counsel's letters dated October 13, 16, and 31, 1967, pertaining to recommendations for condemnation in the Salem office, General Files.)

A report was submitted by the Chief Counsel and accepted by the Commission on cases which have been tried in court since the last Commission meeting, 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-4767 Jacob Vaetz, et al.	Clackamas	Cascade	Lake Road- Oregon City	\$21,100.00	\$ 48,000.00	\$26,000.00
L-5101 Ruth Norquist, et al.	Linn	Santiam	Sweet Home- Foster	500.00	1,200.00	600.00
L-5102 Paul Kaptur, et al.	Multnomah	Columbia River	Burlington- Sauvie Island Bridge	8,200.00	8,200.00	11,000.00
L-5432 Nellie Mae Marcus, et al.	Multnomah	Columbia River	Burlington- Sauvie Island Bridge	375.00	900.00	None
L-5414 O. B. Mickelson, et ux.	Multnomah	Columbia River	Burlington- Sauvie Island Bridge	175.00	1,500.00	None

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(Report of Condemnation Cases Tried - Continued)

<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-5080 Edwin Oscar Brettauer, et al.	Washington	Tualatin Valley	Forest Grove- Yamhill County Line	\$4,100.00	\$ 5,400.00	\$ 9,250.00
L-5475 Juanita Hartrampf, et vir.	Washington	Tualatin Valley	Forest Grove	2,500.00	None	2,500.00
L-5395 Dorothy Doherty, et al.	Umatilla	Old Oregon Trail	Pendleton	650.00	3,500.00	1,175.00
L-5381 Rachel Lundell, et al.	Umatilla	Oregon- Washington	South Pendleton Interchange- Court Place	4,625.00	10,000.00	8,600.00
L-5418 Triangle Development, Inc., et al.	Umatilla	Old Oregon Trail	Stanfield Junction- Pendleton	3,950.00	54,000.00	9,600.00
L-5366 Richard A. Cook, et al.	Umatilla	Oregon- Washington	South Pendleton Interchange- Court Place	1,600.00	10,000.00	3,000.00
L-5389 Jessie P. Durkin, et al.	Jackson	Lake of the Woods	Brownsboro- Hanley Ranch	17,000.00	25,000.00	19,580.00
L-5368 Herman V. Stall, et al.	Grant	Pendleton- John Day	Little Beach Creek-Mt. Vernon	1,600.00	25,000.00	7,750.00
L-5223 Roy Kilpatrick, et al.	Grant	Pendleton- John Day	Little Beach Creek-Mt. Vernon	850.00	7,750.00	2,500.00
L-4977 Lloyd W. Stunkard, et ux.	Clatsop	Columbia River	Burnside- Big Creek	13,650.00	52,000.00	20,000.00

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(Report of Condemnation Cases Tried Continued)

<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-5398 Kenneth C. Cole, et ux.	Multnomah	Columbia River	Burlington- Sauvie Island Bridge	\$ 2,925.00	\$ 7,000.00	\$ 5,100.00
L-5409 Glenn Rohde, et al.	Umatilla	Old Oregon Trail	Stanfield Junction- Pendleton	6,850.00	41,524.00	9,500.00
L-5424 Ronald Rew, et al.	Umatilla	Old Oregon Trail	Stanfield Junction- Pendleton	11,950.00	35,864.00	14,627.00
L-5425 Sallie M. Vollendorff	Umatilla	Old Oregon Trail	Stanfield Junction- Pendleton	8,675.00	25,000.00	14,000.00

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-5270 State of Oregon	Irene Marbach and Gaylord Vermac	Clackamas	Negligent opera- tion of motor vehicle damaging right of way fence.	\$ 89.07	\$ 89.07
L-5193 State of Oregon	William Partlow, et ux.	Clackamas	Negligent opera- tion of motor vehicle damaging guardrail.	237.26	237.26
L-5271 State of Oregon	Manny S. Fairey	Clackamas	Negligent opera- tion of motor vehicle damaging viaduct.	905.07	905.07
L-5315 State of Oregon	Jack Ray Jones	Clackamas	Negligent opera- tion of motor vehicle damaging guardrail.	276.02	276.02
L-5316 State of Oregon	Robert Duane Palmer	Clackamas	Negligent opera- tion of motor vehicle damaging signal poles.	1,064.04	1,064.04

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(Report of Trial of Other Cases Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5365 State of Oregon	Ronald L. Boyer	Clackamas	Negligent opera- tion of motor vehicle damaging guardrail.	\$ 70.99	\$ 70.99
L-5273 State of Oregon	Alice Lancaster	Douglas	Negligent opera- tion of motor vehicle damaging guardrail.	153.38	153.38
L-5274 State of Oregon	Boyd H. Lewis	Douglas	Negligent opera- tion of motor vehicle damaging guardrail.	63.56	63.56
L-5295 State of Oregon	Don Watkins and Tommy Works	Douglas	Negligent opera- tion of motor vehicle damaging guardrail.	226.19	226.19
L-5333 State of Oregon	Kenneth Gene Kubitz	Hood River	Negligent opera- tion of motor vehicle damaging State Highway Department vehicle.	158.75	158.75
L-5183 State of Oregon	Herbert L. Crouch	Jackson	Negligent opera- tion of motor vehicle damaging guardrail.	189.24	189.24
L-5334 State of Oregon	Sharon Jean Raynor	Jackson	Negligent opera- tion of motor vehicle damaging light pole.	324.02	324.02
L-5321 State of Oregon	William R. Hefley	Linn	Negligent opera- tion of motor vehicle damaging barricade fence.	98.21	98.21
L-5339 State of Oregon	Leonard Louis Holeman	Umatilla	Negligent operation of motor vehicle damaging highway striping.	216.18	216.18
L-5189 State of Oregon	Earle E. Rinear	Wasco	Negligent operation of motor vehicle damaging sign structure.	57.86	57.86

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(Report of Trial of Other Cases Continued)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5176 State of Oregon	Larry Ronald Dockery	Coos	Negligent operation of motor vehicle damaging sight posts.	\$ 116.26	\$ 116.26
L-5272 State of Oregon	Dan Richards	Coos	Negligent operation of motor vehicle damaging highway.	152.47	152.47
L-5318 State of Oregon	Frank Walter Harvey	Coos	Negligent operation of motor vehicle damaging state vehicle.	218.20	218.20
L-5358 State of Oregon	Bobby Gene Stringer	Coos	Negligent operation of motor vehicle damaging guardrail.	368.47	368.47
L-5246 State of Oregon	Russell Wayne Hovis	Jackson	Negligent operation of motor vehicle damaging guardrail.	201.77	201.77
L-5243 State of Oregon	Max Lynn Jones	Lane	Negligent operation of motor vehicle damaging guardrail.	86.24	86.24
L-5302 State of Oregon	Benjamin James Runyan	Lane	Negligent operation of motor vehicle damaging guardrail.	144.68	144.68
L-5329 State of Oregon	Jack Delbert Hendricks	Lane	Negligent operation of motor vehicle damaging light pole.	278.56	278.56
L-5337 State of Oregon	John F. Kinsfather	Linn	Negligent operation of motor vehicle damaging road grader.	173.21	173.21
L-5242 State of Oregon	Jerry Ray Reynolds	Douglas	Negligent operation of motor vehicle damaging guardrail.	98.71	98.71

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(Report of Trial of Other Cases Continued)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5202 State of Oregon	Wilbur M. Yorkovich	Malheur	Negligent operation of motor vehicle damaging guardrail.	\$ 156.96	\$ 156.96
L-5174 State of Oregon	Jesse Freeman Conster	Marion	Negligent operation of motor vehicle damaging guardrail.	217.64	217.64
L-5350 State of Oregon	Albert Ellis Slade	Marion	Negligent operation of motor vehicle damaging guardrail.	162.10	162.10
L-5446 State of Oregon	Robert Lulburn Groves	Marion	Negligent operation of motor vehicle damaging guardrail.	210.93	210.93
L-5173 State of Oregon	Ernest M. Moore	Marion	Negligent operation of motor vehicle damaging guardrail.	138.02	138.02
L-5245 State of Oregon	Edward Lavern Haney	Marion	Negligent operation of motor vehicle damaging light pole and light.	293.50	293.50
L-5278 State of Oregon	Eddie Machen	Marion	Negligent operation of motor vehicle damaging guardrail.	169.17	169.17
L-5279 State of Oregon	Donald Victor Jacobson	Marion	Negligent operation of motor vehicle damaging guardrail.	117.61	117.61
L-5280 State of Oregon	James Alexander Eccles	Marion	Negligent operation of motor vehicle damaging RCH traffic recorder.	250.00	250.00

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(Report of Trial of Other Cases Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5282 State of Oregon	Robert Whitson and Mack Arnold	Marion	Negligent operation of motor vehicle damaging guardrail.	\$ 179.55	\$ 179.55
L-5349 State of Oregon	Roy Neal Long	Marion	Negligent operation of motor vehicle damaging guardrail.	245.20	245.20
L-5346 M. E. Larson	State of Oregon	Multnomah	Damages for change of grade.	10,000.00	For defendant
Remarks: The case was tried to the Court, who ruled that the issue of liability raised by our defense should be first determined. After testimony and argument of this issue, the Court ruled that the defense was good and the plaintiffs had no cause of action against the State Highway Commission.					
L-5394 State of Oregon	Roto-Lift Mfg. Co.	Multnomah	F.E.D.	To regain possession of premises)
L-5491 State of Oregon	Roto-Lift Mfg. Co.	Multnomah	F.E.D.	To regain possession of premises)
L-5512 State of Oregon	Roto-Lift Mfg. Co.	Multnomah	Suit for unpaid rent	746.52 (\$350.40 collected)	746.52
Remarks: A judgment for the full amount of rent has been had. By execution we have been able to recover \$350.40. The balance is subject to further execution when funds are found which can be attached.					
L-5044 Stanley P. Kissinger, et ux.	Fred H. Slate, et al.	Jackson	See remarks	10,500.00	None as to State. See remarks.
Remarks: Defense of the State was tendered to the contractors on Contracts 6360 and 6386 on the basis that their respective contracts alleged them to indemnify the State against such claims. The contractors' insurers eventually agreed to accept the State's defense. We have now learned that just prior to trial, the contractors' attorneys settled the case for an unknown sum, thus terminating the case as to all parties.					

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(Report of Trial of Other Cases Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5240 State of Oregon	Louis F. Lorsung and Crater Lake Motors, Inc.	Douglas	Damage to bridge	\$ 255.40	\$ 127.70
Remarks: This claim arose out of damage to a bridge caused by vehicle driven by defendant Lorsung who was purchasing car from defendant Crater Lake Motors, Inc. The latter agreed to one half of claim. Judgment has been taken against Lorsung for the remainder.					
L-5367 State of Oregon	Robert Darrell Carey	Lane	Negligent operation of motor vehicle damaging guardrail.	100.67	90.00
L-5177 State of Oregon	William Carter	Multnomah	Negligent operation of motor vehicle damaging tollmats and concrete island	242.10	242.10
L-5179 State of Oregon	Peggy Lou Williams	Multnomah	Negligent operation of motor vehicle damaging guardrail	96.18	96.18
L-5186 State of Oregon	Robert S. Rancourt	Multnomah	Negligent operation of motor vehicle damaging bridge.	554.24	554.24
L-5239 State of Oregon	Oskar Posey	Multnomah	Negligent operation of motor vehicle damaging guardrail.	111.95	111.95
L-4906A State of Oregon	Clackamas Water District	Clackamas	To recover for cost of relocating conflicting pipelines located within public road right of way.	9,889.98	9,889.98 plus costs
L-5283 State of Oregon	Mary Jane Campus	Multnomah	Negligent operation of motor vehicle damaging guardrail.	223.36	223.36
L-5284 State of Oregon	Richard D. Howard	Multnomah	Negligent operation of motor vehicle damaging sign.	76.29	76.29

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(Report of Trial of Other Cases Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5285 State of Oregon	Harvey H. Yeager	Multnomah	Negligent operation of motor vehicle damaging guardrail.	\$ 272.88	\$ 272.88
L-5286 State of Oregon	John W. McClain	Multnomah	Negligent operation of motor vehicle damaging guardrail.	111.53	111.53
L-5289 State of Oregon	Charles Finley Montes	Multnomah	Negligent operation of motor vehicle damaging guardrail.	41.11	41.11
L-5297 State of Oregon	Lucille Holt	Multnomah	Negligent operation of motor vehicle damaging sign.	803.02	803.02
L-5354 State of Oregon	Allen Dwaine Miller and Vergil Wes Wittington	Multnomah	Negligent operation of motor vehicle damaging guardrail.	117.50	117.50
L-5356 State of Oregon	Kenton D. Schoppert	Multnomah	Negligent operation of motor vehicle damaging guardrail.	289.07	289.07
L-5325 State of Oregon	James B. Clair	Multnomah	Negligent operation of motor vehicle damaging handrail.	155.16	155.16
L-5160 Donald Yates	Glenn L. Jackson, et al	Multnomah	Personal injuries	50,000.00 general damages	Dismissed for lack of prosecution.
L-4870-A2	Peter Kiewit C. H. Savage Sons Co., et al.	Multnomah	Declaratory Judgment (\$45,345.31 allowed by lower court)	Declaratory relief & additional costs incurred in sandblasting	Reversed with instructions to dismiss with no damages.

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(For additional details, see the Chief Counsel's letters dated October 13 and 27, 1967, concerning cases tried, in the Salem Office General Files.)

The Chief Counsel also presented a report concerning cases which have been settled out of court since the last Commission meeting. These settlements, he said, are based upon competent appraisals and are in order for Federal aid. He also mentioned that the total amount of the settlements agreed upon is approximately 12 percent above the total offered. The Commission accepted 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-5463 Del J. Cristoforo, et ux.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	\$23,500.00	\$25,500.00
L-5513 William H. Tallman, Jr., et ux.	Hood River	Hood River	Indian Creek	20,800.00	22,540.00
L-4367 Ila E. Craig, et al.	Josephine	Redwood	Hegan Creek-Selma	State agreed to fence right of way	463.75 Owner to fence
Remarks: Original settlement required State to fence right of way. Upon payment of \$463.75 owner to do fencing.					
L-5393 Edward Bailey, et ux.	Josephine	Pacific	Coyote Creek-Sexton Mt.	350.00	600.00
Remarks: The parcel to be acquired is a portion of an abandoned highway with the concrete pavement still in place. The appraisers allowed no value for the pavement which will again be used. This theory would be impossible to sell to a jury.					
L-5217 Irvin L. Mann, et al.	Umatilla	Old Oregon Trail	Morrow County Line-Stanfield Junction	12,855.00	12,855.00
Remarks: Title status made the condemnation action necessary. This payment by judgment - \$5,007.50					

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(Report of Cases Settled - Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5416 Merton S. Coville, et al.	Polk	Pacific West	Holmes Gap-Baskett Slough	\$ 5,600.00	\$ 7,250.00 includes fencing
Remarks: State obliged under complaint filed to remove and replace 342 rods of fencing. Average bid price on construction contracts equals \$9 per rod. Owner will assume obligation at average price or \$3,100.					
L-5499 John Clem Clarke, et al.	Polk	Independence	Oak Point Bridge	50.00	50.00
L-5521 Rosi Goldsmith, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road Interchange	375.00	550.00)
L-5581 Rosi Goldsmith, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road Interchange	50.00	50.00)
Remarks: This case and L-5521 are companion cases involving same owners and settlement of each is conditioned on settlement of both.					
L-5539 Gertrude W. Heath, et vir.	Jackson	Lake of the Woods	Brownsboro-Hanley Ranch	50.00	100.00
L-5550 Louis R. Walch	Jackson	Lake of the Woods	Brownsboro-Hanley Ranch	8,200.00	8,200.00
L-5557 D. D. Banks, et ux.	Umatilla	Pendleton	Old Oregon Trail	50.00	150.00
Remarks: Original offer on basis of acquiring easement. Settlement on basis of taking fee title to original parcel together with additional area.					
L-4957 A. B. Webb, et ux.	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Hwy.	34,250.00	50,000.00
Remarks: Appraisals obtained by State as well as those obtained by the owner and submitted to State for review are as follows:					
For State:		Fee	Gaines	\$44,900	
		Staff	Edwards	30,000	
		Staff	English	39,200	
For Owner:		Fee	Vanderzanden	70,045	
			Lusk	53,500	

(Report of Condemnation Cases Settled Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5143 Mildred E. Barker, et vir.	Washington	Pacific	Lower Boones Ferry Road Interchange	\$9,000.00	\$11,000.00 (owner retains house) Salvage value 300.00 \$11,300.00
Remarks: The appraisals were made on the erroneous premise that the property had no legal right to use a private road connecting to an adjacent street.					
L-5578 Good Samaritan Church	Multnomah	Pacific	North Portland Harbor-North Russell Street	850.00	1,000.00
L-5490 Unknown Heirs of William T. Perry	Douglas	Oakland-Shady	North Hill-Deer Creek	1,260.00)
L-5506 John V. Rast, et al.	Douglas	Oakland-Shady	North Hill-Deer Creek	500.00)7,450.00)Advertis-)ing signs)only
L-5507 Walter C. Watkins, et al.	Douglas	Oakland-Shady	North Hill-Deer Creek	1,700.00)
Remarks: Located within the area of the easement taken for highway purposes on these three files were nine billboards all owned by Spomer Sign Co. Negotiations could not be concluded to move the signs and demand was made for \$1,000 per sign. The contractor required the area for construction. Motion was made in court for an Order authorizing State to take possession. Motion was denied by Court.					
L-5215 Earl Petty, et al.	Lane	Springfield-Creswell	Pleasant Hill-Creswell	350.00	750.00
L-5514 Albert E. Layer, et ux.	Tillamook	Oregon Coast	Cape Kiwanda-Neskowin	25,500.00	28,000.00
Remarks: Subsequent to filing the complaint the owner submitted an appraisal by Mr. Blinkhorn, an independent fee appraiser often used by State. Appraisal Section reviewed Mr. Blinkhorn's appraisal of \$28,500 and accepted same as being fair market value of taking.					

(Report of Condemnation Cases Settled Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-4716 Leland Stanford Johns, et al.	Douglas	Pacific	Canyonville- Josephine County Line	\$27,800.00	\$33,694.63
L-4752 E. L. Johns, et al.	Douglas	Pacific	Canyonville- Josephine County Line	6,835.00	8,603.17
L-4728 Leland Stanford Johns, et al.	Douglas	Pacific	Canyonville- Josephine County Line	1,050.00	1,794.80
L-4733 E. L. Johns, et al.	Douglas	Pacific	Canyonville- Josephine County Line	750.00	907.40
					45,000.00
L-5526 Inverse Con- demnation: Leland Stanford Johns vs. State	Douglas	Pacific	Canyonville- Josephine County Line	Plaintiff's Settlement: Claim: 12,500.00 Attorneys Fees: 175.00	00,000.00
Remarks: These five cases are all included in the proposed settlement as a package. Each settlement is contingent upon the other. In April of 1966 three of the cases were included in a proposed settlement at \$40,000. Before it could be closed a slide occurred making it impossible for owner to construct a pipeline for irrigation which was inherent in the previous settlement.					
L-5549 Julia Sidley, et al.	Jackson	Lake of the Woods	Brownsboro- Hanley Ranch	3,300.00	3,600.00
L-5419 Lillian Deardorff, et al.	Umatilla	Old Oregon Trail	Stanfield Junction- Pendleton	1,325.00	1,325.00
Remarks: Parcel #4 reduced in area from 0.13 acre to 0.04 acre after filing complaint.					

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(Report of Condemnation Cases Settled Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5547 W. J. Swick, et al.	Hood River	Hood River	Indian Creek	\$ 8,180.00	\$ 8,200.00
L-5287 Inez Toledano Kellems, et vir.	Deschutes	LaPine Rec- reation Area		12,200.00	11,000.00
Remarks: The offer of \$12,200 included an allowance of \$2,200 for relocating the fences. After filing of case, State took possession and found it necessary to relocate the fence with result that the amount allowed for fencing was withdrawn.					
L-5430 Esther Anderson, et vir.	Deschutes	LaPine Recreation Area		58,000.00	60,000.00
L-5400 John B. Isaacs, et al.	Deschutes	LaPine Recreation Area		16,500.00	25,000.00
Remarks: The two settlements are made contingent upon the acceptance of both. 58 acres are being acquired from the Andersons, and 5 acres are owned by Anderson but under contract of sale to Isaacs. This land lies on the Fall River near its confluence with the Deschutes. It is located about 4 miles west of Highway 97 and about 8 miles north of LaPine. It is in an area where many small homesites have been sold with lots with river frontage going at \$1,000 per acre. The Isaac's tract is 5 acres also with frontage on the river. In fact, located adjacent to it is a waterfall making it the most desirable land in the area. It could be said to be unique for park purposes.					
L-5570 Marie L. Mackey, et vir.	Lane	Eugene- Springfield	7th Avenue- Willamette River	7,400.00 (partial taking)	21,000.00 (entire taking)
Remarks: Settled per option dated October 5, 1967, the terms of which control.					
L-5533 Kenneth B. Owen, et al.	Jackson	Lake of the Woods	Brownsboro- Hanley Ranch	11,700.00	11,700.00

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(Report of Condemnation Cases Settled Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5428 Clyde Lawrence, et ux.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Hwy.	\$ 350.00	\$ 350.00
L-4883 Ebba Gay, et al.	Malheur	Old Oregon Trail	Oxman-Benson Creek	1,400.00	1,400.00
L-5401 William R. Barnes, et ux.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	None	25.00
L-5396 Ralph W. Thorne, et al.	Umatilla	Old Oregon Trail	Pendleton	19,200.00	21,800.00
L-5554 Donna Evans, et al.	Umatilla	Old Oregon Trail	Pendleton	1,500.00	2,000.00
Remarks: These two settlements are conditioned upon acceptance of both. Total of the Review Appraisals is \$22,055.					
L-5593 Arnold L. Leppin, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road Interchange	3,000.00	3,375.00
L-5595 Lydia Leppin, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road Interchange	2,400.00	2,700.00
L-5159 Portland Traction Company	Clackamas	Clackamas	Estacada-Faraday	11,625.00	13,912.50
Remarks: The State obtained two appraisals; one at \$55,800 and the other at \$11,625. The Traction Company submitted an appraisal at \$16,200.					
L-5590 Devon Properties, Inc., et al.	Washington	Tualatin Valley	Forest Grove	8,250.00	9,000.00
Remarks: Recommended by Adm. Rev. Bd.					

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(Report of Condemnation Cases Settled Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5105 Bevest, Inc.	Washington	Beaverton-Tigard	Sunset Hwy.- Pacific Hwy.	\$16,800.00	\$16,500.00
Remarks: This is a 32-acre parcel of unimproved industrial land adjacent to, and with about 1300 foot frontage on, Denny Road in the Beaverton area. Two state appraisals were made, one at \$9,000 and one at \$16,800. Two independent fee appraisers submitted appraisals at \$38,200 and \$38,645.					

REPORT OF CONDEMNATION CASE SETTLED AFTER TRIAL AND APPEAL

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5022A Harold G. Corby, et al.	Washington	Sunset	Cornelius Pass Road-Multnomah County Line	\$19,500.00	\$35,000.00
Remarks: This case was tried February 16 and 17, 1967, and reported to the Commission on March 14, 1967. In the trial of the case, the jury rendered a verdict of \$36,500. The taking was a tavern. In line with the authorities, the court instructed the jury they could not allow any value for the liquor license but that they could consider the liquor license to the extent that it enhanced the value of the land. State filed notice of appeal on basis that the last instruction was in error. Defendant thereupon proposed a settlement in lieu of appeal at \$35,000.					

REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5359 State of Oregon	Ralph McDole	Jefferson	Damage to asphalt pavement	\$ 637.18	\$ 400.00
Remarks: This was a case where a load of hay caught fire while the truck was being driven down the highway.					
L-5462 State of Oregon	E.G. Nelson	Multnomah	Damage to State Highway Department vehicle.	211.65	105.73
Remarks: The driver of the other car involved was cited by police but was found not guilty. Settlement for one-half the damages is deemed in best interest of State.					

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(For additional details, see the Chief Counsel's letters dated September 29, October 6, 13, and 27 entitled Report of Cases Settled, in the Salem office General Files.)

A quarterly report of damage claims collected during the period from July 1 through September 30, 1967, was presented by the Chief Counsel. He pointed out that during this period \$31,151 had been collected on 118 claims. Thirteen claims in the amount of \$1,146.25 were abandoned during this period as uncollectible for legitimate reasons. The Commission accepted the report.

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

ARNOLD ICE CAVE ROAD-HORSE RIDGE SECTION OF THE CENTRAL OREGON HIGHWAY

R-40484 - Manning Barber, et ux. 1.19 acres for right of way purposes. Offer of \$75 approved by Mr. Hill September 11, 1967.

R-40485 - Loren R. McQueen, et ux. 2.2 acres for right of way purposes. Offer of \$125 approved by Mr. Hill September 18, 1967.

R-40486 - John A. Krvavica. 2.25 acres for right of way purposes. Offer of \$125 approved by Mr. Hill August 28, 1967.

BURNSIDE-BIG CREEK SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38308 - Arna E. Maki, et ux. 0.24 acre for right of way purposes. Offer of \$450 approved by Mr. Jackson September 11, 1967.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-39911 - Clara Belozor. 0.37 acre for right of way purposes. Offer of \$36,950 approved by Mr. Jackson October 26, 1967.

R-39915 - Jack M. Woodward, et ux. Parcel No. 1: 0.57 acre for right of way purposes; Parcel No. 2: 0.38 acre landlocked excess. Offer of \$28,000 approved by Mr. Jackson September 8, 1967.

R-39917 - H. E. Hollowell, aka Homer E. Hollowell. Parcel No. 1: 1.36 acres for right of way purposes; Parcel No. 2: 0.85 acres for right of way purposes. Offer of \$27,500 approved by Mr. Jackson October 3, 1967.

R-40428 - Ludvik Sajovich, et ux. 12,050 square feet for right of way purposes. Offer of \$11,000 approved by Mr. Jackson October 5, 1967.

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DABNEY STATE PARK

R-40694 - W. J. Wright, et ux. 5.9 acre for park purposes. Offer of \$22,500 approved by Mr. Jackson October 5, 1967.

R-40696 - Myrtle Bell Nielson. 7.8 acres for park purposes. Offer of \$15,500 approved by Mr. Jackson October 5, 1967.

R-40697 - Roy Cipriano. 0.77 acre for park purposes. Offer of \$1,800 approved by Mr. Jackson October 5, 1967.

R-40701 - Claude H. Stubbs, et ux. 0.84 acre for park purposes. Offer of \$6,600 approved by Mr. Hill October 3, 1967.

R-40704 - George Nishimura. 10.0 acres for park purposes. Offer of \$1,500 approved by Mr. Jackson October 5, 1967.

GATEWAY STATE WAYSIDE OF THE REDWOOD HIGHWAY

R-38353 - Verne R. Webb. 8.5 acres for park purposes. Offer of \$6,400 approved by Mr. Jackson September 26, 1967.

GLENEDEN BEACH STATE WAYSIDE SECTION OF THE OREGON COAST HIGHWAY

R-39381 - Orman P. Beecher, et ux. 5,000 square feet for park purposes. Offer of \$2,000 approved by Mr. Jackson September 1, 1967.

R-39382 - Kathleen F. Sullivan. 5,000 square feet for park purposes. Offer of \$2,000 approved by Mr. Jackson September 1, 1967.

INDEPENDENCE-BONNEVILLE STATION SECTION OF THE WILLAMINA-SALEM HIGHWAY

R-41473 - Albert O. Arpke. 4.4 acres for right of way purposes. Offer of \$5,000.00 approved by Mr. Jackson October 18, 1967.

KLAMATH FALLS-GREEN SPRINGS HIGHWAY JUNCTION SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-40738 - Jack C. Kochera, et ux. 1.8 acres for right of way purposes. Offer of \$8,000 approved by Mr. Jackson October 5, 1967.

R-40750 - Gertrude Cleve. 4.3 acres for right of way purposes. Offer of \$15,000 approved by Mr. Jackson October 20, 1967.

R-40759 - Jerry Dean Depuy, et ux. Parcel No. 1: 0.25 acre for right of way purposes; Parcel No. 2: 0.01 acre for right of way purposes. Offer of \$2,500 approved by Mr. Jackson October 25, 1967.

R-41189 - Homer O. Depuy, et ux. Parcel No. 1: 0.1 acre for right of way purposes; Parcel No. 2: 2.3 acres for right of way purposes. Offer of \$5,850 approved by Mr. Jackson October 25, 1967.

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LA GRANDE SECTION OF THE OLD OREGON TRAIL HIGHWAY

R-40255 - Ross E. Hearing, et ux. 16,500 square feet for right of way purposes. Offer of \$800 approved by Mr. Hill October 3, 1967.

R-40329 - Rebecca Dawn Fillmore and Kathleen Jo Fillmore. 0.09 acre for right of way purposes. Offer of \$150 approved by Mr. Hill October 18, 1967.

R-40335 - Barbara Blomberg. 0.02 acre for right of way purposes. Offer of \$50 approved by Mr. Hill October 18, 1967.

R-40342 - William R. Coleman, et ux. 1.78 acres for right of way purposes. Offer of \$16,525.00 approved by Mr. Hill September 6, 1967.

R-40344 - Charles W. Peck, et ux. 0.2 acre for right of way purposes. Offer of \$550.00 approved by Mr. Hill September 21, 1967.

MIDDLE BRIDGE ROAD-LOVE BRIDGE SECTION OF THE BAKER-HOMESTEAD HIGHWAY

R-33991 - Phillips Ranch. Parcel No. 1: 11.7 acre for right of way purposes; Parcel No. 2: 0.9 acre for right of way purposes; Parcel No. 3: 0.18 acre for temporary easement; Parcel No. 4: 1.45 acre for temporary easement. Offer of \$4,300 approved by Mr. Hill September 19, 1967.

MINAM STATE RECREATION AREA

R-37565 - Irvin H. McKinzie, et ux. 6.6 acres for park purposes. Offer of \$13,700 approved by Mr. Hill October 3, 1967.

N. E. GLISAN STREET-S. E. DIVISION STREET UNIT-COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-40910 - Stephen Troy, et ux. 32,324 square feet for right of way purposes. Offer of \$21,400 approved by Mr. Jackson September 1, 1967.

NORTH PLAINS INTERCHANGE-CORNELIUS PASS ROAD INTERCHANGE SECTION OF THE SUNSET HIGHWAY

R-41339 - Albert Grossen, et ux. 1.4 acres for right of way purposes. Offer of \$2,550 approved by Mr. Jackson August 29, 1967.

OAK CREST FARM SECTION OF THE SALEM-DAYTON HIGHWAY

R-40048 - Landmark Enterprises, Inc. 4.96 acres for right of way purposes. Offer of \$10,110 approved by Mr. Jackson September 1, 1967.

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PACIFIC HIGHWAY EAST-CASCADE HIGHWAY SECTION OF THE CLACKAMAS HIGHWAY

R-38487 - Alfred Foglio. Parcel No. 1: 0.08 acre for right of way purposes; Parcel No. 2: 0.1 acre for right of way purposes. Offer of \$10,800 approved by Mr. Jackson August 29, 1967.

R-38496 - Dale G. Ottenbacher, et ux. 1.0 acre for right of way purposes. Offer of \$10,000 approved by Mr. Jackson August 24, 1967.

R-38499 - Joseph J. Cereghino, et al. 0.2 acre for right of way purposes. Offer of \$1,075 approved by Mr. Jackson August 23, 1967.

R-38763 - Ralph Lee Kendig and Adele F. Kendig. Parcel No. 1: 0.59 acre for right of way purposes; Parcel No. 2: 0.25 acre for right of way purposes; Parcel No. 3: 0.2 acre for temporary easement. Offer of \$30,800 approved by Mr. Jackson August 7, 1967.

R-41384 - Raymond S. Wilson, et ux. 0.04 acre for right of way purposes. Offer of \$800 approved by Mr. Jackson September 6, 1967.

PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39147 - Georgia Pacific Corporation, a Georgia corporation. 6.5 acres for right of way purposes. Offer of \$3,150 approved by Mr. Hill September 5, 1967.

R-39149 - John P. French. 19.3 acres for right of way purposes. Offer of \$15,900 approved by Mr. Hill August 24, 1967.

R-39152 - Harris Pine Mills. Parcel No. 1: 8.8 acres for right of way purposes; Parcel No. 2: 1.17 acres for permanent easement purposes. Offer of \$101,100 approved by Mr. Hill August 24, 1967.

R-39240 - Roy F. Hobby, et ux. Parcel No. 1: 21.1 acres for right of way purposes; Parcel No. 2: 0.71 acres for right of way purposes; Parcel No. 3: 0.3 acre for right of way purposes. Offer of \$8,650 approved by Mr. Hill September 6, 1967.

PENDLETON AND MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL

R-40100 - Sybil Farley Bowman. Parcel No. 1: 1.6 acres for right of way purposes; Parcel No. 2: 0.74 acre for permanent easement. Offer of \$625 approved by Mr. Hill August 29, 1967.

PENDLETON SECTION AND WEST EXTENSION OF THE PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39143 - Doris M. Brown. Parcel No. 1: 0.01 acre for right of way purposes; Parcel No. 2: 0.5 acre for right of way purposes; Parcel No. 3: 2.75 acres for right of way purposes. Offer of \$20,500 approved by Mr. Hill August 24, 1967.

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RICE HILL SCENIC AREA

R-40848 - LeRoy Churchill, et ux. 74.0 acres for park purposes. Offer of \$24,225 approved by Mr. Jackson October 18, 1967.

ST. HELENS ROAD-N.W. 21ST AVENUE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38362 - Arthur Keppinger, et al. 3,000 square feet for right of way purposes. Offer of \$6,000 approved by Mr. Jackson September 21, 1967.

SEVENTH AVENUE-WILLAMETTE RIVER SECTION OF THE EUGENE-SPRINGFIELD HIGHWAY

R-40170 - Clara L. Kerr. 3,020 square feet for right of way purposes. Offer of \$23,250 approved by Mr. Jackson August 28, 1967.

R-40178 - Marie L. Mackey. 1,720 square feet for right of way purposes. Offer of \$7,400 approved by Mr. Jackson August 23, 1967.

R-40179 - Sherman G. Carlson, et ux. 3,340 square feet for right of way purposes. Offer of \$12,500 approved by Mr. Jackson August 23, 1967.

SMITH POINT-CAMP RILEA SECTION OF THE OREGON COAST HIGHWAY

R-35449 - Donald U. Leader, et ux. 0.65 acre for right of way purposes. Offer of \$3,850 approved by Mr. Jackson September 19, 1967.

R-35453 - Arnold J. Ekstrom, et ux. 0.75 acre for right of way purposes. Offer of \$1,325 approved by Mr. Jackson September 29, 1967.

SOUTH PENDLETON INTERCHANGE-COURT PLACE SECTION OF THE OREGON-WASHINGTON HIGHWAY

R-40970 - Richard M. Crosby, et ux. 500 square feet for right of way purposes. Offer of \$600 approved by Mr. Hill September 11, 1967.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39469 - Time Oil Co. 2,025 square feet for right of way purposes. Offer of \$7,200 approved by Mr. Jackson October 18, 1967.

WEST NEWBERG-CHEHALEM CREEK SECTION OF THE PACIFIC HIGHWAY WEST

R-40114 - Oran Johnson, et ux. Parcel No. 1: 0.45 acre for right of way purposes; Parcel No. 2: 2.0 acres for right of way purposes. Offer of \$13,150 approved by Mr. Jackson August 28, 1967.

R-40215 - Arney C. Houser and Hazel Mary Harrison. Parcel No. 1: 1,395 square feet for right of way purposes; Parcel No. 2: 280 square feet for permanent easement. Offer of \$15,425 approved by Mr. Jackson September 7, 1967.

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WEST NEWBERG-CHEHALEM CREEK SECTION OF THE PACIFIC HIGHWAY WEST - CONT.

R-40220 - Roy Eddens, et ux. Parcel No. 1: 500 square feet for right of way purposes; Parcel No. 2: 250 square feet for permanent easement. Offer of \$625 approved by Mr. Jackson August 28, 1967.

R-40221 - Clifford C. St. Antoine, et ux. Parcel No. 1: 500 square feet for right of way purposes; Parcel No. 2: 250 square feet for permanent easement. Offer of \$650 approved by Mr. Jackson August 28, 1967.

R-40224 - Earl E. Sandager, et ux. Parcel No. 1: 2,000 square feet for right of way purposes; Parcel No. 2: 400 square feet for permanent easement. Offer of \$5,700 approved by Mr. Jackson October 5, 1967.

R-40227 - William J. Wineberg, et al. Parcel No. 1: 200 square feet for right of way purposes; Parcel No. 2: 170 square feet for permanent easement. Offer of \$500 approved by Mr. Jackson October 18, 1967.

R-40228 - Melvin A. Lehmann, et ux. Parcel No. 1: 250 square feet for right of way purposes; Parcel No. 2: 550 square feet for permanent easement. Offer of \$750 approved by Mr. Jackson September 18, 1967.

R-40446 - Victor Snyder, et ux. Parcel No. 1: 930 square feet for right of way purposes; Parcel No. 2: 186 square feet for permanent easement. Offer of \$1,250 approved by Mr. Jackson October 2, 1967.

WOODBURN INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-40611 - Catharine Hooper. Parcel No. 1: 2.85 acres for right of way purposes; Parcel No. 2: 0.12 acre for right of way purposes; Parcel No. 3: 700 square feet for permanent easement. Offer of \$18,000 approved by Mr. Jackson September 21, 1967.

A report on orders received from the Public Utility Commissioner regarding highway crossing matters was presented by the Chief Counsel and accepted by the Commission summarized as follows:

PUX 645: Application by the Commission to alter a highway grade crossing on the Oakland-Shady Highway over the tracks and right of way of Southern Pacific Company, known as the Kinney Spur Grade Crossing Alteration Project in Roseburg, Douglas County. Order No. 44061 was issued October 17, 1967.

PUX 648: Application by the Highway Commission to construct an overcrossing over the tracks and right of way of Southern Pacific Company, known as the Eugene-Springfield Highway Overcrossing Project, in Lane County. Order No. 44076 was issued October 6, 1967.

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PUX 650: Application by the Highway Commission to construct two overcrossing structures on the Eugene-Springfield Highway over the tracks and right of way of the Oregon Electric Railway Company, known as the Jefferson Street and 6th Avenue Off Lines and the Washington Street and 6th Avenue On Lines Project in Lane County. Order No. 44059 was issued October 6, 1967.

PUX 656: Application of the Highway Commission to construct a new overcrossing on the Columbia River Highway over the United Railway Line of the Spokane, Portland and Seattle Railway Company, known as the Nehalem Boom Overcrossing Project, near Burlington in Multnomah County. Originally an application for an undercrossing had been filed, but through an agreement with the Railroad it was changed to an overcrossing. Order No. 44064 was issued September 21, 1967.

A report was presented by the Chief Counsel concerning legal proceedings commenced since the last Commission meeting in which the Commission or its employees are named as set forth below:

- (1) Doris E. Leach vs. Lavella C. Arteburn and Alan E. Anderson. Plaintiff seeks \$15,000 general damages, \$675.25 special damages and costs arising out of an accident, south of Saginaw on the old Highway 99 in Lane County. Allegation is made that Highway personnel were negligent in obstructing highway without proper warning signs, etc.
- (2) Donna R. LaRiviere vs. State of Oregon, State Highway Department and Gene H. Beckman. Plaintiff seeks \$5,300 general damages, \$2,275 special damages and costs, arising out of collision between plaintiff's pickup truck and State truck and trailer in Portland.

Location surveys on three sections of state highways were recommended by the Engineer. The surveys were approved by the Chairman and Commissioner Simpson at this time, and by Commissioner Hill just before the meeting adjourned. "Survey Resolutions Nos. 324 and 342," were adopted by the Commission which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Oak Grove Road-Elm Street (Medford) Section of the Medford-Provolt Highway in Jackson County. (See "Survey Resolution No. 342.")
- (2) Killin Bridge Section of the Woodburn-Estacada Highway in Marion County. (See "Survey Resolution No. 342.")
- (3) Ross Island Bridge-Reedway Section of the Pacific Highway East in Multnomah County. (See "Survey Resolution No. 324.") This is confirmation of Commission action taken October 6, 1966.

Increases in contract project authorizations were recommended by the Engineer. He explained briefly the causes of the overruns. The Commission approved the following contract authorization increases:

- (1) Contract No. 6895 on The Dalles-California Highway in Klamath County, for an increase of \$47,155.78 (12.2 percent). Adjustment of a sewer line and additional engineering because of the contractor's poor work scheduling were given as the principal reasons for the overrun.
- (2) Contract No. 7076 for painting the Rhinehart Creek Bridge on the Oregon Coast Highway in Curry County, for an increase of \$6,550.36 (66 percent). Original plans contemplated spot cleaning and painting, however, it was necessary to remove all existing paint, sand-blast the structural steel and completely repaint the bridge.
- (3) Contract No. 6959 on the Pendleton-John Day Highway in Grant County for an increase of \$52,296.42 (6.94 percent). Slides were given as the principal reason for the overrun.
- (4) Contract No. 7050 on the Alsea Highway in Benton County, for an increase of \$12,943.15 (9.95 percent). This contract is for slide correction. An increase in the amount of special rock borrow was given as the principal reason for the overrun.

Requests made by contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered by the Commission. The Engineer commented that these requests have been carefully investigated and the results of the investigations have been reported to the Commission by letter. The Commission took action on the following contracts:

- (1) Cascade Construction Company, Inc., Contract No. 6874, on the Tualatin Valley Highway in Washington County requested eight additional days. The Commission approved an extension of eight days without assessment of liquidated damages.
- (2) J. M. Purcell Construction Company, Contract No. 6888, on the Sumpter Valley Highway in Baker County requested an extension of 30 calendar days. The Commission approved an extension of 27 calendar days without assessment of liquidated damages.
- (3) Page Paving Company and R. A. Heintz Construction Co., Contract No. 6535, on the Willamina-Salem Highway in Polk County requested an extension of the completion date from July 31 to October 11, 1966. The Commission approved an extension to August 31, 1966, without assessment of liquidated damages.
- (4) Roseburg Paving, Inc., Contract No. 7000, on Calapooya Street in Sutherlin, Douglas County, requested a two-day extension of time. The Commission approved the two-calendar day extension without assessment of liquidated damages.
- (5) DeGree Construction Company, Contract No. 6918, for work in Lapine State Recreation Area in Deschutes County, requested an extension of the completion date from May 30 to August 23, 1967. The Commission approved an extension to August 23, 1967, without assessment of liquidated damages.
- (6) Oosterwyk Nurseries, Inc., Contract No. 6819, on the Sunset Highway in Washington County requested an increase from 200 workdays to 344 workdays within which to complete the contract. The Commission approved waiving of liquidated damages for the period of a stop work order in effect from January 6, 1967, through April 1, 1967.

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- (7) Teeples and Thatcher Contractors, Inc., Contract No. 6878, for work in Wallowa Lake State Park in Wallowa County, requested an extension of the completion date to July 17, 1967. The Commission approved an extension of the overall completion date to July 17, 1967. This extension, however, does not include the overrun of eight days on the first-phase of the work.
- (8) Grimstad and Vandervelt, Inc., Contract No. 6889, on the Columbia River Highway in Clatsop County, requested an increase of 19 calendar days. The Commission approved an increase of 19 calendar days without assessment of liquidated damages.
- (9) Morse Brothers, Inc., Contract No. 6907, on the Santiam Highway in Linn County, requested an increase in the number of calendar days from 320 to 410. The Commission approved an increase of 99 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letters dated October 10 and 17, 1967.
- (10) Inter-City Construction Company, Contract No. 6905, on the Springfield-Creswell Highway in Lane County, requested 33 additional calendar days. The Commission approved an extension of 33 calendar days without assessment of liquidated damages.
- (11) Salem Road and Driveway Company, Contract No. 7008, on the Pacific Highway in Marion County, requested an increase of calendar days from 80 to 110. The Commission approved an increase of 31 calendar days without assessment of liquidated damages.
- (12) Grimstad and Vanderveldt, Inc., Contract No. 6996, on the Columbia River Highway in Columbia County, requested an increase of 43 calendar days. The Commission approved an increase of 24 calendar days without assessment of liquidated damages.
- (13) M. R. Holst Construction, Contract No. 7012, on the Old Oregon Trail in Umatilla County, requested an extension of 30 calendar days on the first-phase of the project. The Commission approved a 15-day extension of the first-phase without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated September 27, 1967.

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The Engineer reported that Contract Nos. 6635, 6650, 6788, 6795, 6821, 6831, 6842, 6847, 6857, 6861, 6874, 6897, 6905, 6923, 6939, 6962, 6968, 6970, 6989, 6990, 6992, 7001, 7002, 7006, 7007, 7016, 7022, 7025, 7027, 7037, 7042, 7054, and 7063 for highway construction have been completed in accordance with requirements of the contracts or modifications thereof, and said contracts are now ready for acceptance, 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. 162," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The date for the next Commission meeting was confirmed for Tuesday, December 12, 1967, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, January 23, 1968.

The Commission confirmed telephonic approval given October 2, 1967, awarding contracts on which bids were received September 28, 1967, and authorized the Secretary to sign the contracts on the following projects:

BIDS RECEIVED IN SALEM SEPTEMBER 28, 1967

I-80N Exit Ramp Signing Project on the Columbia River Highway and Old Oregon Trail in Eastern Oregon. Federal-aid Interstate Highway Project No. I-000 S(4). Three bids were received. The Commission awarded Contract No. 7088 to the low bidder, Laam-Irving and Company, Gladstone, at \$12,957.00.

Grading, paving, structures, and traffic control devices on the Milwaukie-Harmony Road Interchange Section of the Clackamas Highway in Milwaukie in Clackamas County. FAP No. US-271(8). Eight bids were received. The Commission awarded Contract No. 7089 to the low bidder, Babler Bros., Inc., Portland, at \$3,045,336.50.

Improvement in the Brothers Oasis Safety Rest Area on the Central Oregon Highway in Deschutes County. FAP No. LSF-21(2). Four bids were received. Action deferred. Referred to Engineer to award when power arrangements have been completed with the local P.U.D.

Roadside improvement on the East Hood River Interchange Section of the Columbia River Highway in Hood River County. Federal-aid Interstate Highway Project No. I-80N-3(53)61. Seven bids were received. The Commission awarded Contract No. 7091 to the low bidder, Wayne O. Harris, Pendleton, at \$44,714.64.

Roadside improvement on the Goshen Interchange Section of the Pacific Highway in Lane County. Federal-aid Interstate Highway Project No. I-5-3(78)190. Four bids were received. The Commission awarded Contract No. 7092 to the low bidder, Lane County Nursery and John A. Hennen, Eugene, at \$55,267.88.

Roadside improvement on the Belt Line Road Interchange Section of the Pacific Highway in Lane County. Federal-aid Interstate Highway Project No. I-5-4(58)197. Four bids were received. The Commission awarded Contract No. 7093 to the second low bidder, Spragues' Inc., of Washington, Lynnwood, Washington, in the amount of \$66,384.25. Lane County Nursery and John A. Hennen was low bidder on two contracts - will not accept award of more than one contract.

Roadside improvement on the Fargo Road Interchange Section of the Pacific Highway in Marion County. Federal-aid Interstate Project No. LSI-5-5(3). Four bids were received. The Commission awarded Contract No. 7094 to the low bidder, Knight Percy Nursery, Salem, at \$14,797.50.

Traffic signals on the Chemawa Road-Manbrin Drive Section of FAS 159 in Marion County. FAP No. S-45(5). Three bids were received. The Commission elected to accept the low bid of Electric Corp., Salem, in the sum of \$70,490.00 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 \$16,000.00 is deposited by the County.

Storm sewer and building demolition on the Willamette River-N. W. Johnson Section of the Stadium Freeway in Portland in Multnomah County. Federal-aid Interstate Highway Project No. I-405-8(18)303. Six bids were received. The Commission awarded Contract No. 7096 to the low bidder, Salem Sand and Gravel, Salem, at \$361,379.50.

Grading, paving, structures, signing and illumination on the Pendleton Section of the Old Oregon Trail in Umatilla County. Federal-aid Interstate Highway Project No. I-80N-5(29)204. Nine bids were received. The Commission elected to accept the low bid of Rogers Construction Inc. in the sum of \$7,958,236.25 and the State Highway Engineer was directed to award the contract to said bidder as soon as permit of entry is received from the Railroad and approval of the Bureau of Public Roads is received.

Roadside improvement on the Tigard-South Tigard Interchange Section of the Beaverton-Tigard Highway in Washington County. FAP No. LSS 628(1). Four bids were received. The Commission awarded Contract No. 7098 to the low bidder, Jansen's Landscaping Company, Everson, Washington, at \$101,922.00.

Roadside improvement on the South Tigard Interchange Section of the Pacific Highway in Washington and Clackamas Counties. Federal-aid Interstate Highway Project No. I-5-5(37)293. Six bids were received. The Commission awarded Contract No. 7099 to the low bidder, All-City Tree and Landscape Service, Portland, at \$66,232.50.

The Engineer presented for the Commission's consideration a list of construction projects on which bids were received October 26, 1967. Based on the Engineer's recommendation, the Commission awarded contracts as follows and authorized the Secretary to sign the contracts in their behalf:

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BIDS RECEIVED IN SALEM OCTOBER 26, 1967

Construction of the C.O.I. Canal Bridge on FAS 330 in Deschutes County. FAP No. S-558(1). Seven bids were received. The Commission elected to accept the low bid of Peterson Bros.-Griffin, Eugene, in the sum of \$27,730.00 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 \$6,400.00 is deposited by the County.

Grading, paving, structures and signing on the Klamath Falls-Green Springs Interchange Section of The Dalles-California Highway in Klamath County. FAP No. F-205(16). Nine bids were received. The Commission elected to accept the low bid of Slate-Hall and Hamilton Construction Company, Portland, in the sum of \$3,098,563.25 and the State Highway Engineer was directed to award the contract to said bidder as soon as a permit of entry from the Great Northern Railroad and approval of the Bureau of Public Roads is received.

Illumination installation on the Coburg Interchange Section of the Pacific Highway in Lane County. Federal-aid Interstate Highway Project No. I-5-4(60)200. Seven bids were received. The Commission awarded Contract No. 7102 to the low bidder, Ace Electric Company, Portland, at \$39,950.00.

Illumination on the Brewery Grade Interchange (The Dalles) Section of the Columbia River Highway in Wasco County. Federal-aid Interstate Highway Project No. I-80N-3(52)84. Four bids were received. The Commission awarded Contract No. 7103 to the low bidder, Ace Electric Company, Portland, at \$18,780.00.

Traffic signals and illumination on N. E. Winchester Street in the City of Roseburg in Douglas County. County Project. Four bids were received; the low bid was submitted by Sims Electric, Inc., Roseburg, in the sum of \$19,182.00. Bids for this project were received in behalf of Douglas County and were referred to the County for action.

Grading and paving on the Foster Reservoir Slide Section of the Santiam Highway in Linn County. State Project. Twelve bids were received. The Commission elected to accept the low bid of Groesbeck-Durbin, Inc., Eugene, in the sum of \$95,886.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Corps of U. S. Army Engineers is received.

The Engineer reported that he had awarded contracts which had been referred to him by the Commission to award when certain conditions were fulfilled. The Commission confirmed his award of the following contracts:

- (1) Improvement in Brothers Oasis Safety Rest Area on Central Oregon Highway in Deschutes County. Bids received September 28, 1967. Contract No. 7090 awarded October 9, 1967, to E.E. Steinlicht, Bend, low bidder.
- (2) Traffic signal installation on Chemawa Road-Manbrin Drive Section of FAS 159 in Marion County. Bids received September 28, 1967. Contract No. 7095 awarded October 11, 1967, to Electric Corp., Salem, low bidder.
- (3) Grading, paving, structures, signing, and illumination on Pendleton Section of the Old Oregon Trail in Umatilla County. Bids received September 28, 1967. Contract No. 7097 awarded October 20, 1967, to Rogers Construction, Inc., Portland, low bidder.

The Engineer presented for the Commission's consideration program guidelines adopted by the Willamette River Park System Committee having to do with the implementation of House Bill 1770, known as the "Greenway Bill." He called upon Mr. Lloyd Shaw to explain the program. The Assistant Highway Engineer pointed out that the bill provides for development of a parks system, under a system of 50 percent grants from the Highway Fund to local government units for acquiring park lands. The bill also requires that the Highway Commission make and promulgate rules concerning those grants. The Governor's Executive Order 67-2 directs the Highway Commission to administer and carry out the policies, plans, and programs of the Committee. The guidelines recently adopted by the Willamette River Park System Committee include requirements that local governmental jurisdictions show funding ability; meet requirements of the Bureau of Outdoor Recreation if Federal aid is sought; meet criteria as to project type; and follow rules in regard to procedure and documentation to be included in an operating manual.

The Chairman inquired if there is a possibility that most of the available money might be taken up by two or three large projects. Assistant Highway Engineer Shaw stated that the intent of the law and the guidelines is to spread available funds among the various counties in the Willamette River Park System. The Chairman then inquired if the actual allocation of funds is the responsibility of the Highway Commission or the Greenway Committee. Mr. Shaw replied that this responsibility lies with the Greenway Committee. The Commission approved the guidelines.

Consideration was given to a widening and channelizing project on St. Helens Road in Portland. The Engineer recalled that a cooperative agreement with the City of Portland pertaining to the N. W. Yeon Avenue-N. W. Kittridge Avenue Section of the Columbia River Highway was approved June 8, 1967, and a survey on this section was approved August 29, 1967.

The City work on Yeon and Kittridge Avenues requires that the State widen and channelize St. Helens Road. The survey has been completed, plans are being prepared, and the Engineer recommended that the project be approved at an estimated cost of \$148,000 to be added to the current State Construction Program. The Commission approved the project.

A tabulation was presented by the Engineer showing the allocation of 1969 fiscal year Federal-aid Secondary Funds to the counties of the State. He pointed out that the allocation was computed in accord with a formula developed by the Association of Oregon Counties, using the official 1960 census and county road mileages as of January 1, 1967. Following his favorable recommendation, the Commission approved the following FAS allocations:

COUNTY	FEDERAL FUNDS	TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)
Baker	\$ 38,667.	\$ 64,000.
Benton	49,098.	82,000.
Clackamas	152,438.	254,000.
Clatsop	42,738.	71,000.
Columbia	47,858.	80,000.
Coos	82,277.	137,000.
Crook	37,795.	63,000.
Curry	39,053.	65,000.
Deschutes	43,409.	72,000.
Douglas	112,094.	187,000.
Gilliam	27,143.	45,000.
Grant	33,871.	56,000.
Harney	38,449.	64,000.
Hood River	38,525.	64,000.
Jackson	86,773.	145,000.
Jefferson	34,408.	57,000.
Josephine	50,456.	84,000.
Klamath	71,475.	119,000.
Lake	36,876.	61,000.
Lane	158,381.	264,000.
Lincoln	48,884.	81,000.
Linn	88,713.	148,000.
Malheur	73,987.	123,000.
Marion	132,330.	221,000.
Morrow	37,166.	62,000.
Multnomah	241,989.	403,000.
Polk	49,108.	82,000.
Sherman	26,128.	44,000.
Tillamook	48,140.	80,000.
Umatilla	74,169.	124,000.
Union	37,284.	62,000.
Wallowa	35,251.	59,000.
Wasco	40,189.	67,000.
Washington	142,122.	237,000.
Wheeler	23,887.	40,000.
Yamhill	61,155.	102,000.
TOTAL	\$2,382,286.	\$3,969,000.

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Tabulation of FAS allocations continued:

SUMMARY, ENTIRE STATE-FISCAL YEAR 1969 COUNTY FAS FUNDS

Total Federal Funds for Construction	
(50% of Oregon's apportionment less planning survey funds)...	\$2,382,286
Plus estimated required match money	
State funds	793,357
County funds	793,357
TOTAL COUNTY FAS FUND	\$3,969,000

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.

Attention was given to a request from Deschutes County for a Federal-aid Secondary Project, and a request from Gilliam County for cancellation of a project in that county. The Engineer stated that the requested project in Deschutes County has been investigated and is eligible for the use of FAS funds. Gilliam County installed at its own expense a culvert previously approved as a FAS project and has authorized transfer of \$856 of County FAS Funds to the State Highway Department as reimbursement for engineering costs. The Commission approved the projects as follows and authorized the Secretary to sign agreements when they are prepared:

County	FAS	Section and Description	Programmed Amount	FAS Funds 1968
Deschutes		Three structures over C.O.I. Canal	\$ 80,000	
	691	Ward County Road		
	692	Gosney County Road		
	692	Arnold County Road		
		Total	\$ 80,000	

Cancellation of Project Previously Approved
and Transfer of Federal Funds

Gilliam	720	Condon Canyon Culvert	*\$856.00
		Approved by Highway Commission on 7-15-64	

* \$856.00 equals \$1,000 of total FAS funds.

SUMMARY BY FISCAL YEARS	1968	1969	Total
Allocated Funds	\$3,953,000	\$3,969,000	\$7,922,000
Approved Projects			
(Corrected to date)	963,000	----	963,000
Unprogrammed Balance	\$2,990,000	\$3,969,000	\$6,959,000
Projects proposed 10-31-67	80,000	----	80,000
Transfer of FAS funds to State	1,000	----	1,000
Unprogrammed Balance	\$2,909,000	\$3,969,000	\$6,878,000

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The expenditure of \$4,000 in support of AASHO Materials Reference Laboratory for the fiscal year 1968 was recommended by the Engineer. The operation of the Reference Laboratory, he said, is by the National Bureau of Standards and provides advisory and checking service for the State's Materials Laboratory. All States, he said, participate in this procedure and the assessment for Oregon has been set at \$4,000. The Commission approved payment.

The Engineer reported that the Minor Court Rules Committee, which was the Traffic Court Rules Committee until September 13, 1967, is to include, among others, a representative of the State Highway Department appointed by the State Highway Commission. He recommended that Mr. Ralph Sipprell, Liaison Engineer, be appointed to replace Mr. George Rohde, Chief Counsel. The Commission confirmed the appointment of Mr. Sipprell, effective October 10, 1967.

The Engineer reported that problems of speed control have arisen on the Hot Lake Junction to North Powder Section of the Old Oregon Trail in Union County. This section is under the basic speed rule as it is not up to Interstate standards. It was his recommendation that a speed zone of 65 miles per hour be established from M.P. 264 to M.P. 284. The Commission accepted the recommendation and thereupon adopted "Speed Zone Resolution No. 527," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered the re-evaluation of existing speed zones on the Sunset Highway. The Engineer pointed out that completion of the Cedar Hills Boulevard Interchange has removed a grade intersection and the existing 55 miles-per-hour speed zone should be revised upward. Also a recent investigation indicated that some changes should be made along the entire highway. He recommended that "Speed Zone Resolution No. 494" dated September 28, 1965, be rescinded and the following speed zones established on the Sunset Highway in Clatsop, Tillamook, Washington, Columbia, and Multnomah Counties:

45 MPH between the junction with the Oregon Coast Highway (M.P. 0.00) and 0.10 mile east of the Oregon Coast Highway (M.P. 0.10).

60 MPH between 0.10 mile east of the Oregon Coast Highway (M.P. 0.10) and 0.25 mile west of Elsie Road (M.P. 19.32).

50 MPH between 0.25 mile west of Elsie Road (M.P. 19.32) and 0.13 mile east of Elsie Road (M.P. 19.70).

(Continued)

60 MPH between 0.13 mile east of Elsie Road (M.P. 19.70) and 0.62 mile west of Cornelius Pass Undercrossing (M.P. 61.84).

70 MPH between 0.62 mile west of Cornelius Pass Undercrossing (M.P. 61.84) and 0.20 mile west of N.W. 185th Avenue (M.P. 64.08).

60 MPH between 0.20 mile west of N.W. 185th Avenue (M.P. 64.08) and 0.20 mile east of N.W. 185th Avenue (M.P. 64.48).

70 MPH between 0.20 mile east of N.W. 185th Avenue (M.P. 64.48) and 0.38 mile east of Cedar Hills Interchange structure (M.P. 68.72).

60 MPH between 0.38 mile east of Cedar Hills Interchange structure (M.P. 68.72) and the west city limits of Portland (M.P. 71.95).

The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 528," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to two requests for extension of the existing 45 MPH speed zone on the Junction City-Eugene Highway north of Santa Clara in Lane County. The Engineer stated that an investigation indicates that residential development warrants the extension of the speed zone. He recommended that "Speed Zone Resolution No. 481" adopted January 27, 1965, be rescinded and that a 45 MPH speed zone be established between a point 0.25 mile north of Spring Creek Drive and Ferndale Drive except that a 20 MPH speed zone be established during the hours of school crossings between a point 0.13 mile north of Spring Creek Drive and 300 feet south of Spring Creek Drive, and 20 MPH also between a point 150 feet north of Irvington Drive and 200 feet south of Irvington Drive. The Commission accepted the recommendation and thereupon adopted "Speed Zone Resolution No. 529," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The matter of lifting Sunday restriction on log hauling over state highways was brought up by the Engineer. This matter, he said, has come about because of the extremely dry summer season during which a shut down of logging operations had been in effect a considerable length of time. The Commission confirmed action taken by the Public Utility Commissioner of Oregon under Order Nos. 44070 and 44075 as follows:

"The hauling of logs, poles, or piling over or across any state highway is permitted on all Sundays and on Thanksgiving Day by motor carriers holding appropriate permit authority from the effective date of this order (44070 effective September 21, 1967 amended by 44075) through the 1st day of December, 1967,

except that the hauling of logs, poles, or piling over or across state highways on the first Sunday (October 8, 1967) of the opening of the 1967 general deer hunting season be and it shall continue to be restricted."

Prohibition of parking near the intersection of the Cascade Highway and S. E. Crystal Springs Boulevard, south of Portland, in Multnomah County was brought up by the Engineer. He explained that there have been many accidents involving left-turn movements off the Cascade Highway at this intersection and it is proposed to establish left-turn refuges. To accomplish this, it is necessary that parking be prohibited on both sides of the Cascade Highway from a point 410 feet north of the north curb line of S.E. Crystal Springs Boulevard (M.P. 6.90, Engineer's Station 314+10) to a point 440 feet south of the south curb line of S.E. Crystal Springs Boulevard (M.P. 7.07, Engineer's Station 322+90). The Commission accepted his favorable recommendation and thereupon adopted "No Parking Resolution No. 266," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered a recommendation from the Engineer for prohibition of parking on the Beaverton-Tualatin Highway and the Scholls Highway in the community of Progress in Washington County. He explained that recently portions of these highways have been widened to provide four lanes of moving traffic and to do this it is necessary that parking be prohibited. The Commission approved prohibition of parking on the north side of the Beaverton-Tualatin Highway from a point 20 feet east of the Southern Pacific Railroad crossing to a point 175 feet east of the east curb line of the Scholls Highway, and on the south side of the highway from a point 20 feet east of the Southern Pacific Railroad crossing to the west curb line of the Scholls Highway. Parking is also to be prohibited on the west side of the Scholls Highway from a point 75 feet south of the northbound on-ramp to the Beaverton-Tigard Highway to a point 150 feet north of the north curb line of the Beaverton-Tualatin Highway, and on the east side of the highway from a point 110 feet south of the northbound off-ramp from the Beaverton-Tigard Highway to a point 150 feet north of the north curb line of the Beaverton-Tualatin Highway. The Commission thereupon adopted "No Parking Resolution No. 267," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a request from officials of the City of Manzanita, Tillamook County, to restrict the operation of motor vehicles on the beach within the city. The Engineer commented that a resolution which has been prepared restricts use of the beach by all motor vehicles, except emergency vehicles, and the landing of any aircraft between July 1 and October 1. The same restriction applies between October 1 and July 1 except that motor vehicles are allowed on the beach from 7 a.m. to 10 a.m. Monday through Friday. Signs are to be installed setting forth the restrictions. This resolution, he added, is to revoke and supersede "Miscellaneous Resolutions Nos. 231 and 231a," adopted in 1960 and 1961. The Commission adopted "Miscellaneous Resolution No. 231b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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In response to the Chairman's inquiry as to what agency is to police the beach, the Engineer replied that this function would probably be the responsibility of the City.

Resolutions abandoning portions of state highways which have been replaced by new construction were presented by the Engineer as follows:

- (1) East Unit, Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County. This unit consists of approximately one-third of a mile of old highway to be transferred to Lincoln County. (See "Abandonment Resolution No. 423.")
- (2) Kellogg Bridge-Yellow Creek Section of the Elkton-Sutherlin Highway in Douglas County consisting of three small parcels of old highway to be abandoned to the abutting property owners. These portions of the old highway are no longer needed for highway purposes. (See "Abandonment Resolution No. 469.")

The Commission approved the abandonments as presented and thereupon adopted "Abandonment Resolutions Nos. 423 and 469," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A throughway abandonment agreement with the Washington County Board of Commissioners pertaining to the Forest Grove (Bypass) Section of the Tualatin Valley Highway in Washington County was brought up by the Engineer. This agreement, he said, contains provisions for construction of the throughway, street or road connections and closures, utility relocation and other pertinent items. The agreement also provides that when the new route is completed a portion of the old route is to be abandoned to the County. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a supplemental agreement with Parsons, Brinckerhoff, Quade and Douglas, Inc., for design and preparation of plans for the Fremont Bridge on I-405 in Portland. The Engineer explained that the Bureau of Public Roads recently issued instructions that the shoulder area on structures shall be the same as the roadway adjoining the structure. This requires that the roadway width on the bridge be 68 feet rather than 59 feet as in the original agreement. He estimated the additional design cost at \$64,500 and recommended that the agreement be approved and the Secretary authorized to sign it. The Commission accepted the recommendation.

In discussing this matter, the Chairman inquired if the extra roadway width required any change in the design of the other portions of the bridge structure. The Engineer replied that no major changes are involved other than widening of the roadway.

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The Commission considered a request from Oregon City to participate in construction of a pedestrian walkway along US99E between the overlook of Oregon City Falls and the community of Canemah. The Engineer commented that although there is not a great deal of pedestrian use, the highway is at present a hazardous area to walk as the shoulder is almost nonexistent. He recommended construction of an intermittent, oiled foot-path and timber structure walkway at a total estimated cost of \$11,000 of which the City of Oregon City would pay one-half. The Commission accepted his recommendation and authorized the Secretary to sign an agreement to this purpose.

A petition to the Malheur County Court requesting removal from Rural Road Assessment District No. 3 of Highway Department lands annexed to the City of Ontario along the Old Oregon Trail was discussed. The Engineer explained that in the development of Ontario State Park it was necessary to annex the park to the City in order to get City water. The annexed portion is also a part of the Rural Road Assessment District, but the City of Ontario has assumed maintenance of roads within the annexed portion. To avoid double assessment of property owners for the cost of road service, the petition for withdrawal is necessary. Following his favorable recommendation, the Commission approved the petition and authorized the Secretary to sign it for them.

Attention was given to a throughway agreement with Union County pertaining to highway construction on the La Grande-Ladd Canyon Section of the Old Oregon Trail in Union County. The agreement contains provisions for construction of the throughway, frontage roads, road closures, connections to County roads and other matters. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with Bonneville Power Administration covering relocation of its facilities because of highway construction on the Mission Junction-Emigrant Hill Section of the Old Oregon Trail in Umatilla County. The Engineer estimated the cost of the work at \$53,100. Financing of the work with Interstate funds has been approved by the Bureau of Public Roads. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A supplemental agreement with Adams County, Idaho, concerning maintenance of the bridge at Copperfield on the Baker-Homestead Highway was considered. The Engineer explained that in the original agreement it was provided that maintenance of the bridge should be performed 50 percent by Adams County and 50 percent by the State of Oregon. The supplemental agreement outlines procedures by which the maintenance is to be performed by the State of Oregon with the provision that Adams County will reimburse the State for 50 percent of the cost. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

Confirmation of the Chairman's approval given October 6, 1967, of an agreement with the U. S. Corps of Engineers concerning the Foster Dam Project on the Santiam Highway near Foster in Linn County was requested by the Engineer. He pointed out that in raising the reservoir pool two slides had been caused and the Corps' plans contemplate development of an overlook area requiring the stockpiling of some rock fill material. The Corps has requested that the State prepare plans and let a contract to perform the work which the Engineer estimated would cost a total of \$152,200 of which the State's share would be \$5,600. The work is to be performed as soon as possible. The Commission confirmed the Foster Dam Project Modification agreement, the letting of the contract, and the addition of \$5,600 to the current State Construction Program.

Consideration was given to an agreement with Union Pacific Railroad Company allowing the State to enter on Railroad property to make subsurface explorations by means of core drilling for the East Fremont Interchange Section of the Stadium Freeway in Portland. The Engineer commented that the agreement became effective July 19, 1967, and remains in effect for one year; however, most of the work has been accomplished. Based on his favorable recommendation, the Commission approved the agreement.

The Commission also considered an agreement with Great Northern Railway Company pertaining to improvement of an existing grade crossing on the LaPine-Shevlin Camp Road Section of the Fremont Highway in Klamath County. The agreement, among other things, provides that the Railroad raise the grade of the tracks to conform to the new highway construction and place flange rail both at Railroad expense. The State is to remove and replace paving between the rails and other work to complete the crossing construction on either side of the tracks. No cost will accrue to the State because of the agreement other than that already obligated by the highway contract and normal maintenance operations. The Commission accepted the Engineer's recommendation for approval.

Confirmation of an agreement with Union Pacific Railroad Company concerning construction of the Pendleton Section of I-80N in Umatilla County was requested by the Engineer. Oral approval was given September 27, 1967, by Chairman Jackson and Commissioner Simpson. This agreement covers the normal conditions encountered in crossing operating Railroad property. The expense to the State for adjustment of signals and communication lines and other services to be furnished by the Railroad he estimated at \$29,710. The Commission confirmed the agreement.

The Commission gave attention to an agreement with the City of Medford pertaining to traffic signals on the 6th Street-Fir Street Section of Main Street (Medford-Provolt Highway) in Jackson County. The Engineer reported that this is a safety improvement project involving installation of traffic signals at the Holly Street intersection and revision of signals at three other intersections. The State is to furnish equipment valued at one-half the total cost of the project. The City is to furnish all other necessary equipment and labor, maintain the signals and pay for electrical energy used. The Engineer estimated the State's share of

the project at \$4,500 to be taken from Minor Betterment Funds and recommended that it be approved and the Secretary authorized to sign the agreement. The Commission accepted his recommendation.

An agreement with the City of The Dalles for installation of luminaire units at the Brewery Grade Interchange on the Columbia River Highway in Wasco County was presented by the Engineer. The State is to pay for the installation and provide future maintenance. The City is to pay for all electrical energy used by the luminaires at the interchange, and in addition install, maintain, and provide power for certain units providing for lineal illumination from the interchange to the existing lights within the city. The Engineer estimated the cost to the State at \$28,000 and recommended that it be approved as an interstate project. The Commission accepted the recommendation and authorized the Secretary to sign the agreement for them.

Consideration was given to an agreement with the Rainbow Water District and the Springfield Utility Board granting the State permission to construct a highway facility over a 24-inch water main on the Highbanks Road-57th Street Section of the Eugene-Springfield Highway in Lane County. Under the agreement the State is to protect the water main during construction; repair damage to the main caused by settling of the fill for a period of five years; relocate an access road; and if the water main is damaged in the future, the utilities are to be allowed to relocate north of the fill within the existing highway right of way. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered a supplemental agreement with the Malheur County Court pertaining to use of State right-of-way by the County near the Idaho Avenue Interchange of the Old Oregon Trail near Ontario. An extension of S. E. First Avenue requires relocation of shrubbery, fence and installation of guardrail. All costs of the project are to be borne by the County. When the project is completed by the County, a portion of right-of-way is to be relinquished to the County for maintenance purposes. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a supplemental throughway agreement in letter form with the City of Oregon City pertaining to the Oregon City Unit of the East Portland Freeway (I-205) in Clackamas County. The Engineer explained that the agreement was prepared to comply with the latest design of frontage roads to be constructed in the vicinity of the Oregon City sanitary treatment plant. The agreement also provides that the State construct portions of various streets or roads. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A throughway agreement with the City of Portland concerning the Portland Unit of the East Portland Freeway (I-205) in Multnomah County was discussed. The Engineer commented that the agreement contains the usual provisions for construction of the throughway, road closures,

connections, and reconstruction of portions of City streets. He mentioned that this is one of several agreements of similar nature and is a milestone in this highway tending to clear the way for acquisition of right-of-way and preparation of plans. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission gave attention to an agreement with Mt. Hood Meadows, Inc., providing that the State remove snow from the Meadows' parking area and access road for the period between October 31, 1967, and July 1, 1968. The Engineer commented that the resort is under construction and approval of the agreement is contingent upon completion of the ski area chair lifts and other facilities. The State is to provide snow removal so long as the grantor allows the general public free and unrestricted use of the parking area and access road and certain other provisions. He estimated the annual cost of snow removal for the parking lot and access road to the Mt. Hood Highway at \$65,000. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered extensions of agreements providing for snow removal from parking areas and access roads in several resort areas. The Engineer pointed out that each of the proposed extensions provides that the State will perform necessary snow removal so long as the grantor allows the public free and unrestricted use of the area from which the snow has been removed, provides liability insurance, and grants the State a sublease for said areas. Based on his favorable recommendation, the Commission approved extension of the agreements to July 1, 1968, and authorized expenditures as follows: R.L.K. and Co., (Timberline) \$3,000; Multorpor, Inc., \$4,000; Snow Bunny Lodge, \$2,000; Willamette Ski Area, Inc., \$2,000; Mt. Ashland Corporation \$40,000; Douglas County Board of Commissioners, (Taft Mt.), \$3,000; Hoodoo Ski Bowl Developers, Inc., \$10,000; Mt. Bachelor Inc., \$70,000; and Tomahawk Ski Bowl, Inc., \$1,000. The Commission also authorized the Secretary to sign the agreements in their behalf.

An agreement with the City of Pendleton for the installation of luminaire units at the West Pendleton, Emigrant Avenue and South Pendleton Interchanges on the Pendleton Section of the Old Oregon Trail (I-80N) in Umatilla County was presented by the Engineer. Under the agreement, he said, the State is to make the installation and provide future maintenance. The City is to pay for all power needs. He estimated the cost at \$126,000 as an interstate project and recommended that it be approved. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Honorable D. R. "Sam" Cook, Umatilla County Judge, and Mr. O. J. Brogoitti came before the Commission regarding an additional interchange on the Old Oregon Trail (I-80N) west of the Pendleton Airport Interchange. Judge Cook exhibited a map and pointed out that there are more than 700 vehicles per day from the Rieth Area which would use this interchange and would not affect the trumpet interchange or the flow of traffic to Pendleton. He commented on the desirability of this type of interchange in order to serve City and private property suitable for industrial development. He also mentioned that, in his opinion, other interchanges in the vicinity do not serve as many people as would the proposed interchange. He asked the Commission to give serious consideration to its construction. Chairman Jackson stated that there had been much consideration given to this subject and an attempt had been made to get Bureau of Public Roads' approval which was not successful. Cost of the interchange, he said, would be approximately \$900,000 and the State alone could not spend that much money. The Commission, he added, has looked at the location several times and although its need for future traffic is recognized, the Commission can not at this time offer any encouragement as to its early construction.

A delegation from Arlington, Condon, and Fossil came before the Commission concerning improvements to the John Day Highway north of Thirtymile Creek. Mr. Ernie Fatland of Condon introduced the various members of the delegation as follows: Mr. Les Grant; Mr. Ted Hoover; Mr. Fester Odon; Mr. Lester Brooks; Mr. Earl Hoag; Mr. Ollie Rende, all from Arlington; Mr. Clarence Asher; Mr. H. O. Wright; Mr. Jack Steiwer, all from Fossil; Mr. James O. Burns and Mr. Ernest Barnett from Condon. Mr. Hoover commented that during the wheat harvest approximately 160 trucks per day haul wheat to the Arlington storage elevators. The northern portion of Highway 19 is the gateway to the John Day country for the shipping of supplies and products as well as being utilized by tourists. Arlington, he continued, is developing rapidly as a port facility and the storing of water behind the John Day Dam will increase the agricultural potential of the area by providing water for irrigation. Senator Musa, who had arrived later, pointed out that Highway 19 has the same problems as were confronted by Highway 197 before the Legislature authorized bonds for improvement of that highway. He mentioned the poor alignment and dangerous condition of the highway for heavy traffic and asked the Commission not to forget this portion of Oregon in the allocation of highway projects. Mr. Barnett observed that the highway was constructed when the speed limit was 25 or 30 miles per hour and it is unsafe for use with the present large vehicles. Improvement of the highway, he said, is necessary for development of the counties through which it passes. Judge Burns of Gilliam County asked for improvement between Arlington and Fossil to provide safer transportation for hunters, tourists and for commercial use. Judge Asher of Wheeler County pointed out that improvement of the highway might enable them to get bus service into the interior of the State. Mr. Fatland presented a brochure outlining recreational opportunities including the fossil beds and other attractions. Chairman Jackson stated that the Commission is sold on the need for improvement but funds are not available. The Commission, he added, will keep the delegation's request in mind.

A delegation from the Clatsop County Intergovernmental Committee appeared before the Commission requesting:

- (1) Improvement to the Columbia River Highway.
- (2) Assistance in construction and maintenance of beach access roads.
- (3) Improvement of the south entrance of the Oregon Coast Highway into Seaside.
- (4) Construction of a cloverleaf at the intersection of Route 101 and Route 26 at Cannon Beach Junction.
- (5) Left turn lanes north of Gearhart, at Sunset Beach Road access (Astoria Country Club), at Columbia Beach Road access and at Fort Stevens Park access, at Hamburg Street, and at Svenson access from Highway 30.
- (6) Early construction of a four-lane highway from Young's Bay causeway to Cannon Beach Junction, and
- (7) Realignment and widening of the Highway 30-Claremont Road route into Astoria and a Highway 30 by-pass of Astoria.

The following people were present: Mr. Hiram C. Johnson, Chairman of Clatsop County Commissioners; Mr. Verne Stratton, Clatsop County Commissioner; Mr. John Dooley, Roadmaster; Mr. Hal Olsvick, County Engineer; Mr. Ted Hodges, Manager, Port of Astoria; Mr. Lyle Ordway, Clatsop County Commissioner; Mr. Arnold Swanson, City Councilman; and Don Church, Executive Administrator to the Commission; all from Astoria. Mr. Johnson introduced the members of the delegation and presented to the Commission a brochure containing a list of projects requested. Chairman Jackson stated that the Commission does not have funds to undertake these projects and it would be necessary that they be considered as funds are available.

A delegation representing the Bend Chamber of Commerce appeared before the Commission concerning highway improvements in the Bend area. The following people were present: Kelsey Kite, Charles Austin, Paul Reynolds, Charles Reckabugh, John Stencamp, Jerry Wiley, Dorothy Smead, Clyde Carlson, George Warington, Hal Puddy, and D. L. Penhollow. Mr. Kite introduced the members of the delegation and presented some pictures showing inadequate highway conditions near Bend. He thanked the Commission for keeping the highway clear to the Bachelor Ski Area during the last winter. The delegation, he said, has agreed to concentrate on one project, that being completion of the Horse Ridge Section of the Central Oregon Highway. He pointed out that although the section is posted for a 70 mile-per-hour speed limit there is insufficient clearance to pass on 9.6 miles out of the total of 16.4 miles. It has been three years since completion

of a portion of the Horse Ridge Project and no major highway construction has been scheduled since. He urged the Commission to improve the section at an early date. He also mentioned that the absence of long-range planning for highway development in the Bend area is of great concern to local people. The section of US97 between Bend and Redmond needs improvement and it may be relocated on a different alignment when it is reconstructed. Lack of knowledge of the highway relocation, he said, is a handicap to Bend's new industrial park and he urged the Commission to coordinate its planning efforts with the City and the County. The Chairman stated that something would be worked out to relieve this planning matter.

A delegation from Pacific City came before the Commission concerning the proposed relocation of the Oregon Coast Highway in the Pacific City area. Mr. James Mehelis acted as spokesman for the group and introduced the following people: Liz Millar, Rosemary Morrow, Ethel Janssen, Ethel Giligan, Freda Hollis, Hanna Wood, Claudia Starr, Jan Byerlee, Ann Mehelis, and Elva Henderson. He commented on statements and newspaper articles which had recently indicated that the proposed Sand Spit Route would encroach on the wet sand area and he pointed out the fallacy of this statement. Concerning the children getting petitions signed in the Portland area, he pointed out if the highway is moved inland and the property between the highway and the beach is in private ownership, the children and others will lose their access to the beach. It was his opinion that the proposed highway located near the shore would not harm the Winema Church camp and he pointed out again that newspaper comments referring to the highway on the beach are not true. Access to the Sand Spit, if the highway is not nearby, will be available only to jeeps, dune buggies, boats, or a few hardy hikers.

In reply to a question from one of the ladies as to when the hearing will be held, Chairman Jackson replied that the formal hearing will be held November 29 in Tillamook preceded by two days of informal hearings. The lady then inquired if the Commission wished to have additional petitions submitted. The Chairman replied that the Commission is not soliciting petitions and that their position is a good deal like that of a judge in court in which the Commission will try to make a decision based on facts and in the best interests of the people of the State of Oregon.

A delegation from Malheur, Baker, Wallowa, and Union Counties came before the Commission to request placing of alternate Route 95 on the state highway system from Jordan Valley north along Succor Creek, through Ontario, Richland, Enterprise, and to the Washington State Line. The following people were present: Hugh McCurdy, Lloyd Rea, Stan Farris, Ellis White, Earle Misener, Roland Schaad, Lloyd Russell, Senator Anthony Yturri, and Senator Raphael Raymond. Mr. McCurdy urged designation of the route for the economic benefit of the territory that it covers.

Mr. Farris, Judge of Wallowa County, commented on value of the route in tourist promotion and that it is also needed for an easy flow of animal and agricultural products north and south. He also pointed out that such a route would open up the Wallowa area which contains many tourist attractions.

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Mr. Schaad, Union County Commissioner, emphasized the need of the new route for economic development and as a tourist attraction.

Mr. Lloyd Rea, Baker County Judge, stated that the Courts of Baker, Wallowa, Malheur, and Union Counties are all in favor of the project as being necessary for the economic welfare of their area. Improvement of the route, however, is too big a job for Baker County to undertake by itself. He also mentioned that portions of the route are U. S. Forest roads which are being developed to state secondary standards. Even at this time, many tourists are traveling south from Wallowa Lake over the Forest Service Roads. It was his opinion that construction of the route along Succor Creek would tend to keep tourist traffic in Oregon rather than having it diverted into Idaho. He asked that the Commission give the route early and serious consideration.

Mr. Russell commented on the historical events connected with the Succor Creek Route and urged that it be developed as a part of the three county route as an attraction to tourists. The proposed state park along Succor Creek, he said, will also need a more adequate route to get to it.

Mr. White, Malheur County Judge, observed that 29 miles of the proposed alternate is coincident with I-80N and much of the route lies on Federal lands so that right-of-way acquisition cost would be low. He emphasized that utilization of the Succor Creek Route would help keep tourists in Oregon. He also mentioned that residents of Malheur County, who use the existing US95 Route, travel an additional 40 miles plus because of having to go into Idaho. He asked for an early survey of the portions of the route which are not yet paved.

Chairman Jackson pointed out that addition of another route to the highway system would not increase the amount of money received from the Federal Government. Accumulated needs on Forest Service Roads at this time, he said, total over 200 million. As far as highway construction is concerned on Bureau of Land Management's lands, the State, he said, receives very little money and there is not much hope for additional funds. The route as proposed is estimated to cost 12 to 14 million dollars. The Commission recognizes that the route would be valuable for the economic welfare of the country, but it would be exceedingly difficult to allocate funds for a new highway when existing highways are in need of improvement.

Senator Yturri and Senator Raymond stated that their appearance was in support of the delegation.

The Chairman stated that the Commission had traveled over most of the route about two years ago and they realized its importance and the project would not be forgotten.

A delegation from Estacada came before the Commission to urge improvements to the Clackamas Highway between Estacada and Carver. The following people were present: David Horner, James Brown, Dan Day, Ormal Trick, Dwayne Day, and Gene Crawford. Mr. Brown exhibited a map showing the section in which they are concerned.

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Mr. Horner recalled that improvement to this section had been first requested about seven years ago. Recently, he said, a lady had been killed in her yard when a load of logs upset and there had been other accidents because of the narrow, crooked nature of the highway. The Bureau of Public Roads has made good progress on their portion of the route and he inquired if a study had been made on the section between Estacada and Carver.

The Chairman stated that a study had been made and he asked the Engineer as to what had been done. The Engineer commented that some work to alleviate curves in the Eagle Creek and Currinsville area had been done, but it was his opinion that it would be necessary to reconstruct the road for approximately four miles. It is planned to make a survey in the not-too-distant future. He estimated cost of construction at nearly two and one half million dollars, but stated that he did not know where the money was coming from.

Mr. Horner inquired as to plans between Barton and Carver. The Engineer replied that no study is underway. The average daily traffic count, he said, is near 3,500.

Mr. Horner observed that there is a great amount of truck traffic on this road because no railroad serves the area. Mr. Brown recalled that, in his memory, improvement had been programmed several years ago but no major work has been done.

The Chairman stated that the Commission is aware of the need for improvement; however, finding funds to do the work is extremely difficult.

Commissioner Hill approved the following surveys which had been approved by the Chairman and Commissioner Simpson earlier in the meeting:

- (1) Oak Grove Road-Elm Street (Medford) Section of the Medford-Provolt Highway in Jackson County. (See "Survey Resolution No. 342.")
- (2) Killin Bridge Section of the Woodburn-Estacada Highway in Marion County. (See "Survey Resolution No. 342.")
- (3) Ross Island Bridge-Reedway Section of the Pacific Highway East in Multnomah County. (See "Survey Resolution No. 324.") This is confirmation of Commission action taken October 6, 1966.

The Engineer presented a 1969 Fiscal Year State Construction Program to be performed with State funds to be placed under contract after July 1, 1968. Concerning the 1967 fiscal year program, he recommended that the two following projects be eliminated and the funds transferred to the 1969 fiscal year program:

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Hyde Creek-Marys River Section, Alsea Highway, Benton County. Grading, paving Overlay. \$250,000

N.C.L. Lincoln City-25th Street Section, Oregon Coast Highway, Lincoln County. Grading, paving, four-lane \$350,000

The funds from these two projects, he said, are being used in the Alsea Mountain-Hyde Creek Section to remove most of the tortuous alignment of the Alsea Summit. Following his favorable recommendation, the Commission approved the following State Construction Program:

1969 STATE CONSTRUCTION

7-1-68 to 6-30-69

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>Type of Work</u>	<u>Amount</u>
<u>DIVISION I</u>				
Pacific East	N.E. Hancock-N.E. Wasco (N.E. Grand)	0.19	Chann., Sigs.	35,000
Mt. Hood	Zigzag-Woodlot Road	6.33	G.P.Shldrs.P.Mix Seal 40'	600,000
Beaverton-Hillsdale	Beaverton-Jamieson Rd.	1.16	G. P.	300,000
Beaverton-Hillsdale	On Brdwy., T.V. Hwy.-Cedar St. (Beaverton)	0.2	Remove Scale, Chann.	50,000
Sunset	M.P. 39.2 Slide	-	Slide Correction	160,000
Sandy Blvd.	E.C.L. Portland-N.E. Portland Hwy.	0.99	Chann., Lights, Remove Pkg.	150,000
N.E. Portland	On Lombard, Villard-Buggage St.	0.2	Make 4-Lane, Remove Pkg.	50,000
Farmington	Erickson Ave.-Broadway (Beaverton)	0.32	Curbs, Widen, Remove Pkg.	40,000
Various	Selected Sections	-	Shldr. Pave or Overlay	250,000
				<u>\$1,635,000</u>

October 31, 1967

1969 State Construction (Continued)

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>Type of Work</u>	<u>Amount</u>
<u>DIVISION II</u>				
Oregon Coast	Agnes-N.E. Olive St. (Newport)	0.2	Signals; Chann.	25,000
Oregon Coast	Tillamook-Simons Cr.	5.3	G.P. Shoulders	100,000
Oregon Coast	N.C.L. Lincoln City- 25th St.	0.8	G.P. 4-Lane	450,000
Alsea	Alsea Mtn.-Hyde Creek	1.6	G.P. Str (1)	1,000,000
Albany-Jct. City	Santiam Jct.-S.P. O'xing (Albany co-op)	0.79	Curb, Widen, Pave	35,000
Woodburn- Estacada	Pudding River (Killin) Bridge	-	G.P. Str.	550,000
Various	Selected Sections	-	Shldr. Pave or Overlay	290,000
				<hr/> \$2,450,000

DIVISION III

Oregon Coast	Bandon-Crooked Creek	2.5	G.P. Shldrs., Overlay	250,000
Oregon Coast	Gardiner Slide	-	Slide Correction	150,000
Oregon Coast	Hunter Creek-Cape Sebastian	2.4	4" Heavy O'lay., ADJ G.R.	200,000
Coos Bay- Roseburg	Muns Creek-Winston	11.58	G.P. Shldr. Overlay	450,000
Umpqua	Elkton-Westerly	5.0	G.P. Shldr. Overlay	300,000
Medford- Provolt	Poorman Creek Bridge	0.08	Reconstr. Bridge	150,000
Various	Selected Sections	-	Shldr. Pave or Overlay	150,000
				<hr/> \$1,650,000

October 31, 1967

1969 State Construction (Continued)

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>Type of Work</u>	<u>Amount</u>
<u>DIVISION IV</u>				
The Dalles- California	Willamette Jct.- Chemult	6.07	G.P. Overlay	470,000
The Dalles- California	Lenz Road-Sand Creek	6.04	G.P. Overlay	450,000
Central Oregon	Lake Co. Line- Gap Ranch	7.19	G.P. Overlay	350,000
K. Falls- Lakeview	Pine St.-Broad St. (5th & 6th K. Falls)	0.5	G. P.	97,000
Service Creek- Mitchell	Rickmond Jct.-Girds Cr. (N. Unit)	3.12	G. Oil	150,000
Various	Selected Sections	-	Shldr. Pave or Overlay	200,000
				<hr/> \$1,717,000

DIVISION V

John Day	Mt. Vernon (Co-op)	-	G.P. Street Section	30,000
Wallowa Lake	Conley-Imbler	6.2	Widen, Overlay 32'	375,000
Weston-Elgin	Weston Mtn.-Basket Mtn. Road	3.0	Widen, Overlay 32'	300,000
Steens	Camp Creek-Venator	5.48	Widen, Overlay 32'	330,000
I.O.N.	Blue Mtn.-Jackson Creek	5.0	Widen, Overlay 32'	300,000
Various	Selected Sections	-	Shldr. Pave or Overlay	350,000
				<hr/> \$1,685,000

The Engineer also presented a highway construction program on the Federal-aid ABC System contemplating use of Federal-aid Funds expected to be authorized for the fiscal years 1970 and 1971. It is anticipated that these funds will be available for obligation on July 1, 1968, and on July 1, 1969. The projects shown, he said, have been selected on the basis of highway priority needs only. As far as he knew, the projects are not controversial and most have been requested by civic groups over the past several years. He recommended approval of the program so .

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that surveys, planning, hearings, and other matters could be undertaken in proper time. The Commission approved the following Federal-aid ABC Program:

PROGRAM XI
FEDERAL-AID ABC PROGRAM
CONTRACTING PERIOD
JULY 1, 1968 - JUNE 30, 1970

Highway	Section	Length	Type Work	Total
<u>URBAN</u>				
Pacific East	Ross Island Br.-Reedway St.	1.9	G,P	3,350,000
Lower Columbia	Thurman-Upshur Cplt. (22nd-25th)	-	G,P	150,000
Oregon-Washington	Pendleton Spur (10th St.-So. Pdltn. Int.)	1.0	G,P,Str	2,000,000
Clackamas	Harmony Rd.-Lake Rd. Intchge.	1.6	G,P,Str	1,400,000
TOTAL				\$6,900,000

<u>PRIMARY</u>				
Pacific East	Chemawa Road-Hayesville	1.5	G,P	900,000
Lower Columbia	Fern Hill-Burnside	2.5	G,P,Str	2,000,000
Lower Columbia	Columbia Co. Line-Burlington	5.1	G,P,Str	2,500,000
Mount Hood	(Select Sec.) Mt. Hood P.O.-Fikes Corner	-	G,P,Str	1,000,000
Willamina-Salem	Rickreall-Independence Junction	3.8	G,P,Str	4,000,000
Corvallis-Newport	Blodgett-Wren (Gellatly Canyon)	6.4	G,P,Str	2,200,000
Coos Bay-Roseburg	Winston-Shady Interchange	1.95	G,P,Str	3,250,000
Sunset	Saddle Mtn. Jct.-Lt. No. Fk. Nehalem River	1.8	G,P	1,500,000
Sunset	Wilson River Jct.-North Plains	3.1	G,P	1,000,000
TOTAL				\$18,350,000

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Federal-Aid ABC Program (Continued)

Highway	Section	Length	Type Work	Total
<u>SECONDARY</u>				
Cascade	Division St.-Hilda St. (Oregon City)	0.7	G,P	250,000
Kings Valley	Dallas Section (Co-op Couplet)	0.5	G,P	300,000
Powers	(Select Sec.) Rhoda Cr.-Southerly	-	G,P,Str	1,100,000
Lake of the Woods	Crater Lake Hwy.-Brownsboro	8.1	G,P,Str	2,000,000
LaGrande-No. Powder	Hot Lake Overcrossing	0.7	G,P,Str	550,000
Beaverton-Tigard	Sunset Hwy.-T.V. Hwy.	1.91	G,P,Str	3,700,000
TOTAL				\$7,900,000

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

"Bargain and Sale Deed" conveying to Earl and Mildred L. Courtney a parcel of land on the Oro Dell-Union Junction Section of the Old Oregon Trail in Union County.

"Bargain and Sale Deed" conveying to Claud George Stout a parcel of land on the Yachats Quarry on the Oregon Coast Highway in Lincoln County.

"Bargain and Sale Deed" conveying to John and Goldie Pedro a parcel of land on the Echo Section of the Lexington-Echo Highway in Umatilla County.

"Bargain and Sale Deed" conveying to James A. and Judith C. Baker a parcel of land on the Blue River Section of the McKenzie Highway in Lane County.

"Bargain and Sale Deed" conveying to Sims Hamilton a parcel of land on the Stanfield-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Bargain and Sale Deed" conveying to the Young Men's Christian Association of Klamath County a parcel of land on the Pelican City-South 6th Street Section of the Klamath Falls-Malin Highway in Klamath County.

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"Bargain and Sale Deed" conveying to Leland A. and Dona L. Mayhew a parcel of land on the Oak Springs Road-Wapinitia Junction Section and the Maupin-Tygh Valley Section of The Dalles-California Highway in Wasco County.

"Grant of Access" to Hood River County covering land on the Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Sandmeyer, Brown, Roby, Robertson and Sandmeyer property on the K.I.D. Canal-Madison Street Section of the Klamath Falls-Lakeview Highway in Klamath County.

"Modification of Access Restrictions" to Menasha Wooden Ware Corporation property on the Davis Slough Section of the Oregon Coast Highway in Coos County.

"Release of Use Restrictions" to Donald G. and Janet J. Williams and James S. and Luella P. Hedges covering land on the Sandy-Forest Boundary Section of the Mt. Hood Highway in Clackamas County.

"Grant of Access" to Multnomah County covering land on the Union Avenue-Swift Road Junction Section of the Pacific Highway West and the North Portland Harbor-Russell Street Section of the Pacific Highway in Multnomah County.

"Grant of Access" to Joe and Nina M. Harms covering land on the Grande Ronde River Section of the Wallowa Lake Highway in Union County.

"Lease" with Johnson Plumbing Company for use of land on the Astoria Bridge Approach Section of the Oregon Coast Highway in Clatsop County.

"Throughway abandonment agreement" with Washington County covering the Forest Grove (Bypass) Section of the Tualatin Valley Highway in Washington County.

"Supplemental agreement" with Parsons, Brinckerhoff, Quade and Douglas, Inc., for the design and preparation of plans for the main river crossing of the Fremont Bridge on I-405 in Portland.

"Throughway agreement" with Union County covering the LaGrande-Ladd Canyon Section of the Old Oregon Trail in Union County.

"Trust agreement" with Bonneville Power Administration covering relocation of its facilities conflicting with our construction on the Mission Junction-Emigrant Hill Section of the Old Oregon Trail in Umatilla County.

"Supplemental agreement" in letter form with Adams County, Idaho covering future maintenance on the Interstate Bridge at Copperfield on the Baker-Homestead Highway in Baker County.

"Supplemental agreement" with the United States of America (Corps of Engineers) covering the relocation of the South Santiam Highway (Foster Dam Project Modification) in Linn County.

"Core drilling agreement" with Union Pacific Railroad Company allowing the State to enter on Railroad property to make subsurface explorations for the East Fremont Interchange Section of the Stadium Freeway in Portland.

"Construction agreement" with Great Northern Railway Company providing for improvement of existing grade crossing on the LaPine-Shevlin Camp Road Section of the Fremont Highway in Klamath County.

"Agreement" with the City of Medford covering the installation of traffic signals on the Sixth Street-Fir Street Section of Main Street (Medford-Provolt Highway) in Jackson County.

"Agreement" with the City of The Dalles for the installation of luminaire units at the Brewery Grade Interchange on the Columbia River Highway in Wasco County.

"Agreement" with Rainbow Water District and Springfield Utility Board granting the State permission to construct over their 24-inch water main the Highbanks Road-57th Street Section of the Eugene-Springfield Highway in Lane County.

"Supplemental agreement" with Malheur County pertaining to use of State right of way by the County in the vicinity of the Idaho Avenue Interchange near Ontario on the Old Oregon Trail in Malheur County.

"Supplemental throughway agreement" in letter form with the City of Oregon City pertaining to the Oregon City Unit of the Pacific Highway (I-5)-Washington State Line Section of the East Portland Freeway in Clackamas County.

"Throughway agreement" with the City of Portland pertaining to the Portland Unit of the Pacific Highway (I-5)-Washington State Line Section of the East Portland Freeway in Multnomah County.

"Agreement" with Mt. Hood Meadows, Inc., covering snow removal of its parking area and access road for the period between October 31, 1967, and July 1, 1968.

"Extension of agreement" with R.L.K. and Company for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Multorpor, Inc., for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Snow Bunny Lodge for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Willamette Ski Area, Inc., for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Mt. Ashland Corporation for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Douglas County (Taft Mountain Ski Area) for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Hoodoo Ski Bowl Developers, Inc., for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Mt. Bachelor, Inc., for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Extension of agreement" with Tomahawk Ski Bowl, Inc., for snow removal from parking areas and access roads, extending the expiration date to July 1, 1968.

"Agreement" with the City of Pendleton covering the installation of luminaire units at the West Pendleton, Emigrant Avenue and South Pendleton Interchanges on the Pendleton Section of I-80N in Umatilla County.

"Petition" to Malheur County Court for State property to be withdrawn from Rural Road Assessment District No. 3 in Malheur County.

There being no further business to consider, the meeting was adjourned by the Chairman at 12:02 p.m.

Lloyd P. Shaw
State Highway Engineer

Glenn L. Jackson
Chairman
David B. Simpson
Commissioner

Floyd Query
Secretary

David B. Simpson
Commissioner

October 31, 1967

State Highway Building
Salem, Oregon
November 15, 1967

At 3:40 p.m. a special Highway Commission meeting was held by conference telephone. On the telephones at this time were:

Glenn L. Jackson, Chairman in Portland
David B. Simpson, Commissioner in Portland
Lloyd P. Shaw, Assistant State Highway Engineer in Salem
Frank C. McKinney, Assistant Counsel in Salem
Floyd Query, Secretary in Salem

Mr. Shaw stated that the purpose of the telephone meeting is to consider approval of an agreement with Quominus, Oreg. Ltd., concerning its rights to the dry sand area on the Oregon Coast in Section 27, Township 7 South, Range 11 West, W.M. in Lincoln County. Mr. Shaw explained that the agreement is in connection with the permit requested by Peter M. Gunnar, President of Carefree Resorts, Inc., for construction of a condominium unit at Lincoln City.

Mr. McKinney pointed out that the agreement provides that Quominus Ltd., which has insured legal title to the dry sand area as mentioned above, agrees to dedicate to the public by deed that portion of its property lying between the sea wall of any structure that it is permitted to erect, and the line of ordinary high tide of the Pacific Ocean, except for a special reservation on a strip of land 30 feet in width along the easterly side for use of the Taft-Nelscott-Delake Rural Fire Protection District. He also mentioned that the dedication of this property to public use will not in any way obligate the State or the Commission to remove logs or debris from the dedicated area. The proposed agreement provides that no claim may be made against the State for any damage to Quominus Ltd. property by logs or other debris, or from any damage from fire in the logs or debris. The agreement also provides that Quominus Ltd. shall execute a deed of dedication for the dry sand area as soon as the contemplated structure is completed and an accurate survey of the area has been obtained.

The Chairman inquired if the contents of the agreement would stand up legally. Mr. McKinney replied that there appears to be nothing in the agreement contrary to law. Chairman Jackson and Commissioner Simpson gave their approval to the agreement and authorized the Secretary to sign it for them.

The meeting was adjourned at 3:48 p.m.

Lloyd P. Shaw
Assistant State Highway Engineer

Glenn L. Jackson
Chairman
David B. Simpson
Commissioner

Floyd Query
Secretary

Commissioner

November 15, 1967

Salem, Oregon
December 12, 1967

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 (New Conference Room) of the State Highway Building, Salem. Present were:

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
Lloyd P. Shaw, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Commissioner Simpson was excused because of illness. State Highway Engineer Forrest Cooper was excused as he was attending an AASHO meeting in Chicago. Assistant State Highway Engineer F. B. Klaboe was excused for highway business in another area.

Among others present were C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; C. H. Maison, Controller; Frank C. McKinney, Assistant Counsel; L. H. Young, Office Engineer; E. S. Hunter, Maintenance Engineer; L. V. Koons, Assistant Parks Superintendent; John Oakes, Assistant Right of Way Engineer; Donald Harwell, Assistant County and City Engineer; and John Earley, Information Officer.

The Commission approved the minutes of the regular meeting held October 31, 1967, and the special conference telephone meeting held November 15, 1967.

The Right of Way Engineer presented a list of options, Pages 1 through 44, secured for acquisition of real property needed for state highway use or for other purposes. He mentioned that the amounts offered are based upon competent appraisals and are in 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 careful consideration, the Commission approved closing the options, including those sent to them for approval since the last Commission meeting, as well as those options presented for the first time at this meeting. The Commission thereupon adopted "Right of Way Resolution No. 46," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report for the period October 17 to December 4, 1967, was presented by the Right of Way Engineer. He mentioned that miscellaneous sales during this period amounted to \$74,735; land sales \$91,775; and timber sales \$1,641.30. Rental receipts for October were \$24,084.99 and for November \$21,900.37. The Commission accepted the report.

Confirmation was requested for telephone approval given by the Chairman on November 9, 1967, for approval of a direct sale of 4.6 acres on the Pilot Butte Park Section of the Central Oregon Highway in Deschutes County to the City of Bend for the sum of \$500. The Right of Way Engineer pointed out that the City wishes to use the property for a reservoir site. The value was determined by staff appraisal and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required. The Commission confirmed the sale.

Indentures of Access were presented by the Right of Way Engineer for changes in location of existing points of access. These changes, he said, are proposed for the benefit of the property owner and for the safety of the traveling public. The Commission approved the following Indentures:

- (1) Parsons property, File 37365, on the west side of the Wallowa Lake Highway approximately one mile south of Eigin in Union County, for a change in location of two unrestricted points of access 35 feet in width. This action is taken to make the record agree with the actual location of the approaches as constructed. Bureau of Public Roads' approval is not required.
- (2) Dietrick property, File 40460, for a change in location of one unrestricted point of access 35 feet in width on the west side of the Pacific Highway West, approximately 3.25 miles north of Rickreall in Polk County. The Right of Way Engineer explained that in construction of the Holmes Gap-Baskett Slough Project the access was originally located at Station 553+65 in a cut. This point was not a safe access point and was moved to Station 550+00. Approval by the Bureau of Public Roads was given October 12, 1967.
- (3) Cole property, File 13910, for a change in location and widening to 35 feet of one point of access unrestricted as to use on the west side of the Pacific Highway East approximately one-half mile north of Salem. Portions of the Civil Rights Act of 1964 are to be included. Approval of the Bureau of Public Roads was given September 14, 1967.
- (4) Ellis and Olson property, File 13911, for a change in location of one unrestricted point of access and widening to 35 feet on the west side of the Pacific Highway East approximately one-half mile north of Salem. Portions of the Civil Rights Act of 1964 are to be included in the Indenture. Approval by the Bureau of Public Roads was given September 14, 1967.

Contracts for the demolition of buildings on the East Portland Freeway in the City of Portland were recommended by the Right of Way Engineer as follows:

- (1) S. E. Holgate Boulevard-S. E. Duke and S. E. Duke-Clackamas River Section in Multnomah and Clackamas Counties. The low bid was submitted by Northwest Housemovers, Inc., d.b.a. Signal Sales Co., in the amount of \$3,520. Three higher bids were received.
- (2) S. E. Holgate Boulevard-S. E. Duke and N. E. Glisan-S. E. Grant Section in Multnomah County. The low bid was submitted by Colhouer Construction Company at \$3,800. Four higher bids were received.

The Commission awarded the contracts to the low bidders and authorized the Secretary to sign the contracts in their behalf.

Consideration was given to an agreement with Bonneville Power Administration covering a crossing of its transmission line easement on the Grass Valley-Kent Section of the Sherman Highway in Sherman County. The Right of Way Engineer explained that the Commission on January 31, 1967, had approved a Grant of Easement and Access and a Roadway Easement in favor of Bonneville in order that the access reservation for the west side of the highway might be corrected. Following the Right of Way Engineer's favorable recommendation, the Commission approved the agreement.

The Chief Counsel presented a list of properties needed for the uses indicated therein and requested the Commission to declare by resolution the necessity of said properties for the public 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 Resolutions Nos. 2496 through 2498," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A tabulation of cases which have been tried in court was presented by the Chief Counsel. He mentioned that in eight of the cases the properties had been appraised at a total of approximately \$96,000, whereas, the verdicts rendered totaled approximately \$159,000. Many of these cases, he said, were unusual and very difficult cases to present. As a matter of observation, he commented that the Supreme Court generally seems to hold for the State in matters where principles are involved, but their decisions have been somewhat against the State in money matters. He also mentioned a Supreme Court decision in which the Court ruled that property being acquired for marine use should be classed the same as for park use and could therefore be condemned. The Commission accepted the Report of Cases Tried, 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-5454 Earl S. Hays, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	\$20,000.00	\$50,000.00 (Answer)	\$25,000.00
L-5572 Ralph Lee Kendig, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	30,800.00	35,000.00	56,000.00
L-5248 James C. Dezendorf, et al.	Multnomah	Columbia River	Burlington-Sauvies Island Bridge	100.00	None	100.00
L-5402 Lois L. Carpenter, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	35,000.00	75,000.00	60,000.00
L-5406 Ralph Reese, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	2,720.00	10,000.00 (Answer)	5,650.00
L-5421 Ronald R. Rew, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	6,650.00	16,000.00 (Answer)	10,000.00
L-5465 Willard E. Rohde, et al.	Umatilla	Old Oregon Trail	Pendleton	700.00	6,000.00	2,300.00
L-5372 Mary Lou Schroeder, et al.	Umatilla	Old Oregon Trail	Pendleton	50.00	None	50.00
L-5331 Mary E. Knudsen, et al.	Clatsop	Columbia River	Wauna-Westport	NOTE: FOR RECORD ONLY. This case consolidated with State vs. Ray Stupek, et al., L-5344, R-39782, and dismissed by Stipulation of Attorneys. The Stupek case is set for trial on January 4, 1968.		

December 12, 1967

Report of Condemnation Cases Tried (Continued)

<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-5327 Alice C. B. Peck	Washington	Tualatin Valley	Multnomah County Line-Beaverton	\$ 150.00	No answer	None
				(Defendant deceased. Estate being probated in California. Heirs are in New York. Acquisition by negotiation appears to be progressing. Case dismissed. Will be refiled if negotiations are unsuccessful.)		

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-4969 Yvonne Joyce Lingel	Warren Northwest, Inc.	Multnomah	Wrongful death of plaintiff's husband (Remarks: Plaintiff brought this action for wrongful death of her husband. Along with Warren Northwest, State's Contractor, Mr. Lowell Johnston, was named a defendant. His negligence was alleged to have been in supervising signing where a four-lane highway was narrowed to cross a two-lane bridge. The case has been settled and dismissed.)	\$25,000.00	
L-4968 Walter Kruse	Warren Northwest, Inc.	Multnomah	Loss of Consortium (Remarks: This case was a companion case to the one reported immediately above, L-4969. It has also been settled and dismissed.)	100,000.00	
L-5618 Joseph Muzyn	Marvin Anderson	Umatilla	Personal injury (Remarks: This action was brought to recover damages for personal injuries arising out of an accident when plaintiff's car struck a cow on the Old Oregon Trail near Deadmans Pass. By proper Motion the State has been dismissed as a party defendant. State's insurance carrier, represented by Mr. George Corey, will defend this action as to the Commissioners, personally.)	56,500.00	

December 12, 1967

Report of Trial of Other Cases (Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5309 Roy Kilpatrick, et ux.	State of Oregon	Grant	Suit to enjoin trespass	\$100.00 damages and injunction against State and its con- tractor	Dismissed with prejudice
(Remarks: Plaintiff, by this complaint, sought to enjoin the Commission and its contractors from destroying the fences within the widened right of way without notice and opportunity of plaintiff to salvage same.)					
L-5166 State of Oregon	Henry Dangerfield, et ux.	Josephine	Suit for Permanent Injunction	Permanent Injunction	Permanent Injunction granted
(Remarks: This was a suit for a temporary restraining order to restrain Mr. Dangerfield from interfering with highway construction.)					
L-5020 Eva Weitzel al.	Robert W. Booth, et al.	Malheur	Personal injury from weed spray	\$15,663.90	Dismissed with Prejudice
L-5542 Donna R. LaRiviere	State of Oregon	Multnomah	Personal injuries from automobile collision	5,300.00 general 175.00 medical 2,100.00 lost earnings	Motion granted
(Remarks: Motion to Quash service as to the State of Oregon granted. The case will continue as to the cause of action against State employee - with defense furnished by insurance company.)					
L-5451 State of Oregon	Timmy Ray May	Washington	Negligent opera- tion of motor vehicle damaging guardrail	62.14	
(Remarks: Amount sued for paid in full.)					
L-5192 State of Oregon	Walter W. Loftis	Clackamas	Negligent opera- tion of motor vehicle damaging guardrail	245.09 plus costs and attorney fees	245.09 plus costs

Report of Trial of Other Cases (Continued)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5317 State of Oregon	Archie D. Moore	Columbia	Negligent operation of motor vehicle damaging bridge	\$711.60	\$711.60
L-5182 State of Oregon	Gary R. Johnson	Douglas	Negligent operation of motor vehicle damaging guard- rail	125.89	
(Remarks: Amount sued for paid in full. Case dismissed.)					
L-5294 State of Oregon	Glen Perry Lagen	Douglas	Negligent operation of motor vehicle damaging guard- rail	113.97	113.97
L-5459 State of Oregon	William C. London, Jr.	Jackson	Negligent operation of motor vehicle damaging guard- rail	140.20	140.20
L-5444 State of Oregon	Robert Lee McDonald	Josephine	Negligent operation of motor vehicle damaging Applegate River Bridge	255.23	255.23
L-4982 State of Oregon	A. B. Brabham	Lane	Negligent operation of motor vehicle damaging guard- rail	267.30	267.30
L-5175 State of Oregon	Everett M. Curtis	Marion	Negligent operation of motor vehicle damaging guard- rail	180.50	180.50
L-5445 State of Oregon	Benjamin E. Chappell	Marion	Negligent operation of motor vehicle damaging guardrail	146.80	146.80

Report of Trial of Other Cases (Continued)

Case	Defendant	County	Cause of Action	Demand\$ of Plaintiff	Verdict
L-5464 State of Oregon	Alfred Compton	Marion	Negligent operation of motor vehicle damaging guard-rail	\$ 91.19	\$ 91.19

(For additional information, see the Chief Counsel's letters dated December 1 and 7, 1967, concerning cases tried in the Salem Office, General Files.)

A report was also presented by the Chief Counsel concerning condemnation cases which have been settled out of court since the last Commission meeting. These settlements, he said, are based upon competent appraisals and are in order for federal aid. He mentioned that the total of the settlements is approximately 6 percent higher than the total appraised value. The Commission accepted the settlements, which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5396 Ralph W. Thorne, et al.	Umatilla	Old Oregon Trail	Pendleton	\$19,200.00	\$22,000.00 (Remarks: Revised Review Appraisal, \$20,555. Approved November 24, 1967.)
L-5585 R. C. Stratford, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	221,000.00	235,000.00 (Remarks: Includes additional 2-acre tract severed by taking. Appraisals including taking and severed tract were: Mr. Gaines \$228,000 and Mr. Draper \$244,930. Approved November 24, 1967.)
L-5601 William Roy Perrin, et ux.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	20,400.00	21,250.00 (Remarks: Approved November 24, 1967.)
L-5624 Jerry Dean Depuy, et al.	Klamath	The Dalles-California	Klamath Falls-Green Springs Highway Jct.	2,500.00	2,500.00 (Remarks: Approved November 24, 1967.)

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Report of Condemnation Cases Settled (Continued)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5392 Mary D. Stephenson, et al.	Umatilla	Oregon-Washington	South Pendleton Interchange Court Place	\$ 250.00 (partial taking)	\$ 500.00 (entire taking)
(Remarks: Approved November 24, 1967.)					
L-5049 Gaea, Inc., et al.	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Hwy.	900.00	2,100.00 (Remarks: Revised appraisal at \$1700. Approved November 24, 1967.)
L-5134 Wm. H. Johnstone	Clackamas	Pacific	Upper Boones Ferry Road Interchange	3,000.00	4,250.00 (Remarks: \$4,000.00 Revised Review Appraisal.)
L-5508 J. B. McCann, et al.	Clackamas	East Portland Freeway	Columbia River-Pacific Hwy.	104,500.00	112,500.00 (Remarks: Telephonic approval of Mr. Jackson November 27, 1967.)
L-5498 Robert E. Burns, et al.	Marion	Silver Creek Falls	State Street-North Santiam Highway	1,625.00	2,000.00
L-5216 Monte J. Ingber, et ux.	Tillamook	Nehalem Bay	State Park	1,500.00	2,750.00 (Remarks: Review Appraisal \$2,500.00. Original appraisals made long prior to condemnation.)
L-5497 Harold R. Schlichting, et al.	Tillamook	Oregon Coast	Cape Kiwanda-Neskowin	36,000.00	40,000.00 (Remarks: Appraisals for State were as follows: Staff \$36,000 Staff 43,150 Fee 27,900.)
L-5390 Georgia M. Cates, et al.	Umatilla	Old Oregon Trail	Pendleton	450.00	750.00 (Remarks: Owner faced with sewer assessments in excess of State's offer.)
L-5391 H. A. Rose, et al.	Umatilla	Old Oregon Trail	Pendleton	325.00	325.00

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Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5484 Kenneth H. Coppinger, et al.	Umatilla	Old Oregon Trail	Stanfield Junction-Pendleton	\$ 6,175.00	\$ 8,000.00
(Remarks: After Freeway is constructed access between the property on either side of highway will be by county roads and an overpass. Owner's appraisers consider that this round about travel will reduce the value of land.)					
L-5501 Lawrence Mardis	Union	Old Oregon Trail	LaGrande	8,750.00	9,150.00
L-5546 E. A. Rankin, et vir.	Hood River	Hood River	Indian Creek Section	50.00	10.00
(Remarks: Complaint filed for the reason that record owner could not be found. Case settled on option and quitclaim deed of adjacent owner for nominal consideration. Area taken only 45 square feet.)					
L-5617 Ludvig Sajovich, et ux.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	11,000.00	11,250.00
B-18 State Board of Aeronautics vs. Maude E. Liskey	Klamath	Beaver Marsh Airport		200.00	1,500.00
(Remarks: Not a State Highway Department case. Highway Department attorney, as Assistant Attorney General, represented Board of Aeronautics in this proceeding.)					
L-5495 Ruth Smith, et al.	Clackamas	Clackamas	Pacific Hwy. East-Cascade Highway	19,750.00	22,000.00
(Remarks: After filing of complaint the owner submitted an appraisal by an independent appraiser at \$21,350 which has been adopted by Appraisal Review Section.)					
L-5345 Norbert Schaedler, et ux.	Deschutes	The Dalles-California	Bend-Lapine	150.00	150.00

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Report of Condemnation Cases Settled (Continued)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5093 Oliver N. Bell, et al.	Lane	McKenzie	19th Street-City Limits	\$ 50.00	\$ 250.00
L-5519 Ruth Helen Spaniel, et al.	Washington	Sunset	North Plains-Cornelius Pass Road	750.00	750.00
L-5128 Donald L. Jenkins, et al.	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Hwy.	850.00	1,350.00
L-5502 Blasco, Inc.	Washington	Beaverton-Tigard	Sunset Hwy.-Pacific Hwy.	7,550.00	8,695.00
(Remarks: Subsequently owner submitted independent fee appraisal at \$9,850 which was reviewed and adopted by Review Appraiser.)					

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-5383 United States of America	John P. Celoria, et al.	Umatilla	Condemnation for a power line easement		By disposing of land concerned to private party and then filing disclaimer on part of State

(For additional comments, see the Chief Counsel's letters dated November 17, December 7 and 11, 1967, concerning cases settled in the Salem Office, General Files.)

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

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-36196 - Carl M. Zern. 8,660 square feet for right of way purposes. Offer of \$35,250.00 approved by Mr. Jackson November 2, 1967.

R-41059 - Carl W. Holm, et ux. 0.15 acre for right of way purposes. Offer of \$26,925.00 approved by Mr. Jackson November 3, 1967.

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COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY (Cont.)

R-41060 - Harrison P. Kellum, et ux. 0.04 acre for right of way purposes. Offer of \$3,950.00 approved by Mr. Jackson November 3, 1967.

R-41062 - Josephine Griessen. 0.19 acre for right of way purposes. Offer of \$24,200.00 approved by Mr. Jackson November 24, 1967.

R-41363 - Robert Forbes, et ux. Parcel No. 1: 0.11 acre for right of way purposes; Parcel No. 2: 220 square feet for right of way purposes. Offer of \$33,875.00 approved by Mr. Jackson November 30, 1967.

R-41364 - R. C. Shivers, et ux. 0.50 acre for right of way purposes. Offer of \$25,800.00 approved by Mr. Jackson November 6, 1967.

R-41366 - Emanuel Treitel. Parcel No. 1: 0.13 acre for right of way purposes; Parcel No. 2: 1,100 square feet for right of way purposes. Offer of \$3,350.00 approved by Mr. Jackson November 6, 1967.

R-41367 - Citizens Bank of Oregon. Parcel No. 1: 0.48 acre for right of way purposes; Parcel No. 2: 0.02 acre for right of way purposes; Parcel No. 3: 100 square feet for right of way purposes. Offer of \$107,000.00 approved by Mr. Jackson November 2, 1967.

R-41377 - City of West Linn, Oregon. Parcel No. 1: 0.16 acre for right of way purposes; Parcel No. 2: 0.05 acre for right of way purposes; Parcel No. 3: 0.03 acre for right of way purposes; Parcel No. 4: 0.03 acre for right of way purposes; Parcel No. 5: 0.65 acre for right of way purposes; Parcel No. 6: 0.2 acre for right of way purposes; Parcel No. 7: 0.10 acre for right of way purposes; Parcel No. 8: 0.01 acre for scenic area. Offer of \$10,600.00 approved by Mr. Jackson November 6, 1967.

R-41381 - Norris and Tippet. Parcel No. 1: 0.2 acre for right of way purposes; Parcel No. 2: 0.3 acre excess taking. Offer of \$151,000.00 approved by Mr. Jackson November 3, 1967.

R-41412 - Genevieve Hammerle. 10,000 square feet for right of way purposes. Offer of \$21,000.00 approved by Mr. Jackson November 24, 1967.

DESCHUTES RIVER STATE RECREATION AREA

R-35697 - James D. Miller. 5.0 acres for park purposes. Offer of \$500.00 approved by Mr. Hill November 21, 1967.

HIGHLANDS INTERCHANGE-STADIUM FREEWAY SECTION OF THE SUNSET HIGHWAY

R-42106 - Clarence Greene, et ux. 412.5 square feet for temporary easement. Offer of \$1,175.00 approved by Mr. Jackson November 6, 1967.

INDIAN CREEK SECTION OF THE HOOD RIVER HIGHWAY

R-40835 - Diamond Fruit Growers, Inc. 0.55 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson December 1, 1967.

KLAMATH FALLS-GREEN SPRINGS HIGHWAY JUNCTION SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-40709 - George W. McCollum, et ux. 2.3 acres for right of way purposes. Offer of \$3,850.00 approved by Mr. Jackson November 24, 1967.

R-40755 - Mitchell Bros. Terminal Co. Parcel No. 1: 1.6 acres for right of way purposes; Parcel No. 2: 0.03 acre for right of way purposes. Offer of \$4,900.00 approved by Mr. Jackson November 24, 1967.

R-40758 - G. O. Erlandson. 1.45 acres for right of way purposes. Offer of \$1,500.00 approved by Mr. Jackson November 24, 1967.

R-40760 - M. T. Bratton. 0.3 acre for right of way purposes. Offer of \$13,300.00 approved by Mr. Jackson November 27, 1967.

R-41570 - Lillian G. Mann. Parcel No. 1: 0.02 acre for right of way purposes; Parcel No. 2: 2.5 acres for right of way purposes; Parcel No. 3: 0.12 acre for temporary easement. Offer of \$2,500.00 approved by Mr. Jackson November 28, 1967.

LaGRANDE SECTION OF THE OLD OREGON TRAIL

R-40262 - George A. Hughes. Parcel No. 1: 8.80 acres for right of way purposes; Parcel No. 2: 0.36 acre for permanent easement. Offer of \$7,650.00 approved by Mr. Hill November 20, 1967.

R-40327 - Denzil W. Tibbetts, et ux. 0.30 acre for right of way purposes. Offer of \$18,050.00 approved by Mr. Hill November 22, 1967.

R-40380 - Sylvan S. Hewitt, et ux. Parcel No. 1: 1.83 acres for right of way purposes; Parcel No. 2: 0.07 acre for right of way purposes. Offer of \$6,850.00 approved by Mr. Jackson December 1, 1967.

N. E. GLISAN ST.-S. E. DIVISION ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41255 - Verle E. Walters, et ux. 18,600 square feet for right of way purposes. Offer of \$46,200.00 approved by Mr. Jackson November 24, 1967.

OAK SPRINGS ROAD-WAPINITIA JUNCTION SECTION OF THE DALLES-CALIFORNIA HIGHWAY

R-40422 - Leo D. Larsell, et al. 4.8 acres for right of way purposes. Offer of \$1,500.00 approved by Mr. Hill December 4, 1967.

OTTER POINT SCENIC AREA

R-39775 - U. S. Plywood-Champion Papers Inc. 51.0 acres for scenic area. Offer of \$126,700.00 approved by Mr. Jackson November 6, 1967.

SHEPPERD'S DELL STATE PARK

R-41081 - Clyde Edwin Kern. 1.4 acres for park purposes. Offer of \$5,600.00 approved by Mr. Jackson December 4, 1967.

STANFIELD JUNCTION-PENDLETON SECTION AND WEST EXTENSION OF THE PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39141 - Leo Gorger. Parcel No. 1: 14.25 acres for right of way purposes; Parcel No. 2: 2.0 acres for right of way purposes. Offer of \$30,500.00 approved by Mr. Hill December 5, 1967.

STATE STREET-NORTH SANTIAM HIGHWAY SECTION OF THE SILVER CREEK FALLS HIGHWAY

R-39488 - George B. Hager, et ux. Parcel No. 1: 9,850 square feet for right of way purposes; Parcel No. 2: 800 square feet for temporary easement. Offer of \$8,650.00 approved by Mr. Jackson November 30, 1967.

WILDERVILLE-JEROME PRAIRIE SECTION OF THE REDWOOD HIGHWAY

R-41335 - E. F. Beck. Parcel No. 1: 0.21 acre for permanent easement; Parcel No. 2: 2.8 acres for temporary easement. Offer of \$100.00 approved by Mr. Jackson November 14, 1967.

WOODBURN INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-39952 - Winton J. Hunt, et al. 1.34 acres for right of way purposes. Offer of \$6,700.00 approved by Mr. Jackson November 14, 1967.

R-39953 - John N. Hooper. Parcel No. 1: 1.48 acres for right of way purposes; Parcel No. 2: 0.92 acre for right of way purposes. Offer of \$10,800.00 approved by Mr. Jackson November 22, 1967.

A report was presented by the Chief Counsel on orders which have been received from the Public Utility Commissioner regarding highway crossing matters. The Commission accepted the report which is summarized as follows:

PUX 641: Application by the Highway Commission to construct an overcrossing over the tracks and right of way of the Great Northern Railway Company at a location known as "The Dalles-California Overcrossing" in Klamath County. Order No. 44156 was issued November 2, 1967.

The Chief Counsel also presented a written report on legal proceedings which have been instituted against the State since the last Commission meeting, summarized as follows:

- (1) Vernon J. Harris and Doris Harris vs. State Highway Commission. Plaintiffs seek \$2,000 damages and \$1,000 attorney fees because of silt, debris and water on the plaintiffs' land on the John Day-Pendleton Highway in Grant County.
- (2) T. W. Riggle and Neolma Frances Riggle vs. Frank T. Glazer, et al. This is a suit in equity in Marion County to quiet title. The Commission was named as the area involves a portion of the Jefferson Highway running through the city of Jefferson.
- (3) Greyhound Lines, Inc., vs. Herrett Trucking Company, Gem Trading Company, Charles Shipman, David I. Myer, Kenneth Juden, Gene Daimler, and D. J. Sage. Plaintiffs seek \$35,251.06 damages arising out of an accident March 27, 1965, alleging that Highway Department employees were negligent in not sanding the Albany-Junction City Highway in Lane County and warning of ice on the highway.
- (4) The following summary relates to six related actions filed in connection with an accident in a construction area on the Mt. Hood Highway in Clackamas County, which was within the limits of a project under contract to Roy L. Houck Sons' Corporation:
 - (a) Frankie Werth vs. Roy L. Houck, et al. Mrs. Werth seeks to recover \$40,000 general damages for the loss of consortium and services of her husband.
 - (b) William D. Werth vs. Roy L. Houck, et al. Mr. Werth seeks to recover \$200,000 general damages and \$6,000 special damages, for injuries to his body.
 - (c) Eileen E. Jimerfield vs. Roy L. Houck, et al. Mrs. Jimerfield seeks to recover \$50,000 general damages and \$526.70 special damages for injuries to her body, head, face and arms.
 - (d) Frank F. Jimerfield vs. Roy L. Houck, et al. Mr. Jimerfield seeks to recover \$50,000 general damages and \$300 special damages for injuries to his body, head, arms and legs.

- (e) Eileen E. Jimerfield vs. Roy L. Houck, et al. Mrs. Jimerfield seeks to recover \$20,000 general damages for the loss of consortium and services of her husband.
- (f) Frank F. Jimerfield vs. Roy L. Houck, et al. Mr. Jimerfield seeks to recover \$20,000 general damages for loss of consortium and services of his wife.
- (5) Malcolm G. Lewis vs. Donald M. Wyatt, et al. Plaintiff seeks to recover \$48,500 general damages and \$1,398 special damages for injuries arising out of a collision with a State Highway snow plow truck on the Warm Springs Highway in Clackamas County February 13, 1967.
- (6) Kay L. Thomas vs. State Highway Department, et al. Plaintiff seeks \$450,000 general damages and \$3,446.45 special damages for injuries sustained when a large boulder fell from a bluff striking an automobile occupied by the plaintiff and others near M.P. 262.45 on The Dalles-California Highway in Klamath County.
- (7) Joseph Muzyn vs. Marvin Anderson and the State Highway Commission. Plaintiff seeks to recover \$56,500 for injuries sustained when the plaintiff hit a cow on the Old Oregon Trail near Deadmans Pass in Umatilla County.
- (8) Betty Ann Nanson vs. the State Highway Commission, Howard Reed, John Harnsberger, Milo H. Barker, Carl Bewely, W. G. Hill, Glenn Adamson, Jr., and Noah Athell Peterson. Plaintiff seeks to recover \$38,400 for injuries sustained when the vehicle she was driving was struck by a truck driven by a State Highway employee in Washington County.
- (9) Frank A. Vodden and Flossie K. Vodden, husband and wife, vs. Fremont E. Arbuckle. This is a suit in equity in Multnomah County to foreclose a mortgage.
- (10) Raymond International, Inc., vs. State of Oregon through its State Highway Commission. Plaintiffs seek additional payment in the amount of \$940,412.32 on Contract 6467 for construction of the Astoria Bridge piers.
- (11) United States Steel Corporation vs. State of Oregon through its State Highway Commission. Plaintiff seeks to collect \$1,049,304.25 additional compensation on Contract 6268 for erection of the steel superstructure on the Astoria Bridge. Plaintiff alleges this amount is due because the piers were not ready for the steel work within the time agreed in the contract.

The Chief Counsel stated that appropriate action has been taken or will be taken to defend the Commission and its interests in these cases.

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Increases in contract project authorizations were recommended by the Deputy Engineer. He explained briefly the reasons for the overruns and also pointed out that authorization for increases is requested only when the increase exceeds five percent of the original authorization; however, total underruns on contracts are greater than the total overruns. The Commission approved the following increases:

- (1) Contract No. 6856 on the Sunset Highway in Clatsop County for an increase of \$50,806.60 (6.42 percent). Major reasons for the overrun were given as slide correction and additional guardrail.
- (2) Contract No. 6906 on the Columbia River Highway in Columbia County for an increase of \$216,046.33 (12.9 percent). Increased grading quantities, embankment foundation excavation, overhaul, and selected rock embankment material were given as the principal reasons for the overrun.

Confirmation was requested by the Deputy Engineer for verbal approval given by the Chairman on November 9, 1967, pertaining to connection of a Lincoln County road with the Corvallis-Newport Highway, at the east city limits of Newport opposite the John Moore County Road. He explained that the proposed road connection was requested by the County, so as to better serve the area north of the highway including bus service to a school and the hauling of materials from a paving plant and a material source. The Commission confirmed the request.

Confirmation was also requested by the Deputy Engineer for authority given by the Chairman on December 1, 1967, for cooperation in the National Cooperative Highway Research Program. The work is carried on by the Highway Research Board and is financed from Federal funds allocated to highway planning and research. No State match money is required. Oregon's share for the 1969 fiscal year has been determined at \$53,956. The Commission confirmed the State's cooperation.

A report for a program of street work in cities having a population of less than 5,000 was presented by the Deputy Engineer. This program, he explained, is done annually under the \$250,000 Special Street Fund allocated under Oregon law. Forty-seven applications for projects were received from cities, all of which were carefully investigated. With the funds available, however, it was possible to select only 14 of the most meritorious projects and he recommended their approval. The Commission approved projects as follows, and authorized the Secretary to sign construction agreements:

APPLICATIONS APPROVED FOR 1968 PROGRAM

<u>City</u>	<u>Division</u>	<u>SCA</u>	<u>City</u>	<u>Total</u>
Arlington	V	\$ 24,000	\$ ---	\$ 24,000
Creswell	III	21,000	3,000	24,000
Glendale	III	19,500	---	19,500

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Applications Approved for 1968 Program (Continued)

<u>City</u>	<u>Division</u>	<u>SCA</u>	<u>City</u>	<u>Total</u>
Hubbard	II	\$ 25,000	\$ 2,000	\$ 27,000
Pilot Rock	V	20,000	---	20,000
Powers	III	25,000	9,000	34,000
Sandy	I	25,000	15,000	40,000
Scappoose	I	25,000	5,000	30,000
Silverton	II	12,000	1,000	13,000
Umatilla	V	25,000	3,000	28,000
Veneta	III	25,000	---	25,000
Waldport	II	22,000	2,000	24,000
West Linn	I	25,000	25,500	50,500
Yachats	II	23,500	2,500	26,000
		<u>\$317,000</u>	<u>\$68,000</u>	<u>\$385,000</u>

In connection with this work, the Chairman inquired if the work approved for the cities would measurably relieve pressure for additional money for city streets. The Deputy replied that the program would not have much effect.

Requests made by contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered by the Commission. The Deputy Engineer commented that the requests have been carefully investigated and the results of the investigation have been reported to the Commission by letter. Action was taken on the following contracts:

- (1) Peter Kiewit Sons' Company, Contract No. 6773 on the Columbia River Highway in Clatsop County requested an increase in calendar days from 440 to 528. The Commission approved an increase in calendar days to 471. Approval by the Bureau of Public Roads was given in their letter of November 1, 1967.
- (2) Ross Brothers Construction Company, Contract No. 6567 on the Willamette Highway in Lane County requested an extension of the completion date to May 22, 1966. The Commission approved an extension of the completion date to May 21, 1966, but assessed liquidated damages for 42 days covering the period from September 17 to October 29, 1965. The Bureau of Public Roads' approval was given in their letter of October 17, 1967.
- (3) Ross Brothers Construction Company, Contract No. 6566 on the Willamette Highway in Lane County requested an extension of the completion date to May 22, 1966. The Commission approved an extension of time to May 21, 1966, but assessed liquidated damages for 26 days covering the period from November 7 to December 3, 1965. The Bureau of Public Roads' approval has also been secured.

- (4) Warren Northwest, A Division of Warren Brothers Company, Contract No. 6650 on the Beaverton-Tigard Highway in Washington County requested an extension of the completion date to July 26, 1967. The Commission approved an extension to April 25, 1967, without assessment of liquidated damages.
- (5) Buswell Bros., Contract No. 7050 on the Alsea Highway in Benton County requested an increase of 30 calendar days. The Commission approved an increase of six calendar days (to the date of completion) without assessment of liquidated damages.
- (6) Electric Corp., Contract No. 6968 in the City of Redmond on The Dalles-California Highway in Deschutes County requested 67 additional calendar days. The Commission granted an extension of 67 calendar days without assessment of liquidated damages.
- (7) Richard Blickle, Contract No. 7041 on the Willamina-Salem Highway in Polk County requested an increase in calendar days from 90 to 101. The Commission approved the request without assessment of liquidated damages.
- (8) S. A. Hutchins & Associates Construction Company, Contract No. 6867 on the Coos Bay-Roseburg Highway in Coos County requested an extension of 84 calendar days. The Commission approved the request without assessment of liquidated damages.
- (9) Tom Lillebo Construction Company, Contract No. 6911 on the Elkton-Sutherlin Highway in Douglas County requested an extension of 115 calendar days to complete the bridge and highway portion and an additional 60 calendar days in 1968 to remove the old bridge. The Commission approved an extension to a total of 432 calendar days and granted an additional 60 days for removal of the old bridge without assessment of liquidated damages.
- (10) T and M Construction Company, Contract No. 6961 on the Pacific Highway in Lane County requested an extension of 49 calendar days. The Commission approved the request without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of November 22, 1967.
- (11) Underwood and Richards Construction Company, Inc., Contract No. 6890 on the Old Oregon Trail in Baker County requested 42 additional calendar days. The Commission approved an increase of 23 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in their letter of November 24, 1967.

- (12) L. V. Anderson, Contract No. 7065 on the Willamette Highway in Klamath County requested an increase of five calendar days. The Commission approved the request without assessment of liquidated damages.

The Engineer reported that Contract Nos. 6667, 6754, 6878, 6912, 6918, 6959, 6966, 6971, 6975, 6978, 6982, 6988, 6998, 7008, 7013, 7021, 7026, 7030, 7031, 7033, 7036, 7050, 7052, 7074, 7075, 7076, 7077, 7082, for highway construction have been completed in accordance with requirements of the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 163," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next Commission meeting date was confirmed for January 23, 1968, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for March 5, 1968.

The Deputy Engineer reported on awards of contracts which had been referred to the Engineer to award when certain conditions had been fulfilled. The Commission confirmed the Engineer's award of the following contracts:

- (1) Construction of C.O.I. Canal Bridge on FAS 330 in Deschutes County. Bids received October 26, 1967. Contract No. 7100 awarded November 3, 1967, to Peterson Bros.-Griffin, Eugene, low bidder.
- (2) Grading, paving, structures, and signing on Klamath Falls-Green Springs Interchange Section of The Dalles-California Highway in Klamath County. Bids received October 26, 1967. Contract No. 7101 awarded November 8, 1967, to Slate-Hall and Hamilton Construction Co., Portland, low bidder.
- (3) Grading and paving on the Foster Reservoir Slide Section of the Santiam Highway in Linn County. Bids received October 26, 1967. Contract No. 7104 awarded November 7, 1967, to Groesbeck-Durbin, Inc., Eugene, low bidder.

Requests were considered from Deschutes and Umatilla Counties for Federal Aid Secondary projects. The Deputy Engineer commented that telephonic approval had been given by the Chairman for the Deschutes County bridge over Squaw Creek in the City of Sisters. Early approval was needed so that the project could be included in the December 14, 1967, bid letting. The request from Umatilla County involves construction of a bridge over the Umatilla River at Cayuse. These projects are eligible for use of FAS funds and the Deputy Engineer recommended their approval. Deschutes County, he said, has requested cancellation of an oiling project on FAS 397 and has authorized the transfer of \$373 of its FAS funds to State Highway funds to reimburse cost of the survey. Columbia County has requested cancellation

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of a project on the Oak Ranch Creek Road and Scappoose-Vernonia Road and has authorized the transfer of \$975 of its FAS funds to the State Highway fund to reimburse the cost of a survey. The Commission approved the following projects, cancellation of the three projects, and granted authority for the Secretary to sign agreements when prepared:

FISCAL YEARS 1968 and 1969 COUNTY FAS PROJECTS

<u>County</u>	<u>FAS</u>	<u>Section and Description</u>	<u>Programmed Amount</u>	<u>FAS Funds</u>
Deschutes	853	Squaw Creek Bridge (50') Three Creeks Lake Road	\$ 35,000	1968
Umatilla	473	Cayuse (Umatilla River) Br. Cayuse-Adams Road (200')	150,000	1968
TOTAL NEW PROJECTS.....			\$185,000	

CANCELLATION OF PREVIOUSLY APPROVED PROJECTS & TRANSFER OF FEDERAL FUNDS

Columbia	567	Apiary-Nehalem Hwy. Section Oak Ranch Creek Rd. (Apiary Rd.)	20,000	
	609	Chapman-Pittsburgh Section Scappoose-Vernonia Rd. Approved by Hwy. Commission 3/14/67. Funds transferred to State \$975.00	31,000	
Deschutes	397	Hamehook Rd.-Bend Airport Sec. Butler Market Road Approved by Hwy. Commission 7/24/67 Funds transferred to State \$373.00	25,000	
TOTAL CANCELLED PROJECTS.....			- 76,000	
TOTAL.....			\$109,000	

Total FAS funds transferred \$1,348.00

\$1,348.00 equals \$2000 of total Federal funds

<u>SUMMARY BY FISCAL YEARS</u>	<u>1968</u>	<u>1969</u>	<u>Total</u>
Allocated Funds	\$3,980,000	\$3,969,000	\$7,949,000
Approved Projects (corrected to date)	1,071,000	----	1,071,000
Unprogrammed Balance	\$2,909,000	\$3,969,000	\$6,878,000
Projects Proposed 12/12/67	109,000	----	109,000
Transfer of FAS funds to State	2,000	----	2,000
Unprogrammed Balance	\$2,798,000	\$3,969,000	\$6,767,000

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Changes in speed zoning on several sections of State highways were presented by the Deputy Engineer. He commented that in each instance the proposed action has been carefully investigated and the changes are proposed to facilitate the movement of traffic and to protect the traveling public. Following his favorable recommendation, the Commission approved the following "Speed Zone Resolutions Nos. 530, 531, and 532," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) 70 miles per hour on the Eugene-Springfield Highway in Lane County from a point 0.47 mile west of the Eugene City Limits to a point 0.33 mile west of 50th Street (Excepting the areas within the cities of Eugene and Springfield). (See "Speed Zone Resolution No. 530.") This resolution rescinds "Speed Zone Resolution No. 497," dated December 14, 1965.
- (2) 55 miles per hour to 75 miles per hour on various sections of the Columbia River Highway and the Old Oregon Trail, I-80N, from the east city limits of Portland to the East Pendleton Interchange in Multnomah, Hood River, Wasco, Umatilla, Sherman, Gilliam and Morrow Counties, excepting mileage within the city limits of Wood Village, Cascade Locks, Hood River, Mosier, The Dalles, Rufus, Pendleton, and Arlington, which is under jurisdiction of the Speed Control Board. Speed zoning on the following sections is to be effective upon completion of the sections to Interstate standards on the Columbia River Highway from M. P. 38.95 to M. P. 40.39 and on the Old Oregon Trail from M. P. 186.59 to M. P. 211.84. (See "Speed Zone Resolution No. 531.") This resolution rescinds "Speed Zone Resolutions Nos. 299, 305, 322, 325, 380, 391, 452, 453, 470, and 514."
- (3) 35 miles per hour on the Sams Valley Highway in Jackson County from 0.17 mile west of the west city limits of Gold Hill to the west city limits of Gold Hill, excepting a 20 mile per hour school crossing zone between M. P. 1.52 and M. P. 1.64. (See "Speed Zone Resolution No. 532.")

An abandonment agreement and an abandonment resolution pertaining to the Coast Fork Willamette River Bridge Section of the Springfield-Creswell Highway in Lane County were presented by the Deputy Engineer. He explained that completion of construction on a relocated section of the Springfield-Creswell Highway has made possible the abandonment of a portion of the old route which the County has agreed to take over. The agreement

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signed by the County approves this arrangement and the resolution provides for its formal accomplishment. Following his favorable recommendation, the Commission approved the agreement, authorized the Secretary to sign it for them, and also adopted "Abandonment Resolution No. 470," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered a throughway-abandonment agreement with the City of North Powder concerning the North Powder Section of the Old Oregon Trail (I-80N) in Union County. The Deputy Engineer stated that the agreement provides for construction of the project, road closures, utility relocations, and relinquishment to the City of 0.26 mile of the LaGrande-North Powder Highway. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

Attention was given to a supplemental agreement with Howard, Needles, Tammen & Bergendoff concerning changes in preliminary studies for the east and west approaches to the Fremont Bridge on the Stadium Freeway in Portland. The Deputy Engineer recalled that the original agreement was entered into on March 14, 1967, but recently the Bureau of Public Roads issued new instructions on design features in the interest of traffic safety. One of these requirements is that the shoulders on bridges be the same width as on the approach roadways. He estimated that the extra study work would cost \$20,000 and recommended that the agreement be approved. The Commission approved the supplemental agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with Multnomah County for installation of traffic signals at the intersection of the Northeast Portland Highway (Sandy Boulevard) and N. E. 181st Avenue. Under terms of the agreement, the Deputy Engineer stated that the State is to do the work at an estimated cost of \$20,000. The County is to pay one half the cost of installation and furnish all maintenance and electrical energy. The State's share of \$10,000 is to be taken from Minor Betterment Funds. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with Multnomah County for installation of a school crossing signal at the intersection of Northeast Portland Highway and N. E. 52nd Avenue. The agreement provides that the State perform the installation work and the County provide for all maintenance and electrical energy requirements. The Deputy Engineer estimated the cost of the installation at \$2,500 as a part of the 8th Avenue-60th Avenue Safety Improvement Project on this highway. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

In the discussion on this project, the Chairman inquired as to how long it takes to secure new traffic signal equipment from the manufacturers. The Deputy replied that it is necessary to allow six to nine months for delivery. The Chairman then inquired if additional signing is used for the protection of the traveling public in areas where signals are needed pending arrival of the signals. The Deputy replied that most of the State's stock of signals has been used and additional signing is used where required.

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The Commission considered a Bargain and Sale Deed by which the State conveys a parcel of land to the Spokane, Portland and Seattle Railway Company on the Delena-Rainier Section of the Columbia River Highway in Columbia County. The Deputy Engineer explained that in construction of this section it was necessary to move the railroad tracks. The deed as presented conveys to the Railway Company the land on which its tracks are being relocated. The Railroad Company is preparing a similar deed, by which it will convey to the State the property occupied by its existing tracks after the tracks have been removed. He also mentioned that this exchange was provided for in an agreement approved June 8, 1967. The Commission approved the deed.

Consideration was given to a construction agreement with the City of Medford pertaining to the proposed widening of Biddle Road adjacent to and easterly of the Pacific Highway between McAndrews Road and Jackson Street in Jackson County. The Deputy Engineer commented that placing of an irrigation facility partially on State right-of-way is to be done at the expense of the City. Also, the City agrees at its expense to be responsible for removal and relocation of encroaching facilities if the State needs additional right-of-way occupied by the City. Project plans are subject to State's approval prior to any advertising by the City. Based on the Deputy Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Union Pacific Railroad Company pertaining to the 10th Street-South Pendleton Interchange Section of the Oregon-Washington Highway in Pendleton in Umatilla County was discussed. The Deputy Engineer outlined the agreement which provides that the State reimburse the Railroad for all expenses it incurs in rearranging signal and communication pole line facilities, engineering inspection, watchmen, flagmen, and other services estimated to cost the State \$23,415. The Commission accepted the Deputy's recommendation for approval.

The Commission gave attention to a construction agreement and an easement indenture with Southern Pacific Company covering construction of an overcrossing of its mainline tracks in Eugene in Lane County in the construction of the Eugene-Springfield Highway. The Deputy Engineer estimated cost to the State at \$28,600 and recommended that the papers be approved. The Commission approved the agreement and the indenture.

A supplemental agreement with the City of Portland concerning construction of the Stadium Freeway (I-405) in Portland was considered. This agreement provides for construction of a temporary connection between I-405 and the Sunset Highway via S. W. 18th Avenue. The Deputy Engineer estimated cost at \$16,000 for construction, \$17,000 for signing, and \$4,000 for illumination. In addition, traffic signals must be revised at the intersections of S. W. 18th with S. W. Jefferson and S. W. Columbia, and temporary illumination is to be provided on S. W. 18th between Columbia and Market. Cost of the signal revision and the illumination he estimated at \$24,100 to be shared equally by the State and the City of Portland. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a construction agreement with Great Northern Railway Company for construction of an overcrossing of its tracks on the Klamath Falls-Green Springs Interchange Section of The Dalles-California Highway in Klamath County. The agreement provides that the Railroad grant to the State easements for highway facilities for which the State will pay \$500. The State is to remove approaches to the existing grade crossing constructed as a portion of the South Klamath Falls Interchange Section. The Railroad is to remove the plank crossing and crossing signs at this location at its own expense. In addition, the State is to reimburse the Railroad for the cost of removing its tracks and ballast, estimated at \$325, to allow installation of a 24-inch culvert pipe under the railroad. The State also is to reimburse the Railroad for cost of flagging estimated at \$3,600. Based on the Deputy Engineer's favorable recommendation, the Commission approved the agreement.

Attention was given to renewal of an agreement with Oregon Welcome for operation of out-of-state offices for dissemination of tourist information. The Deputy Engineer recalled that the original agreement had been entered into on November 1964, for the operation of offices in Los Angeles and San Francisco. He recommended renewal of the agreement to November 1, 1968, under terms as revised for 1965-1967 cost not to exceed \$15,600 per year. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with the Service Bureau Corporation covering processing of traffic data collected in the continuing urban transportation programs in Portland, Salem, Eugene and Medford was presented by the Deputy Engineer. He mentioned that the existing agreement expires December 31, 1967, and recommended that the new agreement be approved to be in effect for not to exceed 18 months at a cost not to exceed \$40,000. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also gave attention to an agreement with Control Data Corporation for computer services required in the conduct of urban transportation studies in the cities of Corvallis and Roseburg. An existing agreement, the Deputy Engineer commented, expires December 31, 1967, and renewal is required in order to continue the studies. He recommended that the agreement be extended from January 1, 1968, to June 30, 1969, at a cost not to exceed \$25,000. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a supplemental agreement in letter-form with the City of Portland concerning the N. W. Johnson-S. W. Montgomery Section of the Stadium Freeway in Portland, and temporary connections at N. W. Irving and N. W. Johnson. The agreement provides that the State construct the temporary connections, perform all directional signing, and during the period of use, assume maintenance of portions of N. W. Irving and N. W. Johnson Streets. Traffic signals are to be installed at the intersections of N. W. 16th and N. W. 18th Avenues with N. W. Irving

and N. W. Johnson Streets. Cost of installing the signals is estimated at \$23,000 to be shared equally by the State and the City, with the City to assume all maintenance and power consumption costs. In addition the City, upon completion of the Stadium Freeway, agrees to assume jurisdiction of portions of West Burnside Street between S. W. 14th and N. W. 19th Avenues; N. W. 18th and N. W. 19th Avenues between West Burnside and N. W. Vaughn Streets; and N. W. Vaughn Street between N. W. 18th and N. W. 21st Avenues. The Commission accepted the Deputy's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was also given to extending for one year an agreement with the Department of Motor Vehicles and the City of Portland concerning the handling, coding and analysis of traffic accident statistics in the City. The Deputy Engineer explained that the current agreement which expires December 31, 1967, has been in effect for several years but may be cancelled upon 90 days' written notice. He pointed out that the Department of Motor Vehicles is nearing the final stage in computerization of its operations and the Highway Department has recently installed sophisticated computer equipment. It appears that upgrading and streamlining of the operation can be achieved in the reasonably near future and procedures are being worked out. It was his recommendation that the current agreement be extended for a period not to exceed one year. The Commission accepted his recommendation and authorized the Secretary to sign the extension agreement (letter form) in their behalf.

Chairman Jackson inquired as to whether the City of Portland contributes to the cost of this operation and if there is good reason why the State should be contributing. Assistant Engineer Edwards stated that it is cheaper to perform the work using Highway Planning Research funds and the data which is compiled covering the City of Portland is used in the compilation of highway statistics. The Chairman stated that his concern in the matter is whether the cost of the operation is in the proper budget category.

A request from the City of Eugene for annexation to the City of a small parcel of the Pacific Highway, I-5, southeast of the present city limits of Eugene was presented by the Deputy Engineer. The request, he said covers Highway property contiguous to the present city limits and he recommended that the Commission give its consent to annexation and that the Secretary be authorized to sign a consent form. The Commission accepted his recommendation.

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

"Grant of Access" to Pacific Gas Transmission Company covering land on the Bend-LaPine Section of The Dalles-California Highway in Deschutes County.

"Bargain and Sale Deed" conveying to Ronald F. Cosgrave land on the Ferry Street Bridge-Mohawk Road Section of the Eugene-Springfield Highway in Lane County.

"Quitclaim Deed" to Charles Boyd Patterson and Nellie D. Patterson covering land on the Black Canyon-Oakridge Section of the Willamette Highway in Lane County.

"Bargain and Sale Deed" conveying to City of Bend land on the Pilot Butte Park Section of the Central Oregon Highway in Deschutes County.

"Indenture of Access" to Glenn B. and Evelyn M. Parsons covering land on the Grande Ronde River Section of the Wallowa Lake Highway in Union County.

"Indenture of Access" to Robert C. and Helen C. Dietrick covering land on the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Indenture of Access" to K. H. and Dorothy Cole covering land on the Hayesville Interchange-Lana Avenue Section of the Pacific Highway East in Marion County.

"Indenture of Access" to Zelma Ellis and Eldon L. and Mildred Olson covering land on the Hayesville Interchange-Lana Avenue Section of the Pacific Highway East in Marion County.

"Agreement" with Bonneville Power Administration covering the crossing of the Grass Valley-Kent Section of the Sherman Highway over Bonneville's transmission line easement.

"Bargain and Sale Deed" to John P. Celoria and Louis J. Celoria covering land on the Umatilla-Sand Station Section of the Columbia River Highway in Umatilla County.

"Agreement" with Lane County Board of Commissioners abandoning the Coast Fork Willamette River Bridge Section of the Springfield-Creswell Highway in Lane County.

"Agreement" with City of North Powder pertaining to North Powder Section of the Old Oregon Trail in Union County.

"Supplemental Agreement" with Howard, Needles, Tammen & Bergendoff covering changes in preliminary studies for the east and west approaches to the Fremont Bridge on the Stadium Freeway.

"Agreement" with Multnomah County Board of Commissioners for installation of traffic signals at the intersection of the Northeast Portland Highway (Sandy Boulevard) and N. E. 181st Avenue.

"Agreement" with Multnomah County Board of Commissioners for installation of a school crossing signal at the intersection of Northeast Portland Highway and N. E. 52nd Avenue.

"Bargain and Sale Deed" conveying to Spokane, Portland and Seattle Railway the land on which its tracks are being relocated in connection with construction of Delena-Rainier Section of Columbia River Highway in Columbia County.

"Agreement" with City of Medford pertaining to proposed widening of Biddle Road lying adjacent to and easterly of the Pacific Highway between McAndrews Road and Jackson Street in Jackson County.

"Agreement" with Union Pacific Railroad Company covering construction of an overcrossing on the 10th Street-South Pendleton Interchange Section of the Oregon-Washington Highway in Umatilla County.

"Construction agreement and Easement Indenture" with Southern Pacific Company covering construction of an overcrossing of its mainline tracks in Eugene and the construction of I-105 on the 7th Street-Willamette River Section of the Eugene-Springfield Highway in Lane County.

"Supplemental Agreement" with the City of Portland pertaining to the construction of I-405 in that city.

"Agreement" with Great Northern Railway Company providing for construction of an overcrossing of its tracks on the Klamath Falls-Green Springs Interchange Section of The Dalles-California Highway in Klamath County.

"Renewal Agreement" with Oregon Welcome for establishment and operation of out-of-state offices for dissemination of tourist information.

"Agreement" with Service Bureau Corporation covering data processing of traffic data collected with continuing urban transportation programs in Portland, Salem, Eugene, and Medford.

"Agreement" with Control Data Corporation for computer services required in the conduct of urban transportation studies in Corvallis and Roseburg.

"Supplemental Agreement" in letter form with the City of Portland pertaining to the N. W. Johnson-S. W. Montgomery Section of the Stadium Freeway and temporary connections at N. W. Irving and N. W. Johnson.

"Consent to Annexation" to City of Eugene regarding a small parcel of Interstate 5 right of way.

"Agreement" in letter form with Department of Motor Vehicles and City of Portland extending an agreement for coding and analyzing of vehicle accidents in Portland.

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The meeting was recessed at 9:50 a.m. and reconvened at 10:15 a.m.

A delegation from Clackamas appeared before the Commission to request a change in location of the East Portland Freeway (I-205) from Lake Road Interchange to Lester Avenue in order to avoid routing the highway through the Clackamas Industrial Park. Mr. Robert Banks introduced the following members of the delegation: Seth Young, Jim Hall, Hank Geisler, Ralph Elle, John Keeley, Edward Cooley, Stan Skoko, and Fred Dyer.

Mr. Seth Young commented that the North Clackamas Chamber of Commerce, the Clackamas County Board of Commissioners, Clackamas County Road Department, Clackamas County Planning Commission, Clackamas County Water District, City of Milwaukie and Southern Pacific Railroad are all represented here today. He exhibited a map which he said had been prepared by Southern Pacific Railroad outlining a plan for development of approximately 300 acres of industrial area. The approved route for I-205 cuts across this area and it was his opinion that it should be routed to avoid the Industrial Park.

Chairman Jackson stated that the Commission had looked at this proposed change and an alternate survey had been made. He inquired if an underpass would satisfy the industrial needs. Mr. Young said that an underpass might possibly be adequate, but he pointed out the highway route as now approved would take approximately 30 acres of industrial land and isolate an additional 40 acres. He outlined a proposed route to the west which would miss the industrial area. The area has developed greatly in the last four years, and he requested that another study be made as to highway routing.

The Chairman inquired if it would be feasible to close the gap between the two routes to minimize the effect on the Industrial Park as well as the residential area. The Deputy Engineer replied that to do so would probably affect more improved property. Mr. Young commented on the changes in economic development which he felt warranted a change in routing.

In response to the Chairman's question as to whether an underpass at the railroad would help, Mr. Young stated that the real problem is the loss of land and the isolation of other land because of highway construction. He also stated that an indication had been made of an economic study earlier this year, but he had not yet seen it. The Deputy Engineer stated that only cost data on the original proposal and an alternate proposal are available.

It was Mr. Young's opinion that the route as proposed by the delegation would allow better use of the Industrial Park Area, provide better aesthetic values, and lower construction cost because of less distance. He indicated a desire for additional discussion of the two routes in the hope of finding a compromise.

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Mr. Jim Hall, Clackamas County Planning Department, observed that construction of the highway through the Industrial Park would act as a dike in the development of the Industrial Area and would also take a large portion of it out of use. It was his opinion that the westerly route would be better and cheaper because of being approximately 3/4 shorter. He requested an economic study of the area.

Mr. Stan Skoko, Clackamas County Commissioner, stated that the route originally adopted through the Industrial Area should be changed as it is detrimental to the economic health of the area. He also requested that an economic survey be made and that an additional hearing be held.

Chairman Jackson commented that, according to figures determined by the Highway Department, the original route would be somewhat cheaper. The Commission, he said, has had considerable pressure exerted on it by proponents of both routes and the Commission would have to consider the overall value of both routes for many years ahead. To accomplish this objective, it would be necessary to conduct an economic survey. The alternate route as proposed is through a residential area and considerable resistance can be expected. He expressed hope that a compromise could be worked out.

Mr. Skoko stated that he could not concur in the accuracy of Highway Department cost estimates and he felt that the aesthetic values would be improved if the highway was constructed on a route outside the Industrial Park.

Mr. Fred Dyer stated that the City of Milwaukie is concerned because of its tax base. He asked that a study be made of the economic impact on the area and that a long-range plan be developed showing traffic and land use.

A delegation from Clackamas County, residents along a newly proposed route of the East Portland Freeway, came before the Commission to protest the new route presented by the previous delegation. The following persons were present: Mr. Paul Schultz, Robert Hurd, Victor A. Pfeifer, Herald A. Stone, and Edwin Lofthus, all of Milwaukie.

Mr. Paul Schultz stated that the group wishes to protest the change in location of the East Portland Freeway from a point near the Lakewood Road Interchange to near Lester Avenue as proposed by a delegation representing the North Clackamas Chamber of Commerce. He pointed out that a route was adopted by the Commission in November, 1965, and people have built homes and made plans based on that decision. Representatives of this delegation, he said, met with Mr. Banks of the North Clackamas Chamber of Commerce and discussed their proposal to reroute the highway westerly from the adopted line through a residential area in order to miss the Industrial Park. If this is done, a considerable number of new homes will be destroyed. It was his opinion that the proposed route would be more costly than the original route as the original route traverses

countryside which is largely undeveloped. The industrial area, he said, would not be seriously damaged by constructing the highway through it, and the real issue is industrial development versus residential development. He also mentioned that if the highway is constructed through the residential area many streets will have to be closed and much confusion caused among property owners. He presented a petition signed by approximately 200 people protesting a change in the adopted route for the East Portland Freeway.

Chairman Jackson stated that the Commission today has listened to arguments presented by two diverse points of view and at this stage it would require the wisdom of a Solomon to provide an answer which would please both parties. The Commission, however, will give the matter careful and deliberate consideration.

A delegation representing the Medford Chamber of Commerce and others came before the Commission concerning highway improvements in the Medford area. The following persons were present: Mr. Paul B. Rynning, Wallie Brill, Robert Carstensen, Vernon Rasmussen, all of Medford.

Mr. Wallie Brill urged early improvement to the Crater Lake Highway between White City and McLeod. Dam construction, he said, will employ about 1,100 workers all of whom will use the Crater Lake Highway in going to and from work. He expressed gratitude for the extension of 8th Street in the City of Medford and mentioned that several hundred people would be helped by this improvement.

Mr. Paul Rynning spoke in behalf of early construction of the Lake of the Woods Highway from Brownsboro to White City. He also asked that consideration be given to early construction from the intersection of the Crater Lake Highway to the Seven Oaks Interchange which is needed to move east and westbound traffic.

Mr. Carstensen mentioned the projects in which they are most interested; (1) the 8th Street extension to the Oak Grove Road, (2) realignment of the westerly end of the Lake of the Woods Highway, (3) improvement of the Crater Lake Highway between White City and McLeod, and (4) a survey from White City to Seven Oaks. He also mentioned that over a thousand people would be employed in dam construction and these added to summer tourist traffic would create congestion and hazardous conditions on the existing highway.

Concerning improvements to the Crater Lake Highway, the Chairman pointed out that the Army Engineers would have to build their section first between McLeod and Prospect. The Commission, he said, is aware that Southern Oregon does not yet have an adequate east-west highway and that it will require approximately 2½ million dollars to complete the Lake of the Woods Highway. The Commission agrees with County officials that top priority be given to construction work on the Lake of the Woods Highway and that other improvements would be dependent on the availability of funds.

The meeting was recessed at 11:20 a.m. and reconvened at 11:30 a.m.

A delegation representing the Grant County Chamber of Commerce came before the Commission to request additional improvement to the Pendleton-John Day Highway north of the most recent improvement north of Mt. Vernon. The following people were present: Mr. Al Reinertson, Mr. Homer Damon, Maude Johnson, Mr. and Mrs. Jack McKenna, Mr. Charley McKenna, Mr. Fred Westerlund, Mr. Harold Tapp, all of John Day.

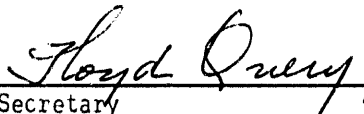
Mr. Al Reinertson, Manager of the Grant County Chamber of Commerce, introduced members of the delegation and commented that the economy of Grant County is being restricted by a lack of modern highways. Mr. Homer Damon said that improvement of the 5 mile section north of Mt. Vernon would be of great help in promoting tourist traffic and in the hauling of local products and supplies. Mr. Reinertson stated that of the several critical portions of highways in this area it is difficult to determine which should be improved first and the delegation would be willing to leave the selection to the Highway Commission. He also mentioned that approximately 75 percent of the tourists passing through John Day use Highway Route 395.

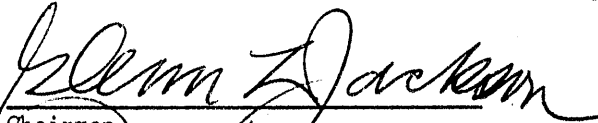

Chairman Jackson remarked that the Commission is appreciative of the problems that the delegation has presented, however, reconstruction of the critical areas will be costly. The Commission, he said, will not forget their problems and will endeavor to find money for improvement.

The Commission approved a contract with the International Business Machines Corporation for the purchase of computer equipment to be installed in the State Highway Building in Salem in the amount of \$706,486.29 to be paid in 60 monthly installments.

There being no further business to consider, the meeting was adjourned by the Chairman at 11:35 a.m.


Deputy State Highway Engineer


Secretary


Chairman

Commissioner

Commissioner Simpson was absent
Commissioner

December 12, 1967

Salem, Oregon
January 23, 1968

The Oregon State Highway Commission met in regular session at 9 a.m. in Room 122 of the State Highway Building in Salem. Present were:

Glenn L. Jackson, Chairman
David B. Simpson, Commissioner
Fred W. Hill, 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
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Assistant State Highway Engineer F. B. Klaboe was excused to attend an out-of-state highway management training session.

Among others present were A. W. Parsons, Division Engineer of the U. S. Bureau of Public Roads; Gordon R. Brooks, Assistant Division Engineer of the U. S. Bureau of Public Roads; Norman Wood, Federal Highway Projects Engineer of the U. S. Bureau of Public Roads; Tom Utterback, U. S. Forest Service; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Office Engineer; C. H. Maison, Controller; Frank C. McKinney, Assistant Counsel; David Talbot, Parks Superintendent; E. S. Hunter, Maintenance Engineer; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; Don Harwell, Assistant County-City Engineer; K. A. Chatwood, Administrative Right of Way Agent; and John Earley, Information Officer.

The Commission approved the minutes of the meeting held December 12, 1967.

The Right of Way Engineer presented a list of options, Pages 1 through 42, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are based upon competent appraisals and are in 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 careful consideration, Chairman Jackson and Commissioner Hill approved closing the options including those sent to them for approval since the last Commission meeting, as well as those options presented for the first time at this meeting. Commissioner Simpson abstained from voting to avoid any possible conflict of interest. The Commission thereupon adopted "Right of Way Resolution No. 47," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's Report for the period from December 5, 1967, through January 10, 1968, was presented by the Right of Way Engineer.

January 23, 1968