

Salem, Oregon
January 28, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, 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
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Mr. Lloyd P. Shaw, Assistant State Highway Engineer, was excused.

Among others present were R. E. Simpson, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; C. H. Maison, Controller; David Talbot, State Parks Superintendent; Dennis Clarke, Travel Information Director; Frank C. McKinney, Assistant Counsel; R. W. Ellison, Assistant Program and Planning Engineer; Donald N. Harwell, Assistant County-City Engineer; John Oakes, Assistant Right of Way Engineer; K. A. Chatwood, Administrative Right of Way Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the regular meeting held on December 17, 1968.

The Right of Way Engineer presented a list of options, Pages 1 through 36, 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. After due consideration, the Commission approved closing the options, including those sent to them by mail 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. 56," 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 from December 11, 1968, to January 20, 1969, was presented by the Right of Way Engineer. During this period, miscellaneous sales totaled \$9,444.88; land sales \$44,150; and rental receipts for December \$24,247.32. 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. In both instances, minimum values have been determined by competent appraisals. Access and other conditions of sale are consistent

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with those applying to other properties in the vicinity. The Commission authorized public sale of the following properties, and thereupon adopted "Real Property Resolution No. 506," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) 1 acre, File No. 1431, a former stockpile site, located approximately $\frac{1}{4}$ mile east of the Oregon Coast Highway and approximately $1\frac{1}{2}$ miles south of Rockaway in Tillamook County for not less than \$100. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) 2.26 acres, File No. 17680, located in the southeast quadrant of the intersection of Birdsdales Road and the Columbia River Highway and further described as southerly from the south service road and across the railroad track from the highway in Multnomah County for not less than \$9,000. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was requested by letter dated November 29, 1968. (See "Real Property Resolution No. 506.")

Authority to make direct sales was requested by the Right of Way Engineer on five parcels of property which are no longer needed for highway purposes. He commented that public sale of these properties is not feasible because of peculiarities of location and shape which restrict salability to a single party. The Commission approved direct sales of the following properties, and thereupon adopted "Real Property Resolutions Nos. 507, 508, and 509," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) To Douglas County, 3.75 acres, File No. 18987, consisting of the former Winchester Maintenance Station site on the easterly side of the Pacific Highway just north of the Winchester Interchange in Douglas County for \$30,650 which is one-half the appraised value. A 50-foot strip of right-of-way is to be retained on the Oakland-Shady Highway. The sale is to be subject to a public use clause and no access is to be allowed to the Pacific Highway, although access will be allowed to the northerly 200 feet along the Oakland-Shady Highway. 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. 507.")
- (2) To Paul B. and Edith R. Rayburn, File No. 28069, 370 square feet, consisting of a triangular portion of vacated S.W. Cheltenham Place located north of the connection of Terwilliger Boulevard with Slavin Road on the Beaverton-Hillsdale Highway in Multnomah County,

for the sum of \$125. No access is to be permitted to the State-owned connecting leg and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

- (3) To the City of Portland, File No. 32372, 781 square feet of land located in the northeast quadrant of the old intersection of 10th Avenue and Jackson Street on the Stadium Freeway in Portland for the sum of \$2,750. No access is to be allowed to the Stadium Freeway 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. 508.")
- (4) To the City of Dayville, File No. 5936, 0.97 acre consisting of a portion of the Dayville Maintenance site outside of a 75-foot right-of-way line located immediately west of Dayville between the John Day Highway and the John Day River in Grant County, for \$1,750, which is one-half the appraised value. The sale is subject to a public use clause as well as signboard and junkyard exclusion clauses. Access will be permitted at Station 178+50 and the City will be required to pay the cost of fence relocation. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 509.")
- (5) To the Oregon-Washington Railroad and Navigation Company, File No. 28840, for the conveyance to the railroad of all minerals and mineral interests on a parcel of land acquired from Schnitzer Realty Company and others, on the Russell Street-Curry Street Section of the Pacific Highway in Multnomah County. The Right of Way Engineer explained that the mineral reservation had been inadvertently omitted in the final judgment filed in the Multnomah County Court in the case of State Highway Commission vs. Schnitzer Realty Company, et al.

Consideration was given to a five-year lease with the City of Portland allowing the City to use 16,170 square feet of land under the structures of the East Bank Freeway at the foot of S.E. Madison Street. The Right of Way Engineer stated that the City plans to use the land for parking of motor vehicles without charge and is to make certain improvements by paving and protecting piers. He estimated that the City would spend approximately \$12,000 for these improvements. It is not planned that the State will charge a rental fee unless the City installs meters and charges the public for use of the space. No access is to be allowed from the premises to the State's overhead structures. Following his favorable recommendation, the Commission approved the lease. The Bureau of Public Roads approved this matter on June 12, 1968.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the record to cause the locations to agree as constructed. The Commission approved the following Indentures of Access:

- (1) Stovall and Horn properties, File No. 18876, for a change in location of one unrestricted point of access 35 feet wide on the south side of the relocated Elkton-Sutherlin Highway approximately one mile west of Sutherlin in Douglas County. The property owners are to pay the State the sum of \$100 which is the appraised value of the increase to that property. Bureau of Public Roads' approval was received April 19, 1968.
- (2) Nance property, File No. 35642, to change the public record to show the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated McKenzie Highway approximately two miles east of the community of Blue River in Lane County. Bureau of Public Roads' approval was received June 9, 1967.
- (3) McAlister property, File No. 36900, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the northerly side of the relocated McKenzie Highway, approximately one-half mile east of the community of Blue River in Lane County. Approval by the Bureau of Public Roads was given June 9, 1967.
- (4) Duff and Litehiser property, File No. 19612, for a change in location of two unrestricted points of access 35 feet wide on the westerly side of The Dalles-California Highway in the town of Lapine in Deschutes County. Approval by the Bureau of Public Roads was given June 17, 1968.
- (5) Croston property, File No. 36795, to show in the public record the actual location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Corvallis-Newport Highway, approximately one mile east of Toledo in Lincoln County. Approval by the Bureau of Public Roads is not required.
- (6) Moe property, File No. 36804, to show in the public record the actual location of one unrestricted access 35 feet wide on the northerly side of the relocated Corvallis-Newport Highway, approximately 1½ miles east of Toledo in Lincoln County. Bureau of Public Roads' approval is not required.

- (7) Dennis property, File No. 36809, to correct the public record to show the actual location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Corvallis-Newport Highway, approximately 1½ miles east of Toledo in Lincoln County. Approval by the Bureau of Public Roads is not required.
- (8) Tyler property, File No. 35019, to show the constructed location of one unrestricted point of access 35 feet wide on the east side of the relocated Corvallis-Newport Highway, approximately two miles north of Toledo in Lincoln County. Bureau of Public Roads' approval is not required.
- (9) Blower property, File No. 35022, to show in the public record as actually constructed, one unrestricted point of access 35 feet wide on the northwesterly side of the relocated Corvallis-Newport Highway, approximately two miles east of Toledo in Lincoln County. Approval by the Bureau of Public Roads is not required.
- (10) Gregory property, File No. 35025, to change the record to show the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Corvallis-Newport Highway, approximately 2½ miles east of Toledo in Lincoln County. Bureau of Public Roads' approval is not required.
- (11) Coville property, File No. 40455, to show in the public record as it was actually constructed, one unrestricted point of access 35 feet wide on the easterly side of the relocated Pacific Highway West, approximately 4½ miles north of Rickreall in Polk County. Approval by the Bureau of Public Roads was received October 11, 1968.
- (12) Mason, Drushella, and Ohmart and Calaba, Inc., property, File No. 40465, to make the public record agree with the constructed location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Pacific Highway West, approximately 3½ miles north of Rickreall in Polk County. Approval was received from the Bureau of Public Roads on October 11, 1968.

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. 2538 through 2541," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report on cases which have been tried in court was presented by the Chief Counsel. Concerning the nine condemnation cases, he mentioned that the owners had demanded approximately \$324,000, offers had totaled approximately \$130,000, and the court verdicts were near \$190,000. 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-5747 Ralph B. Band, et al.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	\$ 450.00	\$ 2,000.00	\$ 3,250.00
L-5782 L-5790 Laurence Lee and Fern Holder	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	44,645.00	157,000.00 (Answer)	91,400.00
L-5892 James D. Coleman, et ux.	Coos	Coos Bay-Roseburg	Gray Creek-Myrtle Point	11,025.00	13,756.00 (Answer)	12,600.00
L-5893 Harvey Gant, et al.	Coos	Coos Bay-Roseburg	Gray Creek-Myrtle Point	14,350.00	16,588.00 (Answer)	16,000.00
L-5606 Catharine Hooper	Marion	Pacific	Woodburn Interchange	18,000.00	75,000.00 (Answer)	27,500.00
L-5800 E. Vernon Risberg	Multnomah	East Portland Freeway	N.E. Glisan Street-S.E. Division Street Unit	16,500.00	22,500.00	16,500.00
L-5829 William W. Barr, et al.	Multnomah	East Portland Freeway	Columbia River-Pacific Highway	1,800.00	None	1,800.00
L-5862 Doris M. Brown, et al.	Umatilla	Old Oregon Trail	Pendleton Section and West Exit of the Pendleton Section	3,800.00	35,000.00 (Answer)	19,660.00

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(Report of Condemnation Cases Tried Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-5710 Hendrick Ralph Voetberg, et ux.	Union	Old Oregon Trail	La Grande	\$ 1,100.00	\$ 2,470.00	\$ 1,800.00

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-5907 State of Oregon	James Warren Richter	Clackamas	Negligent operation of motor vehicle damaging guardrail	\$ 198.29	Amount sued for paid in full.
L-5822 State of Oregon	Victor A. Olson	Marion	Negligent operation of motor vehicle damaging guardrail	130.86	Amount sued for paid in full
L-5912 State of Oregon	Lee Ray McColl	Multnomah	Negligent operation of motor vehicle damaging light pole	490.33 plus 5.00 service fee	Amount sued for paid in full
L-5929 State of Oregon	Melvin E. Winkler	Multnomah	Negligent operation of motor vehicle damaging shrubbery	36.46	Amount sued for paid in full
L-5928 State of Oregon	Larry John Gilmore	Washington	Negligent operation of motor vehicle damaging right-of-way fence	158.47	Amount sued for paid in full
L-5865 State of Oregon	Gary Gail Bennett	Marion	Negligent operation of motor vehicle damaging guardrail	143.07	Amount sued for paid in full
L-5767 State of Oregon	John James Poag	Josephine	Negligent operation of motor vehicle damaging guardrail	311.57	\$ 311.57

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(Report of Trial of Other Cases cont.)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5859	Elmer Wayne Curry Rose I. DeWees, et al. Kennedy		Personal Injury	\$ 68,000.00	State insurance carrier settled case for \$500.00
L-5599	Donald M. Mahlcolm Wyatt G. Lewis	Multnomah	Personal Injury	49,898.00	Verdict in favor of defendant
L-5696	Fred H. Pacific Slate North-west Bell Telephone Co.	Multnomah	Damage to phone cable by contractor's employees	11,761.84	Plaintiff recovered in full

(For additional details, see the Chief Counsel's letter dated January 22, 1969, concerning cases tried and filed in the Salem Office, General Files.)

The Chairman inquired as to the status of the DeLong Case for damages sought by the State in construction of the Astoria Bridge Piers. The Chief Counsel replied that Judge Jones had not yet rendered a decision. In response to the Chairman's inquiry, the Chief Counsel stated that if DeLong lost the case, he felt that an appeal to the Supreme Court would be made.

Regarding the State's case with the U.S. Corps of Engineers concerning collapse of the John Day Bridge on the Columbia River Highway in Sherman County, the Chief Counsel stated that an attorney representing the Corps is expected to come to Salem to inspect the State's records in a reciprocal action in which the State attorneys inspected the Corps' records. It is expected that the case will go to trial in the summer of 1969.

The Chairman then inquired as to the status of the Maywood Park Case concerning the route of the East Portland Freeway in Multnomah County. The Chief Counsel replied that the City had filed an amended complaint just before the first of the year 1969 and that the State had filed a demurrer. The Court has not yet heard arguments but it was his opinion that it would do so in the reasonably near future.

A report concerning cases settled out of court since the last Commission meeting was also presented by the Chief Counsel. The proposed settlements are based on competent appraisals and are in order for Federal aid. He commented briefly on some of the more pertinent features in these settlements and also mentioned that in the ten cases the proposed settlements totaled approximately \$158,000, whereas the appraised total was

approximately \$156,700. The settlements, he added, are in order for Federal aid. The Commission approved the settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5939	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	\$ 6,700.00	\$ 7,100.00
L-5527	Washington	Sunset	N. Plains-Cornelius Pass Road	5,850.00	12,250.00 plus owner to retain a shed

(Offer based upon staff appraisals which failed to consider damages by reason of complete restriction of access to the widened highway.)

New appraisals secured from an independent appraiser and different staff appraiser led to appraisals of \$11,000 and \$10,775.)

L-5743	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	900.00	3,500.00
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(Offer is on the basis of a partial taking of 871 sq. ft. with the remainder restricted as to access and left landlocked. The settlement recommended is that the State acquire the entire tract at \$3,500.)

L-5627	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	36,950.00	39,200.00
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L-5520	Washington	Sunset	N. Plains Interchange-Cornelius Pass Road	75.00	2,750.00
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(Original offer made on undocumented staff appraisal wherein the parcel taken only was appraised.)

An experienced fee appraiser for State found the taking and damages at \$20,100.00. An equally well experienced fee appraiser for the owner (often used by State) set the value at \$2,750.00.)

(Report of Condemnation Cases Settled Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5493 William Blair, et ux.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	\$ 1,200.00	\$ 1,775.00
(Widening of highway will bring the new right of way line within 6 feet of one corner of a modern \$25,000 suburban dwelling. The appraiser has allowed a \$500 proximity damage item.)					
L-5888 Henry W. Owens, et al.	Jackson	Lake of the Woods	Crater Lake Highway-Brownsboro	17,000.00	19,500.00 less 4,000.00 for construction of passage-way under bridge structure.
(The property from which this right of way is taken consists of a 1,344 acre ranch located about 3 miles east of White City. The new highway extends through the ranch for about 1.3 miles.)					
L-5482 Harold B. Sherfy, et al.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	13,750.00	19,000.00
(Four appraisals were obtained, two staff and two fee appraisals. These appraisals ranged from \$12,000 to \$25,500.)					
L-5518 Robert Kauer, et al.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road	250.00	2,150.00
(Review appraisals range from \$1,650 to \$6,000.)					
R-35105 Spokane, Portland and Seattle Railway Company	Multnomah	Stadium Freeway	Fremont Interchange-Marquam Bridge	49,500.00	55,000.00
(State has been in possession of part of the area since August 1967 at which time S.P. & S. gave a permit of entry to construct drainage structure to drain portions of Stadium Freeway. No complaint has as yet been filed, but if State were to file and later try this in condemnation, interest would be owing since that date in the amount of \$3,900.)					

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(Report of Condemnation Cases Settled Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5233 Francis Wholesale, Inc., et al.	Hood River	Columbia River	Cascade Locks-Viento	\$ 100.00	\$ 250.00

REPORT OF OTHER CASES SETTLED

<u>Case</u>	<u>Defendants</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
L-5511 Vernon J. Harris	State of Oregon	Grant	Inverse Condemnation	\$2,000.00 plus atty. fees and costs and interest	\$ 500.00

(On June 20, 1967, a cloudburst occurred about two miles upstream, sending so much water and debris downstream that the pipe became clogged. The water and debris flowed down the highway ditch and was deposited onto approximately 12 acres of the plaintiff's land.)

L-5713 State of Oregon, James W. ex rel., State Water Resources Board, The Division of State Lands, and State Highway Commission	William H. Howe and Taggart	Tillamook	Suit in equity to restrain defendant from removing material from bed and banks of Hawk Creek on South Neskowin Beach	(see remarks)
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(Defendant to convey to State of Oregon by warranty deed 4.5 acres, being all of the beach area owned by defendants and from which the material was taken.

State Highway Commission to convey by Bargain and Sale deed to defendants Howe and Taggart 0.14 acre (approximately 6,000 square feet) of excess highway right of way.)

(For additional details, see the Chief Counsel's letters dated January 15, 23, and 24, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel for telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings. The Commission confirmed the following offers:

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CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42430 - William O. Moore, et ux. Parcel No. 1: 5.5 acres for right of way purposes; Parcel No. 2: 1.6 acres for right of way purposes; Parcel No. 3: 2.0 acres for right of way purposes. Offer of \$71,600.00 approved by Mr. Jackson January 9, 1969.

R-42436 - C. R. Moe. 1.65 acres for right of way purposes. Offer of \$18,150.00 approved by Mr. Jackson December 19, 1968.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY

R-42878 - Wing Hoi Auckland. 5.9 acres for right of way purposes. Offer of \$46,000.00 approved by Mr. Jackson December 19, 1968.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-42226 - Edward N. Santilli, et ux. 0.3 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson December 19, 1968.

LaGRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL

R-41041 - Marvin J. Fager. Parcel No. 1: 7.3 acres for right of way purposes; Parcel No. 2: 0.17 acre for permit of entry; Parcel No. 3: 2.6 acres for permit of entry; Parcel No. 4: 0.3 acre for permit of entry; Parcel No. 5: 0.06 acre for permit of entry. Offer of \$4,600.00 approved by Mr. Jackson December 19, 1968.

N.E. GLISAN STREET-S.E. DIVISION STREET UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41244 - Fred J. Hopp. 8,026 square feet for right of way purposes. Offer of \$8,000.00 approved by Mr. Jackson December 19, 1968.

S.E. DIVISION STREET-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41733 - Robert A. Naglee, et ux. 27,118 square feet for right of way purposes. Offer of \$25,000.00 approved by Mr. Jackson January 8, 1969.

UMPQUA HIGHWAY SCENIC AREA

R-41881 - O. H. Hinsdale, et ux. Parcel No. 1: 5.0+ acres for scenic area; Parcel No. 2: 15.7 acres for scenic area; Parcel No. 3: 1.25 acres for scenic area. Offer of \$19,300.00 approved by Mr. Jackson December 19, 1968.

A quarterly report of property damage claims collected by the Legal Department in the period from September 30, 1968, to December 31, 1968, was presented by the Chief Counsel. During this period, he mentioned that \$23,336.58 had been collected and nine claims totaling \$892.19 had been abandoned as not feasible to collect. The Commission accepted the report.

A resolution was presented by the Chief Counsel authorizing the Chief Counsel to expend up to \$750 for the maintenance or repair of each structure rented or to be rented. He explained that on August 9, 1962, the Commission had approved a resolution authorizing the expenditure of \$300 on any one building. Costs for major repairs such as roofs and septic tanks have increased greatly since that time and he recommended that the increase be allowed. The Commission accepted his recommendation and thereupon adopted "Authorization Resolution No. 18b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel and accepted by the Commission concerning legal proceedings which have been instituted against the Commission, its officers, or employees summarized as follows:

- (1) L-5949 - Lucius Bradford vs. Michael Malloy, Rogers Construction Company, Forrest Cooper and Glenn Starkey. Plaintiff seeks \$85,000 general damages, \$1,190 medical and hospital expenses and \$424 for loss of earnings arising out of an accident which occurred October 20, 1967, near M.P. 46.4 on the Columbia River Highway east of Cascade Locks in Hood River County. Plaintiff alleges negligence on the part of the State in failing to erect proper signs near the scene of the accident.
- (2) L-5950 - R. B. Hartman vs. E. J. Hall and L-5951, Anna M. Hartman vs. E. J. Hall. R. B. Hartman seeks damages in the amount of \$5,088.75 and Anna M. Hartman in the amount of \$10,403 arising out of an accident which occurred November 17, 1967, on the Pacific Highway West near Holmes Gap, north of Rickreall in Polk County. Plaintiffs allege negligence on the part of E. J. Hall.
- (3) L-5937 - Henrietta J. Cross vs. Erma Louise Johnson and Frank Martin, and L-5938, Henrietta J. Cross vs. Erma Louise Johnson and Frank Martin. Plaintiff seeks \$147 for damages to her car and \$976 for personal injuries because of an accident which occurred August 21, 1967, at the intersection of Commercial and Hoyt Streets in Salem. Plaintiff alleges that defendant Martin flagged her through the intersection against a red light.

The Engineer requested an increase in project authorization on Contract No. 7130 on the Delena-Rainier Section of the Columbia River Highway in Columbia County. The anticipated overrun, he said, is \$223,128.69 or 10.13%. Increased quantities of general excavation, embankment foundation excavation, cement treated base, and added work involving safety features and temporary traffic patterns were given as the principal reasons for the overrun. The Commission approved the increase.

The Engineer read an application received from Neskowin North, Inc., 110 Pacific Avenue, Tillamook, Oregon, for a permit to remove sand below the 16-foot contour of the ocean beach in Government Lot 12, Section 24, Township 5 South, Range 11 West, W.M., Tillamook County, approximately 1½ miles north of Neskowin. The stated use to be made of the material under the requested permit is for filling adjacent areas easterly of the beach zone line. The application, he said, is in satisfactory form and any person desiring a hearing may file a written request on or before February 27, 1969.

An application was also read by the Engineer from Paul W. Rockenfeller, 379 Richmond Avenue, S.E., Salem, Oregon, for a permit to construct riprap slope protection on Lots 1 and 2, Block 10, Norwicks First Addition to Devils Lake, Section 3, Township 7 South, Range 11 West, Lincoln County. The application, he said, is in satisfactory form and any person desiring a hearing may file a written request on or before February 27, 1969.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on January 7 for a slide correction project. This work, the Engineer said, is located on the Oregon Coast Highway approximately 1½ miles north of the interchange serving Cannon Beach in Clatsop County. The work is to be accomplished by a negotiated contract handled through the Department of Finance, which he estimated would cost approximately \$200,000. The Commission confirmed the project as an item of state construction to be added to the current State Construction Program for Division II.

Consideration was given to requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages. The Engineer stated that each request has been carefully investigated and results of the investigation have been reported to the Commission by letter. The Commission took action on the requests as follows:

- (1) M. R. Holst Construction Company, Contract No. 7012, for work in the Stanfield Safety Rest Area on the Old Oregon Trail in Umatilla County, requested an increase of 42 calendar days on the first phase work. The Commission approved an increase of 10 calendar days on the first phase without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated December 23, 1968.
- (2) Ace Electric Company, Contract No. 7102, on the Pacific Highway in Lane County, requested 117 additional calendar days. The Commission granted the request without assessment of liquidated damages. Bureau of Public Roads' approval was given by letter dated December 24, 1968.
- (3) Ace Electric Company, Contract No. 7103, on the Columbia River Highway in Wasco County, requested 181 additional calendar days. The Commission approved an extension of 175 calendar days without assessment of liquidated damages. Approval by the Bureau of Public Roads has been received.

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- (4) Pacific Northwest Landscaping and Sprinklers Unlimited, Contract No. 7176, on the Eugene-Springfield Highway in Lane County, requested that the specified completion date be extended from December 31, 1968, to January 4, 1969. The Commission granted an extension of time to January 3, 1969, without assessment of liquidated damages.
- (5) Charles T. Parker Construction Company, Contract No. 7019, on the Old Oregon Trail in Baker County, requested an 11-day extension of time. The Commission denied the request.
- (6) Gibbons and Reed Company, Contract No. 6832, on the N.W. Johnson-S.W. Montgomery Section of the Stadium Freeway and Sunset Highway in Multnomah County, requested an increase of 70 calendar days. The Commission approved an increase of 101 calendar days without assessment of liquidated damages. Concurrence by the Bureau of Public Roads was given by letter dated January 20, 1969.

Chairman Jackson inquired as to the approximate increase in maintenance costs which have been caused by the heavy snow during the winter of 1968 and 1969. The Engineer replied that at this time it is expected that the additional cost will be approximately two million dollars.

The Engineer reported that Contract Nos. 6965, 7005, 7059, 7066, 7067, 7092, 7093, 7114, 7127, 7152, 7160, 7166, 7182, and 7183 for highway construction have been completed as required by 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. 173," 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 11, 1969, for the next Commission meeting to be held in the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, April 22, 1969.

The Commission confirmed telephonic approval given January 14, 1969, awarding contracts on which bids were received January 9, 1969, and authorized the Secretary to sign contracts for the following projects:

BIDS RECEIVED IN SALEM JANUARY 9, 1969

Contract No. 7189 for grading and oiling on the Swartz Canyon-Rocky Canyon Section of the Crooked River Highway in Crook County. FAP No. S-33(1). Eight bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, in the amount of \$239,296.00.

Contract No. 7190 for a prospect well in the Sage Hen Safety Rest Area on Central Oregon Highway in Harney County. FAP No. LSF-21(3). One bid was received. The Commission elected to accept the lone bid of Dale Crawford Drilling, Terrebonne, in the sum of \$8,635.00 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.

January 28, 1969

Contract No. 7191 for construction of the East Fork Hood River (Toll) Bridge on FAS-341 in Hood River County. FAP No. S-516(2). Five bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$96,440.00 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 \$22,000.00 is deposited by the County.

Contract No. 7192 for grading and paving on the Lincoln County Line-Squaw Creek Section of the Oregon Coast Highway in Lane County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, J. C. Compton Co. (Corp.), McMinnville, in the amount of \$172,377.00.

Contract No. 7193 for grading and paving on the Santiam Junction-S.P.R.R. O'Xing (Albany) Section of the Albany-Junction City Highway in Linn County. State Project. Two bids were received. The Commission rejected both bids as being too high.

Contract No. 7194 for construction of the Malheur River (Harper) and Bully Creek (Westfall) Bridges on FAS 23-105 in Malheur County. FAP No. S 23-105(1). Six bids were received. The Commission elected to accept the low bid of Stach Construction Co., Inc., Grants Pass, in the sum of \$145,768.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Malheur County is received and the sum of \$34,700.00 is deposited by the County.

Contract No. 7195 for roadside improvement on the N.W. Johnson-S.W. Montgomery Section of the Stadium Freeway in Multnomah County. Federal-aid Interstate Project No. I-405-8(21)302. Eight bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, in the amount of \$244,991.05.

Contract No. 7196 for guardrail and cattle guards on the Stanfield Junction-Pendleton and Emigrant Park-Meacham Sections of the Old Oregon Trail in Umatilla County. Federal-aid Interstate Project No. I-80N-5(33)187 and I-80N-6(39)233. Five bids were received. The Commission awarded the contract to the low bidder, Laam, Irving & Company, Gladstone, in the amount of \$109,395.00.

Contract No. 7197 for well exploration in the Deadmans Pass Safety Rest Area on the Old Oregon Trail in Umatilla County. Federal-aid Interstate Highway Project No. I-80N-6(35)228. One bid was received. The Commission elected to accept the lone bid of R. J. Strasser Drilling Co., Portland, in the sum of \$28,388.50 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.

Improvement to Ladd Canyon Safety Rest Area on the Old Oregon Trail in Union County. Federal-aid Interstate Highway Project No. I-80N-6(36)268. No bids were received.

Contract No. 7198 for traffic signals on Adams Avenue at Cherry Street (La Grande) on the Old Oregon Trail in Union County. State Project. Four bids were received. The Commission elected to accept the low bid of Steeck Electric Co., Medford, in the sum of \$8,420.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of La Grande is received and the sum of \$5,127.00 is deposited by the City.

Contract No. 7199 for traffic signals on Main Street at Bridge Street (Sheridan) on the Willamina-Sheridan Highway in Yamhill County. State Project. Four bids were received. The Commission elected to accept the low bid of Steeck Electric Co., Medford, in the sum of \$5,110.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Sheridan is received and the sum of \$653.00 is deposited by the City.

Contract No. 7200 for traffic signals on E. Third Street at Revere Street (Bend) on The Dalles-California Highway in Deschutes County. State Project. Four bids were received. The Commission elected to accept the low bid of Steeck Electric Co., Medford, in the sum of \$11,980.00 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 \$6,739.00 is deposited by the City.

Contract No. 7201 for a traffic signal on N.E. 6th Street (Newport) on the Oregon Coast Highway. State Project. Four bids were received. The Commission elected to accept the low bid of Steeck Electric Co., Medford, in the sum of \$18,480.00 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Newport is received and the sum of \$10,395.00 is deposited by the City.

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 highway contracts:

- (1) Two structures on the Malheur River (Harper) and Bully Creek (Westfall) Bridges on FAS 23-105 in Malheur County. Bids received January 9, 1969. Contract No. 7194 awarded January 17, 1969, to Stach Construction Co., Inc., Grants Pass, low bidder.
- (2) Construction of East Fork Hood River (Toll) Bridge on FAS-341 in Hood River County. Bids received January 9, 1969. Contract No. 7191 awarded January 21, 1969, to Ross Bros. Construction, Inc., Salem, low bidder.
- (3) Traffic signals on Main Street at Bridge Street in Sheridan on the Willamina-Sheridan Highway in Yamhill County. Bids received January 9, 1969. Contract No. 7199 awarded January 21, 1969, to Steeck Electric Company, Medford, low bidder.

- (4) Traffic signals on East Third Street at Revere Street in Bend on The Dalles-California Highway in Deschutes County. Bids received January 9, 1969. Contract No. 7200 awarded January 21, 1969, to Steeck Electric Company, Medford, low bidder.

- (5) Prospect well in Sage Hen Safety Rest Area on Central Oregon Highway in Harney County. Bids received January 9, 1969. Contract No. 7190 awarded January 23, 1969, to Dale Crawford Drilling, Terrebonne, low bidder.

Confirmation for telephonic approval given by the Chairman on January 10, 1969, for payment of dues in the National Association of Travel Organizations, Inc., was requested by the Engineer. He explained that membership in this organization is valuable in the promotion of tourist travel in Oregon. The Commission confirmed payment of \$500 dues for the year beginning September 1, 1968, and ending August 31, 1969.

Payment of annual dues to the American Association of State Highway Officials was brought up by the Engineer. He pointed out that the Oregon Highway Department has for many years been a member of this association and it is important that the State continue to take an active part. Following his favorable recommendation, the Commission approved payment of \$2,279.25 as dues for the calendar year 1969.

A tabulation was presented by the Engineer showing the allocation of 1970 Federal-aid Secondary Funds to the individual counties of the State. The allocation has been computed in accordance with a formula developed by the Association of Oregon Counties using the 1960 census and the January 1, 1968, county road mileages. The Commission approved allocation of FAS funds as follows:

FISCAL YEAR 1970 ALLOCATION TO COUNTIES

JANUARY, 1969

<u>COUNTY</u>	<u>FEDERAL FUNDS</u>	<u>TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)</u>
Baker	\$ 49,484	\$ 82,000
Benton	63,018	105,000
Clackamas	184,526	308,000
Clatsop	55,097	92,000
Columbia	61,476	102,000
Coos	105,828	176,000
Crook	48,348	81,000
Curry	50,303	84,000
Deschutes	55,546	93,000
Douglas	144,234	240,000
Gilliam	34,690	58,000
Grant	43,504	73,000
Harney	49,141	82,000

(Tabulation continued on next page)

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(1970 FAS Allocation to Counties Cont.)

<u>COUNTY</u>	<u>FEDERAL FUNDS</u>	<u>TOTAL FUNDS Including State's and Counties' Match Money (Rounded to Thousands)</u>
Hood River	\$ 49,466	\$ 82,000
Jackson	111,689	186,000
Jefferson	44,044	73,000
Josephine	65,093	108,000
Klamath	91,790	153,000
Lake	47,121	79,000
Lane	204,714	341,000
Lincoln	62,926	105,000
Linn	113,842	190,000
Malheur	94,272	157,000
Marion	170,717	285,000
Morrow	47,359	79,000
Multnomah	313,534	523,000
Polk	62,949	105,000
Sherman	33,395	56,000
Tillamook	61,970	103,000
Umatilla	95,041	158,000
Union	47,840	80,000
Wallowa	45,303	76,000
Wasco	51,471	86,000
Washington	183,598	306,000
Wheeler	30,607	51,000
Yamhill	78,499	131,000
TOTAL	\$3,052,435	\$5,089,000

SUMMARY, ENTIRE STATE-FISCAL YEAR 1970 COUNTY FAS FUNDS

Total Federal Funds for Construction (50% of Oregon's apportionment less planning survey funds)	\$3,052,000
Plus estimated required match money. . . State Funds	1,018,500
. . . County Funds	1,018,500
TOTAL COUNTY FAS FUND	\$5,089,000

NOTE: Above funds allocated to individual counties on bases 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.

Consideration was given to a request from Multnomah County for a FAS project on North Columbia Boulevard. The Engineer stated that the project has been investigated and is eligible for FAS funds. Following his favorable recommendation, the Commission approved the following project and authorized the Secretary to sign a routine construction agreement:

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COUNTY	FAS	SECTION & DESCRIPTION	PROGRAMMED	FAS FUNDS
			AMOUNT	
Multnomah	940	North Delaware Avenue-North Woolsey Avenue Section; North Columbia Boulevard. Grade, base, pave and curb a roadway 64' in width; 1.32 miles	\$520,000	1969
		TOTAL	\$520,000	

SUMMARY BY FISCAL YEARS	1969	1970	TOTAL
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (corrected to date)	1,678,000	--	1,678,000
Unprogrammed Balance	\$2,291,000	\$5,089,000	\$7,380,000
Projects Proposed 1/28/69	520,000	--	520,000
Unprogrammed Balance	\$1,771,000	\$5,089,000	\$6,860,000

Extension of Contract No. 7172 for 1.02 miles on the Steens Highway in Harney County was brought up by the Engineer. When the contract was awarded, he said that there were funds for only a 2.3 mile section. Additional funds are now available and he recommended the extension to take care of a weak section of road at a cost of \$80,000, to be added to the current State Construction Program. The Commission approved the extension of the contract.

Attention was given to a request from Josephine County to construct at County expense, a revised connection from Jerome Prairie Road to the Redwood Highway approximately two miles west of Grants Pass. The Engineer stated that the proposed intersection should relieve a potential traffic hazard and he recommended that the request be approved. The Commission accepted his recommendation.

In accordance with ORS 366.525, the Engineer reported that distribution of highway funds to the counties for the last quarter of 1968 is to be made before the last day of January, 1969. Twenty percent of the amount received in the State Highway fund during the last quarter of 1968 (\$5,125,128.73) was remitted to the counties on January 10, 1969. The Commission confirmed the distribution of funds to the counties.

A resolution was presented by the Engineer for the semi-annual apportionment to cities consisting of 12 percent of all monies credited to the Highway Fund (\$6,207,377.84) during the last half of 1968. Following his favorable recommendation the Commission approved the allocation by adopting "City Allocation of State Highway Funds Resolution No. 48," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer requested approval of two highway location surveys. The Commission approved the following surveys contingent upon their meeting the terms required by the Bureau of Public Roads in PPM 20-8 dated January 14,

January 28, 1969

1969. The effect and application of the terms and conditions in the PPM are not entirely clear at this time. The Commission thereupon adopted "Survey Resolutions Nos. 361 and 362," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Saddle Mountain Junction-Little North Fork Nehalem River Section on the Sunset Highway in Clatsop County. (See "Survey Resolution No. 361.")
- (2) Cloverdale Road (M.P. 4.5) Section of the McKenzie-Bend Highway in Deschutes County. (See "Survey Resolution No. 362.")

In discussing the survey for the improvement of the Saddle Mountain Junction-Little North Fork Nehalem River Section of the Sunset Highway, the Chairman inquired concerning some of the worst traffic conditions on east-west highways to the coast. The Engineer stated that traffic frequently gets bogged down in the crooked two-lane section of the Sunset Highway particularly on summer weekends. The Chairman then inquired if improvement of the two and one-half mile section would clear up the situation. The Engineer replied that it would not as proper relief cannot be expected until the highway is made four lane throughout its length, there being about 40 miles to be done. Although the average daily traffic on the Sunset is approximately 2,700 vehicles he estimated that during peak periods traffic would be near 15,000. The Chairman then inquired if the traffic conditions on the Sunset are worse than on other roads to the coast. The Engineer stated that it would be hard to answer this question definitely as all of the coast roads have peak traffic periods which slow traffic considerably, but in his opinion he believed that the peak conditions are worse on the Sunset than on the others. Among other highways where traffic at times is slowed down considerably, he mentioned the Salmon River, the Lower Columbia River easterly from Astoria, the Willamina-Salem Highway and the Corvallis-Newport Highway. He also mentioned the very costly improvements which have been made on the easterly end of the Sunset Highway including the tunnels in Portland.

A change in speed zoning on the Beaverton-Hillsdale Highway in the community of Raleigh Hills in Multnomah and Washington Counties was brought up by the Engineer. He recommended that "Speed Zone Resolution No. 246b" dated December 12, 1960, be rescinded and that a 40 mile-per-hour speed zone be established beginning at the east city limits of Beaverton at M.P. 2.03 and extending to the west city limits of Portland at M.P. 3.41. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 543," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer formally abandoning to Josephine County a 9.34 mile section of the Williams Highway between Provolt and Williams. He explained that in an agreement dated May 29, 1968, the County had agreed to accept this section of the Williams Highway in exchange for a 40-acre parcel of land near the Manzanita Rest Area. Following the Engineer's favorable recommendation, the Commission adopted "Abandonment Resolution No. 476," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission also considered a resolution redesignating the remainder of the Williams Highway in Josephine County and the Medford-Provolt Highway in Jackson County combined as the Jacksonville Secondary Highway No. 272. The Engineer pointed out that in transferring the stub section of the Williams Highway, south of Provolt, there is now a common terminus of two separate highways at Provolt. He recommended that the remainder of the Williams Highway from Provolt to Grants Pass be combined with the Medford-Provolt Highway as one continuous highway and be redesignated as the Jacksonville Secondary Highway No. 272 extending from Medford southerly and westerly through Jacksonville, Provolt, Murphy, and to Grants Pass, a distance of 38.82 miles. The Commission accepted the Engineer's recommendation and thereupon adopted "Secondary Highway Designation Resolution No. 72," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A request was made by the Engineer to rent space at the Vancouver B.C. Travel Show, February 28 through March 9, 1969, at a total estimated cost of \$1,638. This cost will also include transporting personnel and exhibit material to and from the site. He mentioned that surveys indicate that practically as many tourists come to Oregon from Canada as from Washington, and that an exhibit at the travel show would be advantageous as paid attendance is expected to be approximately 150,000. The Commission approved the display.

Extension of a contract with Oregon Welcome, Inc., for dissemination of travel information from offices in San Francisco and Los Angeles was brought up by the Engineer. The old contract expired November 1, 1968. He recalled that on January 13, 1969, the Chairman had approved an extension of the contract from November 1, 1968, through October 31, 1969, for a total amount of \$15,600 payable on monthly billings of \$1,300 each. The Commission confirmed the contract extension and authorized the Secretary to sign it in their behalf.

Consideration was given to an agreement with Bonneville Power Administration allowing a crossing on the Anderson Road-Duncan Road Section of the Mt. Hood Highway over the Bonneville-Oregon City transmission line easement in Clackamas County. The Engineer commented that the agreement also provides for access from the highway to the Bonneville transmission line easement by way of 20-foot approaches with locked gates. Following his favorable recommendation, the Commission approved the agreement.

Attention was given to an agreement with Tillamook County for installation of a flashing beacon at the intersection of the Wilson River Loop Road with the Wilson River Highway. The Engineer stated that the State is to do the work and the County agrees to pay one-half the cost of installation and provide all of the necessary maintenance and electrical energy. He estimated the cost of the installation at \$1,200 with the State's share of \$600 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.

January 28, 1969

An agreement with the City of Portland for installation of illumination on the West Fremont Interchange Section of the Stadium Freeway in Portland was brought up by the Engineer. The State is to do the work at an estimated cost of \$300,000 and maintain the luminaire units after installation. The City is to provide electrical energy requirements. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to a cooperative agreement with the City of Philomath for elimination of ditches and improvement of drainage on the 7th Street-19th Street Section of the Corvallis-Newport Highway in Benton County. The Engineer estimated the total cost of the project at \$74,000 to be paid 75 percent by the State and 25 percent by the City. The State's estimated share of \$55,500 is to be taken from Minor Betterment Funds over a three-year period. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

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

"Bargain and Sale Deed" to William H. and Jean M. Howe and James W. and Lillian B. Taggart covering 0.14 acre on the Oregon Coast Highway in Tillamook County.

"Bargain and Sale Deed" to Chemical Resource Corporation and Gordon I. and Laura A. DeBok covering an excess parcel of 0.11 acre on Clackamas River-West Linn Section of the East Portland Freeway in Clackamas County.

"Relinquishment of Title" to City of Central Point covering a 0.24 acre on the Central Point Section of the Pacific Highway in Jackson County.

"Bargain and Sale Deed" to Malheur County covering 5.74 acres on the Brogan-Jamieson Section of the John Day Highway in Malheur County.

"Relinquishment of Title" to Lincoln County covering two parcels, one containing 2.25 acres and the other, 1.2 acres on the Siletz Highway in Lincoln County.

"Bargain and Sale Deed" to City of Cottage Grove covering 46.7 acres on the Goshen-Divide Section of the Pacific Highway in Lane County.

"Agreement Extending Term of Lease" with Weyerhaeuser Timber Company on the Green Springs Highway in Jackson County.

"Deed" to Oregon-Washington Railroad and Navigation Company conveying all minerals and mineral interests on the Russell Street-Curry Street Section of the Pacific Highway in Multnomah County.

"Indenture of Access" to Jack T. and Leveta E. Stovall and D. G. and Barbara Horn covering the Calapocoya Creek-Sutherlin Section of the Elkton-Sutherlin Highway in Douglas County.

"Indenture of Access" to Chester L. and Nola J. Nance covering the Blue River-Mill Creek Section of the McKenzie Highway in Lane County.

January 28, 1969

"Indenture of Access" to Katharine McAlister, individually and as Executrix of the Estate of Cecile McAlister, deceased, Edward D. and Bertha A. McAlister covering the Blue River-Mill Creek Section of the McKenzie Highway in Lane County.

"Indenture of Access" to J. Woodrow Duff, Boyd A. Litehiser, and Barbara J. Litehiser covering the Bend-Lapine Section of The Dalles-California Highway in Deschutes County.

"Indenture of Access" to Louis B. Croston covering the Toledo Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Roy and Ellen Moe covering the Toledo Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Everette E. and Kathryn M. Dennis covering the Toledo Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Loyal and Darlene Tyler covering the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Robert C. and Donna Mae Blower covering the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Floyd and Maud Gregory covering the Toledo-Pioneer Mountain Section of the Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Merton S. and June E. Coville covering the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Indenture of Access" to Myron E. and Vereta J. Mason, Harmon P. and Lois A. Drushella, and Ohmart and Calaba, Inc., covering the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Agreement" with Oregon Welcome, Inc., for an extension to November 1, 1969, covering dissemination of information about Oregon at an annual cost of \$15,600.

"Agreement" with Bonneville Power Administration covering the crossing of the Anderson Road-Duncan Road Section of the Mt. Hood Highway over their Bonneville-Oregon City transmission line easement.

"Agreement" with Tillamook County for installation of a flashing beacon at the intersection of the Wilson River Highway and Wilson River Loop Road.

"Agreement" with City of Portland for installation of illumination on West Fremont Interchange Section of the Stadium Freeway.

"Agreement" with City of Philomath pertaining to 7th Street-19th Street Section of Corvallis-Newport Highway providing for elimination of ditches and improvement of drainage control.

January 28, 1969

There being no further business to conduct, the meeting was adjourned by the Chairman at 10:05 a.m.

Bonnet Cooper
State Highway Engineer

Clayton Jackson
Chairman

Fred Huel
Commissioner

Floyd Querry
Secretary

Harold B. Bump
Commissioner

January 28, 1969

Salem, Oregon
March 11, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, 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

Among others present were R. E. Simpson, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; V. D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; E. S. Hunter, Maintenance Engineer; David G. Talbot, Parks Superintendent; C. H. Maison, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; Donald N. Harwell, Assistant County-City Engineer; K. A. Chatwood, Administrative Right of Way Engineer; John Oakes, Assistant Right of Way Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held January 28, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 48, 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. After due consideration, the Commission approved closing the options including those sent to them by mail 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. 57," 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 from January 20 to March 3, 1969, was presented by the Right of Way Engineer. During this period, miscellaneous sales totaled \$12,589 and land sales totaled \$1,176. Rental receipts for January were \$29,963.83 and for February \$27,081.34. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale one parcel of property no longer needed for Highway purposes. Minimum value has 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 property:

March 11, 1969

- (1) 0.32 acre, File No. 9649, being a portion of a former stockpile site, located outside a 60-foot right-of-way line on the southerly side of the Rain Rock-Triangle Lake Section of the Mapleton-Junction City Highway in Lane County, for not less than \$360. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

The Right of Way Engineer requested authority to make direct sales on five parcels of property which are no longer needed for highway purposes. Public sale of these properties, he commented, is not feasible because of peculiarities of location which restrict salability to the adjoining owner. Value of the parcels to be sold has been determined by competent appraisals. The Commission approved direct sale of the following properties:

- (1) To Glen Smith, File Nos. 33772 and 33378, 200 square feet of land on the southerly side of the Sunset Highway between S.W. 16th Avenue and S.W. 18th Avenue in Portland for \$200. No access is to be permitted to the Sunset Highway, and signboard and junkyard exclusion clauses are to be included in the deed. The sale is subject to the Bureau of Public Roads' approval.
- (2) To Don Miller, File No. 5413, 2,456 square feet of land on the southerly side of Lombard Street (N.E. Portland Highway) between N.E. 18th Street and N.E. 22nd Street in Portland for \$800. Signboard and junkyard exclusion clauses are to be included in the deed and approval by the Bureau of Public Roads is not required.
- (3) To Lynn Peterson and Betty L. Peterson, File No. 30797, 0.93 acre of land between the old and the relocated Redwood Highway at their junction approximately $4\frac{1}{2}$ miles west of Grants Pass in Josephine County for \$280. No access is to be permitted to the Redwood Highway and signboard and junkyard exclusion clauses are to be included in the deed. Bureau of Public Roads' approval was given by letter dated February 12, 1969.
- (4) To Time Construction Company, Inc., File Nos. 32854 and 33328, a 14-foot strip of land containing 7,436 square feet in the Sandberg Subdivision on the Beaverton-Tigard Highway in Washington County for \$625. Bureau of Public Roads' approval was given by letter dated January 31, 1969. Sale of this property releases the State from any further obligation for construction of a 50-foot roadway as stipulated in a previous transaction.

March 11, 1969

- (5) To Flossie O. Walling and Don H. Morris, File No. 14365, for release of a slope easement through a portion of abandoned Lake Drive on the easterly side of the Oregon Coast Highway just south of the DeLake School in Lincoln County for the sum of \$20. The easement is no longer needed as the adjacent property has been filled to the level of the highway. Bureau of Public Roads' approval is not required.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the record to cause the locations to show as constructed. The Commission approved the following Indentures of Access:

- (1) Wells property, File No. 18557, for a change in location of one point of unrestricted access 35 feet wide on the easterly side of the Pacific Highway West approximately $1\frac{1}{2}$ miles south of Tigard in Washington County, to provide access to a proposed subdivision. Bureau of Public Roads' approval was given January 23, 1969.
- (2) Pleasant Hill Rural Fire Protection District property, a subdivision of Lane County, File No. 12016, for a change in location of one point of access 35 feet wide restricted to noncommercial use on the southerly side of the relocated Willamette Highway at Pleasant Hill in Lane County. Bureau of Public Roads' approval was received December 17, 1968.
- (3) Potts property, File No. 35658, to show in the public record the constructed location of one 35-foot unrestricted point of access on the southerly side of the McKenzie Highway near the community of Blue River in Lane County. Bureau of Public Roads' approval was given June 9, 1967.
- (4) The Church of Christ property, File Nos. 37343 and 37344, to change the location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Mt. Hood Highway in the town of Sandy in Clackamas County. Approval from the Bureau of Public Roads was received August 19, 1968.
- (5) Vancil and Gilman property, File No. 39857, to show in the public record the location of one unrestricted point of access 35 feet wide as actually constructed on the easterly side of the relocated Pendleton-John Day Highway in the town of Mt. Vernon in Grant County. Bureau of Public Roads' approval was received September 6, 1968.

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- (6) Harland and Brateng property, File Nos. 18161 and 24506, for a change in location of one point of access restricted to farm products and residential use, 25 feet wide on the southerly side of the relocated Willamina-Salem Highway approximately 2 miles west of Rickreall in Polk County. Bureau of Public Roads' approval was received July 8, 1968.
- (7) Sundemeier and Zurcher property, File No. 36870, to show in the public record a 35 foot wide farm crossing as actually constructed on the relocated Tualatin Valley Highway approximately 3 miles south of Forest Grove in Washington County. Approval from the Bureau of Public Roads was received August 26, 1968.
- (8) Warren property, File No. 36832, to show in the public record the location as constructed of one unrestricted point of access 35 feet wide on the westerly side of the relocated Tualatin Valley Highway approximately one mile south of Forest Grove in Washington County. Bureau of Public Roads' approval was received August 26, 1968.
- (9) Hunt property, File No. 36845, to show in the public record the actual location as constructed of one unrestricted point of access 35 feet wide on the westerly side of the relocated Tualatin Valley Highway approximately 2 miles south of Forest Grove in Washington County. Approval by the Bureau of Public Roads was received on August 26, 1968.
- (10) Hultman property, File No. 40453, to show in the public record as actually constructed one point of unrestricted access 35 feet wide on the easterly side of the relocated Pacific Highway West approximately 5½ miles north of Rickreall in Polk County. Bureau of Public Roads' approval was received October 11, 1968.

Consideration was given to providing a Grant of Access to Hunters Diversified Properties, Inc., and Velma Ann Brown, File No. 31819, for a change in width from 25 feet to 40 feet of one unrestricted point of access on the north side of the McKenzie Highway approximately one-quarter mile west of Redmond in Deschutes County. The widened access is to be used for a subdivision. Bureau of Public Roads' approval was given on December 4, 1968. Based on the Right of Way Engineer's recommendation, the Commission approved the Grant of Access.

The Commission also considered a form of Release from Rich Manufacturing Company and a Grant of Easement to the same company concerning a spur track located on the North Portland Maintenance Site of the Pacific Highway in Multnomah County. The Right of Way Engineer explained that an easement the Company acquired from Northwest Natural Gas Company for the

spur track contained an incorrect description. The Release and Grant of Easement releases the Company's interest from the property incorrectly described (which land is now owned by the State Highway Commission) and grants the Company an easement for the spur track where it is actually located. Following the Right of Way Engineer's favorable recommendation, the Commission approved the Release and Grant of Easement form.

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. 2542 through 2544," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel on cases tried in court since the last Commission meeting. Concerning these cases he commented that offers made by the State totaled approximately \$135,000, the owners' demands \$475,000 and the court verdicts were approximately \$244,000. 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-5330 Irvin G. Reinke, et al.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	\$ 5,000.00	\$ 30,000.00 (Answer)	\$ 10,000.00
L-5823 Morris I. Dunwoodie, et ux.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	13,275.00	25,000.00 (Answer)	20,700.00
L-5555 Walter J. Freeman, et ux.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	11,275.00	23,000.00 (Answer)	20,500.00
L-5556 John Evan Meredith, et al.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	19,250.00	124,000.00 (Answer)	35,000.00
L-5553 Arthur W. Teveliet, et al.	Clackamas	Clackamas	Pacific Highway East-Cascade Highway	11,400.00	38,000.00 (Answer)	19,000.00

(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5104 Nick A. Hazapis, et ux.	Clatsop	Columbia River	Wauna- Westport	\$10,450.00	\$ 56,000.00	\$ 43,000.00
L-5344 Ray Stupek, et al.	Clatsop	Columbia River	Wauna- Westport	22,200.00	75,000.00	25,000.00
L-5506 John V. Rast, et al.	Douglas	Oakland- Shady	North Hill- Deer Creek	16,650.00	38,650.00 (Answer Amended)	22,000.00
L-5682 E. F. Beck, et ux.	Josephine	Redwood	Wilderville- Jerome Prairie	100.00	5,000.00	2,500.00
L-5208 Steve Musulin, Jr., et al.	Lincoln	Oregon Coast	DeLake	550.00	5,000.00 (Answer)	550.00
L-5677 John Hooper, et al.	Marion	Pacific	Woodburn Interchange	10,800.00	24,000.00	24,000.00
L-5510 Walter S. Carbaugh, et al.	Tillamook	Oregon Coast	Cape Kiwanda- Neskowin	450.00	15,000.00	7,500.00
L-5845 Richarlee Ranches, Inc.	Wallowa	Little Sheep Creek	Forest Boundary- Imnaha	2,400.00	7,500.00	3,500.00
L-5875 Klamath Pacific Power & Light Co., et al.	Klamath	The Dalles- California	Klamath Falls-Green Springs Highway Jct.	2,975.00	None	2,975.00
L-5671 George A. Hughes, et al.	Union	Old Oregon Trail	LaGrande	7,650.00	9,500.00 + a bridge	7,825.00

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(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5588 & L-5558A O. Jay Brogoitti, et al.	Umatilla	Old Oregon Trail	Pendleton Section and W. Exit of Pendleton Section	\$65,925.00	\$275,000.00 (Answer)	\$ 65,000.00 plus 925.00 stipulated as value of sign

(For additional details, see the Chief Counsel's letter dated March 6, 1969, concerning cases tried and filed in the Salem Office, General Files)

The Chairman inquired as to the reason for the wide value difference in the Nick A. Hazapis case in which the State's highest witness showed valuation of \$4,250.00, the State's offer of \$10,450.00 and the court verdict in the amount of \$43,000.00. The Chief Counsel explained that the closing of a county road had been the main reason. The tavern was moved to a location which the owner thought would be the intersection of the county road, but the intersection was later changed so that the tavern was not located at the junction. The State's testimony claimed that damages were not admissible, but the Court allowed the introduction of damage testimony. The Chairman then inquired if the appraisal valuations are realistic. The Chief Counsel replied that the cases which show the greatest difference between offers and verdicts are those in which damages are involved. Determining the amount of damages is a matter of judgment, and he said the juries are inclined to be lenient. Commissioner Bruno inquired if the State's appraisers consider severance damages in making offers. The Chief Counsel replied that they do. He also pointed out that if the offers made by the State are too high, Federal aid may not be available. Commissioner Bruno commented that there is concern about the appraisers making a fair estimate of damages.

A report concerning cases settled out of court since the last Commission meeting was also presented by the Chief Counsel. The proposed settlements are based on competent appraisals and are in order for Federal aid. Concerning the settlements as presented, he mentioned that the total appraised value was approximately \$97,000, whereas the settlements totaled approximately \$108,000. The Commission approved the settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5779 Ewald Ek, et ux.	Clackamas	East Portland Freeway	West Linn- Pacific Highway Unit- Columbia River- Pacific Highway	\$25,825.00	\$43,000.00

(A 69-acre chicken farm on Borland Road is severed by taking of 15.01 acres, leaving 1 acre isolated and 6 acres separated from remainder. The defendant's Answer alleges \$95,000 as full compensation.)

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(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5741 Robert L. Wievesiek, et ux.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	\$ 1,350.00	\$ 4,800.00

(Justification of this settlement is predicted upon verdicts rendered by the immediate past jury panel considering similar cases in vicinity.)

L-5632 Arnold J. Ekstrom, et al.	Clatsop	Oregon Coast	Smith Point Camp Rilea	1,325.00	2,325.00 includes fencing
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(Original appraisals, upon which offer was made, were prepared in 1966. Revision in appraisal to show value as of date of filing of complaint resulted in increase to \$2,325.)

L-5437 William P. Wagner, et al.	Marion	Silver Creek Falls	State Street-North Santiam Highway	975.00	1,300.00
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(Taking is a strip from front yard of nice residence which always leaves State vulnerable to such claims.)

L-5868 Frank H. Hilton	Multnomah	East Portland Freeway	N.E. Glisan-S.E. Division	10,500.00	10,500.00
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L-4782 Harold L. Sheppard, et al.	Douglas	Pacific	Canyonville-Josephine County Line	1,585.00	5,500.00
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(Original appraisals made before construction without knowledge that deep drainage ditch would run full length of property and that gas pumps would have to be moved. Revised appraisals at \$5,385 account for these and other damages.)

L-5884 Melvin F. Hoover, et al.	Jackson	Lake of the Woods	Crater Lake Highway-Brownsboro	10,450.00	12,500.00
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(Following filing of complaint adjacent properties were re-appraised based upon more recent sales data. Land value on re-appraisal indicated higher value and this settlement is well within such values.)

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(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5861 Doris Brown, et ux.	Umatilla	Old Oregon Trail	Pendleton	\$17,900.00	\$ 20,905.00

(Court allowed this potentially commercial property to be separated from the agricultural property.)

The ranch property case was recently tried with owner receiving verdict substantially in excess of State's appraisals. Verdict \$19,660 - Offer \$3,800 plus construction of road.)

L-5621 Ross E. Hearing, et ux.	Union	Old Oregon Trail	La Grande	800.00	1,300.00
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(Original appraisals made in early 1967. Owner employed local appraiser used frequently by State. His appraisal \$1,300.)

L-5744 Joseph A. Kalin, et al.	Union	Old Oregon Trail	La Grande	4,500.00	6,000.00
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(Review appraisal \$5,550.)

REPORT OF OTHER CASES SETTLED

Case	Defendants	County	Cause of Action	Settlement
L-5882 Garrold Wicks, et ux.	State of Oregon	Multnomah	Damages to service station by reason of change of grade of highway adjacent thereto.	\$4,500.00

(State's appraisal of damages \$3,750.00.)

(For additional details, see the Chief Counsel's letter dated March 7, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission for telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings as follows:

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BLODGETT-MARYS RIVER SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-40600 - Ray E. Davis, et ux. 10.6 acres for right of way purposes. Offer of \$6,350.00 approved by Mr. Jackson January 29, 1969.

CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42431 - Walter W. Reddaway, et ux. 3.15 acres for right of way purposes. Offer of \$58,300.00 approved by Mr. Jackson February 14, 1969.

R-42946 - Cecelia M. Frey. 0.6 acre for right of way purposes. Offer of \$17,350.00 approved by Mr. Jackson February 14, 1969.

CLOVERDALE SECTION OF THE MCKENZIE-BEND HIGHWAY

R-43137 - Nancy Margaret Halus. 0.4 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson February 14, 1969.

COLUMBIA RIVER HIGHWAY SCENIC AREA

R-42217 - Max F. Blume. 4.0 acres for scenic area. Offer of \$1,500.00 approved by Mr. Jackson February 3, 1969.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-42020 - Michael Buchman, et ux. 3.6 acres for right of way purposes. Offer of \$39,250.00 approved by Mr. Jackson February 28, 1969.

La GRANDE SECTION OF THE OLD OREGON TRAIL

R-42916 - Florence S. Otten. 1.6 acres for right of way purposes. Offer of \$1,600.00 approved by Mr. Jackson February 28, 1969.

PACIFIC HIGHWAY SCENIC AREA

R-42169 - Walter Richlick, et al. 2.3 acres for scenic area. Offer of \$5,400.00 approved by Mr. Bruno January 29, 1969.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-41067 - Charles C. Ebell, et ux. Parcel No. 1: 56.3 acres for right of way purposes; Parcel No. 2: 29.0 acres for right of way purposes; Parcel No. 3: 3.7 acres for right of way purposes. Offer of \$10,100.00 approved by Mr. Jackson February 14, 1969.

OXMAN-BENSON CREEK SECTION OF THE OLD OREGON TRAIL

R-37114 (L-5885) - Mildred E. Langley, et al. Parcel No. 1: 23.0 acres for right of way purposes; Parcel No. 2: 6.7 acres for right of way purposes; Parcel No. 3: 1.12 acres for right of way purposes; Parcel No. 4: 2.9 acres for permanent easement; Parcel No. 5: 1.43 acres for permanent easement; Parcel No. 6: 1.46 acres for permanent easement; Parcel No. 7: 4.4 acres for permanent easement; Parcel No. 8: 0.05 acre for permanent easement; Parcel No. 9: 0.18 acre for permanent easement. Offer of \$15,625.00 approved by Mr. Jackson February 14, 1969.

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R-41433 - Pauline Jorant, et al. 0.8 acre for right of way purposes. Offer of \$50.00 approved by Mr. Hill January 29, 1969.

R-42674 - Ronald Elmer Ferney. 2.2 acres for right of way purposes. Offer of \$275.00 approved by Mr. Jackson January 30, 1969.

RUCH SECTION OF THE MEDFORD-PROVOLT HIGHWAY

R-42834 - Gerald K. Roland, et ux. 0.3 acre for right of way purposes. Offer of \$300.00 approved by Mr. Jackson February 28, 1969.

SAN MARINE STATE WAYSIDE

R-42219 - Oscar Samuel Peterson, et ux. 3.7 acre for park purposes. Offer of \$23,500.00 approved by Mr. Jackson February 3, 1969.

S.E. HINKLEY AVE.-LAKE ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42676 - Edward Hanes Cooley, et ux. Parcel No. 1: 26.9 acres for right of way purposes; Parcel No. 2: 1.5 acres for permanent easement. Offer of \$102,500.00 approved by Mr. Bruno February 19, 1969.

R-42687 - Robert N. Banks, et al. 0.13 acre for right of way purposes. Offer of \$3,350.00 approved by Mr. Jackson February 17, 1969.

R-42689 - Gem Top Manufacturing, Inc., Trust Fund. 0.03 acre for right of way purposes. Offer of \$270.00 approved by Mr. Jackson February 17, 1969.

R-42690 - Henry O. Geisler. Parcel No. 1: 2.42 acres for right of way; Parcel No. 2: 0.12 acre for temporary easement. Offer of \$30,100.00 approved by Mr. Jackson February 17, 1969.

R-42692 - Clinton L. English, et ux. 1.25 acres for right of way purposes. Offer of \$13,750.00 approved by Mr. Jackson February 17, 1969.

UPPER BOONES FERRY ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-38997 - Sharff & Son Co. 64,950 square feet for right of way purposes. Offer of \$27,550.00 approved by Mr. Jackson January 30, 1969.

WALNUT AVENUE-WASHINGTON STREET (DALLAS) SECTION OF THE KINGS VALLEY HIGHWAY

R-42888 - Clarence E. Grubbs, et al. 0.08 acre for right of way purposes. Offer of \$11,700.00 approved by Mr. Jackson March 3, 1969.

A report was made by the Chief Counsel concerning an order received from the Public Utility Commission in which the State Highway Commission was the applicant. This involved an application to reconstruct a grade separation structure on FAS 761 in Linn County with Southern Pacific Railroad Company tracks. Order No. 45452 was issued February 10, 1969, authorizing reconstruction of the grade separation structure.

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The Chief Counsel reported briefly on legal proceedings which have been filed involving the State Highway Commission and its employees, summarized as follows:

- (1) Ronda Denny vs. State Highway Commission, et al.
Personal injury \$27,850
Richard Everett vs. State Highway Commission, et al.
Personal injury \$40,950
Deloris Garrison vs. State Highway Commission, et al.
Personal injury \$41,400

All three suits arose out of the washout of the approach to the White River Bridge on the Mt. Hood Highway in Hood River County under construction by the Bureau of Public Roads as a forest highway project.

- (2) Helen R. Woodcock, individually and Executrix of Estate of A. M. Woodcock, deceased, vs. State Highway Commission, in Circuit Court for Tillamook County, \$25,000 plus \$5,000 attorney fees; inverse condemnation to recover damages for change of grade and limitation of access at the intersection of Salem Avenue and the Oregon Coast Highway at Neskowin in Tillamook County.

(For additional details, see the Chief Counsel's letters dated January 30 and March 10, 1969, concerning institution of legal proceedings and filed in the General Files in the Salem Office.)

An exchange of property with Elmer J. and Bernardine Lowery and Frank and M. Edna Blizard on the Catherine Creek Section of the Medical Springs Highway in Union County was brought up by the Chief Counsel. It is proposed to deed to Lowery and Blizard title to 0.106 acre and in return they will deed to the State 0.48 acre of land plus access rights between the right of way and their remaining property in order to clear the title to land and a guard station which was sold to them years ago by the State Forestry Department. Based on the Chief Counsel's favorable recommendation, the Commission approved the exchange of property.

A list of 12 claims against others totaling \$3,712.08 was presented by the Chief Counsel and which he recommended be abandoned. He explained that these are claims for damages to various highway facilities which are not collectible for a variety of reasons. The Commission approved abandonment of the following claims:

CAO No.	Name and Damage	DOA Date	Amount	Balance
67-144	James A. Davis - Guardrail Damage	4-8-67	\$285.22	\$235.22
67-154	Richard A. Franks - Over-crossing Damage	4-7-67	219.59	
68-20	George W. Smith - Bridge Damage	11-20-67	492.66	

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(Abandonment of Claims Cont.)

CAO No.	Name and Damage	DOA Date	Amount	Balance
68-106	Bradley John Boyce - Guard-rail Damage	11-13-67	\$224.11	
68-118	Ron L. Holloway - Sign Pole Damage	2-16-68	392.16	\$367.16 (25.00 paid)
68-196	Vidella Storey - Guardrail Damage	4-4-68	198.10	
68-223	Kenneth Anderson and John David Babcock - Guardrail Damage		273.64	
68-274	Roy F. Keelan and Phillip Black - Guardrail Damage	6-22-68	363.70	
68-325	Benjy Brizendine - Guard-rail Damage	3-16-68	206.50	
68-346	Earmil L. Johnson - Guard-rail Damage	8-11-68	587.13	
68-444	Wayne Alfred Wallace - Bridge Damage	11-6-68	296.14	
68-452	Thomas Eugene Dawson - Guardrail Damage	11-12-68	248.13	

(For additional details, see the Chief Counsel's letter dated March 7, 1969, regarding abandonment of claims filed in the Salem Office, General Files.)

Mrs. Helen Batchelder, President of Pleasant Beach Land Company, appeared before the Commission and presented to them a deed of dedication of approximately one-fourth mile of beach frontage in Norwicks First Addition at Devils Lake in Lincoln County. The deed, she said, is being given for the benefit of the public for recreational purposes. In behalf of the Commission, Chairman Jackson thanked Mrs. Batchelder for the gift and mentioned that it would be of great benefit to the public if the other mileage of beach frontage in private ownership could be handled in the same generous manner. The Commission's appreciation, he added, is but a token of the good that will be rendered to the general public in the years ahead.

Mr. Thomas Vaughan, Director, Oregon Historical Society, presented to the Commission a certificate of merit awarded to the Oregon Historical Society and the Oregon State Highway Commission by the American

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Association for State and Local History. The certificate, Mr. Vaughn said, is awarded for their joint effort in publishing Dr. John Hussey's "Champoeg - Place of Transition." Mr. Vaughan commented that presentations of this sort are very infrequent and that it was his great pleasure to present the certificate to the Commission. Chairman Jackson thanked Mr. Vaughan for the presentation and stated that the Commission is much honored by it.

The Engineer requested approval to place under contract the construction of a water plant, including an intake system, treatment plant, storage tank and distribution lines to serve both rest areas and a camping area at Memaloose State Park in Wasco County. He commented that arrangements with the Union Pacific Railroad, which have been holding up the project, are practically completed. With the availability of water, it will be possible to develop an overnight camping area which ultimately will have approximately 200 campsites. He estimated the cost of the project at \$300,000. The Commission approved his request.

Attention was given to renewal of an agreement with Lincoln City to continue the sewer connection serving Devils Lake State Park in Lincoln County with the City's sewage disposal plant. The Engineer commented that the agreement has been in effect since June 12, 1958, but at the City's request has been renewed from year to year. The most recent extension expired December 31, 1968. Lincoln City's charge for treatment of sewage disposal in 1968 was \$239.16 and he recommended that the agreement be extended for one year. The Commission approved the extension and authorized the Secretary to sign the agreement in their behalf.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on March 4, 1969, for an easement to Lincoln City covering construction, maintenance, and operation of a sewer line in a portion of Devils Lake State Park in Lincoln County. The easement provides for a permanent width of 15 feet and temporary portions which vary from 25 to 50 feet in width. No costs for installing the sewer line are to be assessed against the State. The Commission confirmed the easement.

The Engineer also requested confirmation for approval given by the Chairman on February 5, 1969, for payment to the City of Salem in the amount of \$18,901.12. This is one-fourth of the payment made to property owners in acquiring the Fairmount Park property under the Willamette River Parks System. Commission approval had been given at the August 20, 1968, meeting, but because of minor errors in handling by the City, the additional confirmation is required at this time in order to clear the legality of the transaction. The Commission confirmed payment as presented.

Consideration was given to an agreement with the City of Eugene for purchase by the City of 7,290 square feet of land near the junction of Coburg Road and Ferry Street ramp in Eugene under the Willamette River Parks System. The Engineer commented that this tract is the last remaining parcel in what is otherwise park property. Acquisition will preclude private construction of an office building on the site which would block the view of the river and the existing North Bank Park. Cost of the property is \$27,350 to be financed by a Federal grant of 50 percent, by local government for 25 percent, and 25 percent from the Willamette River Park System Fund. Estimated cost to the State is \$6,837. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

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An Assignment of Lease from Thomas Blair to Cove Palisades, Inc., was brought up by the Engineer. He recalled that in 1967 Thomas Blair had entered into an agreement to operate the Cove Palisades State Park marina concession in Jefferson County for a three-year period. Mr. Blair's health has prompted him to dispose of the lease and he has arranged for its transfer to Cove Palisades, Inc., a corporation formed by James and Lu Ann Cunnally and James and Edna Buch, 7215 S.W. 105th Street, Beaverton. The assignment has been carefully investigated, as well as the proposed new operators of the concession, and the Engineer recommended that the lease be assigned for the remainder of its term which ends December 31, 1969. The Commission approved the assignment and authorized the Secretary to sign it for them.

A survey for reconstruction of the Cedar Oak Drive-West Linn Section of the Oswego Highway in Clackamas County was brought up by the Engineer. He recalled that a public hearing was held January 22, 1969, and some comments had been voiced concerning the taking of right-of-way and the construction of a walkway and buffer zone on the easterly side of the highway on which a study is being made. He recommended approval of the survey, which covers a project of 0.97 miles, and that authority be granted to purchase the necessary right-of-way with construction to be undertaken when funds are available. The Commission approved the survey and thereupon adopted "Survey Resolution No. 363," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Correction of a slide at M.P. 308.8 on the Pacific Highway south of the Siskiyou Rest Area in Jackson County was considered. The slide at this location is adjacent to the Neil Creek Slide that was repaired in 1966. The Engineer estimated the cost of correction at \$100,000 and recommended that it be approved as an item in the current State Construction Program. The Commission accepted his recommendation.

Reconstruction of a bridge over Pistol River on a frontage road adjacent to the Oregon Coast Highway in Curry County was also considered. The existing structure, the Engineer said, was constructed in 1928 with horizontal clearance of 19 feet, 1 inch. The steel structure has deteriorated badly and he recommended that it be replaced with prestressed reinforced concrete spans at an estimated cost of \$185,000 as a part of the current State Construction Program. The Commission approved the project.

The Commission considered correction of a slide at Silver Point (M.P. 31.78) about three miles south of Cannon Beach on the Oregon Coast Highway in Clatsop County. It was the Engineer's opinion that heavy precipitation had caused the slide and that the best method of correction would be to move the roadway into the hill away from the slide. He estimated the cost of correction at \$525,000 and recommended that it be approved as an item in the current State Construction Program. The Commission approved the project.

Consideration was given to a project using \$65,000 of State funds on the Blue Mountain Pass-Jackson Creek Section of the I.O.N. Highway in Malheur County. The Engineer explained that most of this project is on Federal lands and \$500,000 in Federal funds has been appropriated for its improvement. The estimated cost of the work not on Federal lands is \$65,000 and he recommended that this amount be approved in the current State Construction Program to supplement the Federal money previously appropriated. The Commission accepted his recommendation.

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Consideration was given to a proposed contract project for replacing dolphins at the mouth of the D River to prevent logs carried by ocean tides from jamming the D River channel at Lincoln City in Lincoln County. The Engineer commented that dolphins had been placed in this location in years past, but had been destroyed. He estimated the cost of the work at \$35,000 and recommended that it be performed with Contract Maintenance Funds. The Commission approved the project.

Attention was given to a Federal-Aid Secondary Project for completion of the Beaverton-Tigard Highway between Beaverton and the Sunset Highway in Washington County. The Engineer stated that hearings have been held, rights-of-way acquired and the project is in order for construction at an estimated cost of \$4,850,000. Financing may require borrowing of \$500,000 from the Counties' share of the Secondary fund, but the Engineer stated that this would pose no problem as there is a comparatively large balance (\$7,000,000) in the County account. The Commission approved the project under Federal-Aid Program XI.

The Commission also considered an addition of \$185,000 to the Federal-Aid Program XI for construction of the Kittridge Avenue (Portland) Channelization Section on the Columbia River Highway in Multnomah County. The Engineer recalled that this work is covered under a previous agreement with the City of Portland and the State's portion consists of widening St. Helens Road for four lanes of traffic with a variable median and the elimination of all parking. The Commission approved the project under Federal-Aid Project XI.

The Engineer stated that it is planned to call for bids on the Hermiston-Meadow Valley Paving Project on FAS Route 911 in Umatilla County in April. The total cost of the project is estimated at \$132,000. The County, however, finds itself unable to finance the usual County share of 20 percent and has requested that the State provide this amount to be repaid from the County Allotment of Federal Funds when available. The County's share amounts to approximately \$26,400. Following the Engineer's favorable recommendation, the Commission approved the method of financing as outlined.

Payment of \$250 to the Western Governors Travel Council as Oregon's share of the cost of a report made on a survey of State travel offices was brought up by the Engineer. He explained that preparing and publishing of the report was a joint project among the thirteen western states and that the Oregon Travel Information Director has acted as the Governor's representative on the Travel Council. The Commission approved payment of the assessment.

Payment of \$1,500 to the Pacific Northwest Travel Association for 1969 membership dues was considered. The principal function of this organization, the Engineer stated, is to combine efforts so that the northwest states can be represented at travel shows throughout the nation. Oregon in 1969 will be represented at Kansas City, Phoenix, Dallas, Milwaukee, Minneapolis and Los Angeles. The Commission accepted his recommendation for payment of the dues.

Consideration was given to a request from Clackamas County for cancellation of a Federal-Aid Secondary Project in the amount of \$130,000.

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The Engineer explained that the project known as the Park Place Interchange Section on the Clackamas River Road is to be constructed with Interstate Funds in conjunction with the Gladstone Interchange on I-205. The Commission approved cancellation of the project.

Attention was given to requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages. The Engineer stated that each request has been carefully investigated and results of the investigation have been reported to the Commission by letter. The Commission took action on the requests as follows:

- (1) White Brothers Construction Company, Inc., Contract No. 6942, on the Siletz Highway in Lincoln County requested a 156-day extension of time. The Commission approved an extension of 114 calendar days, which is to the date of completion, and eliminates all liquidated damages.
- (2) Electric Corporation, Contract No. 7095, on FAS 159 in Marion County, requested 173 additional calendar days. The Commission granted an extension of 173 days without assessment of liquidated damages.
- (3) C. J. Montag & Son, Inc., and Workman Construction Company, Contract No. 6985, on the Eugene-Springfield Highway in Lane County, requested 106 additional calendar days. The Commission approved an extension of 106 calendar days without assessment of liquidated damages. Bureau of Public Roads' approval was given in their letter dated February 19, 1969.
- (4) Electric Corporation, Contract No. 7168, on the Pacific Highway in Linn County, requested an increase of 21 calendar days. The Commission approved an increase of 3 calendar days without assessment of liquidated damages. Bureau of Public Roads' approval was given in their letter dated January 21, 1969.
- (5) Slate-Hall and Hannan Bros. Company, Contract No. 7047, on the Beaverton-Tigard Highway in Washington County, requested an increase of 124 calendar days. The Commission approved an extension of 82 calendar days, eliminating 81 days of accrued liquidated damages leaving approximately one day of work to complete the contract.
- (6) Charles T. Parker Construction Company, Contract No. 7152, for work on McKillican Street in the City of West Linn in Clackamas County, requested an increase of 13 calendar workdays. The Commission approved an extension of 2 calendar workdays without assessment of liquidated damages.

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The Engineer reported that Contract Nos. 6942, 7012, 7038, 7061, 7094, 7125, 7162, and 7168 for highway construction have been completed as required by the contracts or modifications thereof and the 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. 174," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the date of April 22, 1969, for the next Highway Commission meeting to be held in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for May 28, 1969.

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

- (1) Traffic signals on Adams Avenue at Cherry Street in the City of La Grande on the Old Oregon Trail in Union County. Bids received January 9, 1969. Contract No. 7198 awarded February 10, 1969, to Steeck Electric Company, Medford, low bidder.
- (2) Traffic signal on N.E. 6th Street in the City of Newport on the Oregon Coast Highway in Lincoln County. Bids received January 9, 1969. Contract No. 7201 awarded January 30, 1969, to Steeck Electric Company, Medford, low bidder.

The Commission considered revision of an existing 25 mile-per-hour speed zone through the community of Glenwood on the McKenzie Highway in Lane County. The Engineer stated that action taken by the State Speed Control Board raising the speed limits in the cities of Eugene and Springfield made it desirable to raise the existing speed zone in Glenwood. The Engineer recommended that "Speed Zone Resolution No. 198" dated June 30, 1955, be rescinded and the following speed zones be established:

45 miles per hour between the east city limits of Eugene (M.P. 0.24) and 300 feet east of Jenkins Drive (M.P. 0.38).

35 miles per hour between 300 feet east of Jenkins Drive (M.P. 0.38) and the west city limits of Springfield (M.P. 1.34) eastbound and (M.P. 1.33W) westbound.

The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 544," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Consideration was given to a resolution which would allow the operation of a vehicle combination consisting of a truck-tractor and 35-foot semitrailer towing a single axle or tandem axle dolly or a small utility trailer. The Engineer explained that the purpose of the resolution is to accommodate those haulers who at times need to tow a small compressor, generator, a loader or similar vehicle to a job site. Such action will also legalize the existing practice of towing dollies with fifth wheels. The Commission accepted his favorable recommendation and thereupon adopted "Permit Resolution No. 24-L," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Commission also rescinded "Permit Resolution 24-K," adopted August 29, 1967.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on February 11, 1969, for the placing of stop signs at the intersection of the Hillsboro-Silverton Highway and the main line of the Southern Pacific Railroad in the city of Woodburn, Marion County. The Engineer commented that there have been a considerable number of accidents at this crossing. The City has requested the action in conjunction with City action placing stop signs on other city streets crossing the railroad. The Commission confirmed the action and thereupon adopted "Through Highways and Stop Signs Resolution No. 13Q," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered establishment of a four-way stop at the intersection of Main Street and the Klamath Falls-Malin Highway in the city of Klamath Falls, Klamath County. A traffic situation, the Engineer stated, has developed at the easterly end of the Canal Bridge which requires that traffic be stopped at all four quadrants of this intersection. He recommended the installation of signs to accomplish this. The Commission accepted his recommendation and thereupon adopted "Through Highways and Stop Signs Resolution No. 4Q," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer presented a resolution abandoning to abutting property owners portions of the South Yamhill River Bridge Unit on the McMinnville-Rickreall Section of the Pacific Highway West in Yamhill County. He recalled that this portion of the highway was bypassed by reconstruction in 1939 and had never been formally abandoned. Based on his favorable recommendation, the Commission approved the abandonment as recommended and thereupon adopted "Abandonment Resolution No. 485," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to an abandonment resolution transferring to the City of Arlington a section of highway known as the Arlington Spur Section of the John Day Highway in Gilliam County. The Engineer explained that an agreement dated December 17, 1968, with Arlington provided for rerouting of the highway in the city, and the spur is no longer needed as a part of the State highway. Following his favorable recommendation, the Commission adopted "Abandonment Resolution No. 482," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An abandonment resolution was presented by the Engineer which would abandon to Coos County and abutting property owners portions of old highway on the Coquille-Gray Creek Unit of the Coquille-Myrtle Point Section

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of the Coos Bay-Roseburg Highway. He stated that the resolution completes terms of an agreement dated January 31, 1967, and a supplemental agreement dated November 12, 1968. The resolution will complete the disposal of all of the old highway in this section except a unit between Gray and Grady Creeks which is not yet constructed. Based on his favorable recommendation, the Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 461," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Polk County pertaining to abandonment of the old section of highway known as the Pedee-Ritner Creek Section of the Kings Valley Highway was discussed. The agreement provides for transfer to the County of approximately 2½ miles of the old highway when the new highway section is completed and opened to traffic. The Engineer pointed out that if a flood control project involving construction of the Luckiamute Dam is approved, the agreement would become null and void. He also mentioned that the agreement provides that a covered bridge across Ritner Creek be retained by the County for park purposes. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to extending an agreement with the Commission for the Blind to allow the operation of a snack bar in the State Highway Building in Salem. The Engineer observed that the existing agreement expires March 11, 1969. The concession has been well operated and provides a very definite service for the Highway Department. He recommended an extension of the agreement to March 12, 1974. The Commission accepted the recommendation and authorized the Secretary to sign the agreement for them.

Attention was given to a Land Use Agreement with Tillamook County granting to the State the right to use County-owned property adjacent to the Oregon Coast Highway near the town of Garibaldi. The Engineer stated that the location provides an excellent viewpoint overlooking Tillamook Bay and it is proposed that provision be made for parking of vehicles, landscaping and installation of picnic tables. He estimated the cost of construction at approximately \$15,000 but financial approval is not requested at this time. The agreement becomes null and void if construction of the project is not undertaken within two years of the date of the agreement. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on February 6, 1969, of an agreement with Howard, Needles, Tammen & Bergendoff. This agreement, the Engineer said, is for estimating the cost of the City's plan for improvement of Harbor Drive in Portland. The consultant's work is to be on a cost-plus basis at an estimated cost of \$16,500 for the first phase of the study. The Commission confirmed the agreement and authority for the Secretary to sign it on behalf of the Commission. The Engineer also reported and the Commission confirmed approval given by the Chairman on March 4, 1969, of a supplemental agreement in the amount of \$3,500 for subsurface exploration.

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Confirmation also was requested by the Engineer for verbal approval given by the Chairman February 20, 1969, of an agreement with the State of Washington (Washington Department of Highways and Washington Toll Bridge Authority) covering distribution of residual funds left over from the Portland-Vancouver Toll Bridge operation. A recapitulation of funds was presented as follows:

DISTRIBUTION OF RESIDUAL FUNDS

PORTLAND-VANCOUVER INTERSTATE BRIDGE

Total Residual Funds	\$224,770.07
Oregon's 1/2 share	\$112,385.04
Value of Administration	
Building	\$41,800.00
Washington's 1/2 share to be purchased by Oregon by deduction from fund distribution	<u>20,900.00</u>
Payment to Oregon	\$ 91,485.04
Actual Distribution of Assets:	
Cash to Oregon	\$ 91,485.04
Value of Administration Bldg.	<u>41,800.00</u>
Total to Oregon	<u>\$133,285.04</u>
Total Residual Funds	\$224,770.07
Less Payment to Oregon	<u>91,485.04</u>
Cash to Washington	<u>\$133,285.03</u>

The Commission confirmed the agreement and authority for the Secretary to sign it for them.

Attention was given to an agreement with Union Pacific Railroad Company pertaining to construction of the Bunker Hill Road-Heppner Section of the Heppner Highway in Morrow County. The Engineer explained that construction was completed November 28, 1966, so the execution of the agreement is a bookkeeping procedure. The agreement also provides an easement to the State for which the State is to pay the Railroad \$460. The Commission accepted his recommendation for approval.

An agreement with the City of McMinnville in Yamhill County for the installation of traffic signals at the intersections of Third Street with Ford Street and Davis Street was considered. Cost of the signals was estimated by the Engineer at \$14,000. The City agrees to bear half the cost of installation and assume all of the maintenance and electrical energy costs. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

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The Commission considered an agreement with the City of Troutdale for installation of a flashing beacon at the intersection of Halsey Street with the Crown Point Highway, and for the installation of three luminaire units on the Sandy River Bridge in Multnomah County. The City is to pay half the estimated cost of \$700 for installing the flashing beacon, furnish all maintenance and power costs for the flashing beacon, and all power costs for the luminaire units. The Engineer estimated the cost for installing the luminaire units at \$1,500 which added to one-half the cost of installing the flashing beacon would make a total cost to the State of \$1,850. The Commission approved the agreement and authorized the Secretary to sign it on their behalf.

The Commission also considered an agreement with Multnomah County for installation of traffic signals at the intersection of Barbur Boulevard (Pacific Highway West) and S.W. 64th Avenue. Under terms of the agreement, the State is to perform the work, the cost of which is to be shared equally between the State and the County with the exception of \$5,500 for signals at the intersection of the on-ramp to the Pacific Highway (I-5) which is to be borne entirely by the State. The Engineer estimated the State's share of the project at \$18,250 to be taken from Minor Betterment Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to a construction-finance and abandonment agreement with the City of Coos Bay covering the 8th Street-Bayshore Drive Section of the Empire-Coos Bay Highway in the city of Coos Bay, Coos County. The Engineer commented that the agreement provides for a one-way couplet utilizing Anderson and Commercial Avenues between 7th Street and Bayshore Drive and the elimination of the existing route along Central Avenue which is to revert to the City. Cost of construction is to be shared equally by the State and the City. The Engineer estimated the cost of right-of-way and construction at \$375,000 from State Construction Funds which includes approximately \$40,000 for traffic signals.

Attention was also given to an agreement with the City of Coos Bay for the installation of traffic signals at three intersections on Anderson Avenue and one intersection at Commercial Avenue and Fourth Street plus the removal of existing signals on Central Avenue at Broadway and at Bayshore Drive in Coos County. Cost of the signal project estimated at \$40,000 is to be shared equally by the State and the City. Following the Engineer's favorable recommendation, the Commission approved both agreements and authorized the Secretary to sign them in their behalf.

A Land Use Agreement granting to the Port of Hood River the right to use property acquired by the State for the Columbia River Highway was brought up by the Engineer. He explained that under the agreement, the Port may occupy the property located in the northwest quadrant of the East Hood River Interchange in Hood River County for use as a marine-oriented public park. The agreement may be terminated by either party upon 60 days written notice. Approval by the Bureau of Public Roads has been secured. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

Consideration was given to a request from the City of Tigard for Consent to Annexation to the City of a portion of the right-of-way of the Beaverton-Tigard Highway in Washington County. The Engineer stated that an

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investigation had been made on the request and he recommended approval of the annexation after a portion of the State-owned land is transferred to Washington County for use as a county road. The Commission approved the consent as recommended and authorized the Secretary to sign it in their behalf.

A delegation from the City of Florence in Lane County came before the Commission to request four-lane construction on the Oregon Coast Highway from Florence north to the new high school. The following people were present: Stuart Johnston, Mayor; Edward Buck, Superintendent of Schools; Richard Worthington, City Engineer; Don Brackett, Department of Agriculture; A. E. Ellingson, Director, PUD; Howard Campbell, Engineer, PUD; and John Mehlum, spokesman.

John Mehlum introduced the delegation. Mayor Stuart Johnston urged the widening of the highway north to the high school (from 8th Street to 30th Street) to provide safer transportation for students. He also suggested that a stop light be installed at the intersection of the Florence-Eugene Highway with the Oregon Coast Highway.

Chairman Jackson inquired if the City would participate in the cost of widening. Mr. Johnston replied that the City is willing to participate in the cost of the signals at the intersection, but he stated that if the City is required to put up 25 percent of the total estimated cost of \$400,000, such an amount is not available to the City. He commented on the existing two traffic lanes, the narrow shoulders and the absence of footpaths. The Chairman stated that a preliminary study has been made on the project and the cost of widening to four-lanes would build a considerable distance of shoulder widening on two-lane highways to provide safer traffic movement. The Commission, he said, will study alternate solutions and would be in further contact with the City to see what cooperation the City might provide. Installation of the traffic signal, he said, would be considered as a separate item.

Richard Worthington mentioned the possibility of a local assessment by the City to raise funds, and that he would like to discuss with the Highway staff the possibilities of widening the highway. He also mentioned that the intersection of the Florence-Eugene Highway with the Oregon Coast Highway needs study. Mr. Ellingson commented on the traffic problem that would be created when 16 school busses move in and out of the school area. Howard Campbell mentioned recent economic developments in the area, including forest service facilities for recreation, which would increase traffic problems on the Oregon Coast Highway. He urged early improvement. Don Brackett mentioned local water district drainage plans involving Federal aid. Mr. Mehlum congratulated the Commission on the additions to Honeyman Park and asked that the Commission give early consideration to improvement of the Oregon Coast Highway north of Florence.

A delegation representing Grant County Chamber of Commerce, the City of John Day, and others came before the Commission concerning improvement of the John Day Highway and the Pendleton-John Day Highway. The following people were present: Al Reinertson, John Stenkemp, George Benson, all from John Day; Maude Johnson, Long Creek; and Tom Young, Baker.

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Al Reinertson exhibited a map showing highway needs and mentioned particularly a section near Rock Creek, Watermans Flats, the Mitchell Mountain Section, and Brogan Hill. These, he said, all serve as bottlenecks to the economic development of Grant County and also discourage tourists from coming in. He stated that the section between Dayville and Mitchell on Highway Route 26 is of prime concern and additional improvement is needed on Highway Route 395 north of the recent construction north of Mt. Vernon. He recalled that during the tourist season he had encountered motorists who inquired as to how they might get off of Highway 395. He also mentioned that one of the forest service roads has more traffic than the John Day Highway. Improvements of these highways, he concluded, are vital to the economic development of Grant County.

Chairman Jackson stated that the Commission is aware of the need for better highways in this area and he mentioned some improvements which have been made in recent years. To bring the highway system up to modern standards, however, is extremely expensive and the Commission does not have the funds. The Commission, he said, will keep working on the highways with such projects as can be financed.

Hon. Thomas F. Young, State Representative from Baker and Grant Counties; Hon. Ellis White, Malheur County Judge; Jake Fisher, Nyssa; Lloyd Russell, Mrs. Floyd Acarregui from Ontario; and Harold Hursh from Huntington came before the Commission to request highway improvements including designation of the Succor Creek Road as a State Secondary Highway. Representative Young stated he was representing Baker, Malheur, Union, Wallowa, and Umatilla Counties. He requested the Commission to designate as the Hells Canyon Scenic Corridor a route extending from the Washington State Line to Nevada via the Succor Creek Route, and that the Succor Creek Route be designated as a State Highway. Northbound traffic on Route 95, he said, now must detour into Idaho in order to get back into Oregon in the Ontario vicinity. He estimated that about 200,000 people annually are required to use this longer route. Use of the Succor Creek Route, in addition to the economic advantage in mileage saved, also provides much scenic attraction as well as a better highway grade. He also mentioned that cost of acquiring right-of-way on the Succor Creek Route would be negligible as most of the land is owned by the U. S. Bureau of Land Management. Certain portions of the Baker-Homestead Highway (Route 86) are bottlenecks and he mentioned that the Federal Government has set up a scenic area near Halfway. All of the Counties involved, he said, are in agreement on the desirability of this project. He introduced the other members of the delegation.

Judge White reiterated that all of the Counties are in agreement on this project and he emphasized the need for an additional north-south highway in far Eastern Oregon. Approximately 75 percent of the land in Malheur County, he said, is Federally owned and produces only \$11,000 annually in taxes. The County, he added, would be willing to consider use of their FAS Funds in the Succor Creek Project.

Chairman Jackson stated that he, Commissioner Hill, and the Engineer have looked at the route. He estimated the cost of construction on the Succor Creek Road at approximately 18 million dollars. No Federal Scenic Funds nor

other Federal Funds appear to be available. The Commission, he continued, is aware of the desirability of this route and will continue to seek financial help.

Judge White commented that the cost of highway construction in Eastern Oregon in many instances has been considerably overestimated and he felt that the job could be done for less money. He also felt that designation of the Succor Creek Road as a secondary highway would increase the possibility of Federal aid.

The Chairman pointed out that the Commission would be in an awkward position if they placed additional mileage on the highway system without funds for improvement, particularly as there are not sufficient funds to improve existing substandard highways. He also mentioned that the Federal Government has not provided adequate funds for highway development across Federally-owned land.

Judge White said that he felt the County Court would be willing to take over some existing secondary highway mileage if the new route is put on the State highway system.

A delegation from Brookings Harbor Chamber of Commerce came before the Commission concerning construction of the Chetco River Bridge on the Oregon Coast Highway in Curry County. The following people were present: B. A. Martin, Don Farmer, Scott Shepherd, Gene Colegove, and Ci Zeigler.

Mr. Martin introduced the members of the delegation. The people in this area, he said, would like to expedite the adoption of a corridor route to the California Line and he felt that they could be of help in protecting right-of-way in the adopted corridor. Mr. Farmer emphasized the need for the construction and restated their willingness to help in any way they could. Mr. Colegove read a letter from the County Court pointing out the need for early construction and indicating that the County would help financially as they are able to do so. He called attention to the expansion of industry and business in the area and that more is expected in the immediate future. Mr. Shepherd presented letters from the Curry County Planning Commission, the Brookings Citizen Council, the Mayor and City Council of Brookings, and the Brookings Planning Commission, all calling attention to the need for early construction of this project.

Mr. Zeigler urged the allocation of high priority to this project and the selection of a corridor route at an early date. He pointed out that the existing bridge was built in the 1920's and is inadequate and even dangerous for present day traffic. The Oregon Coast Highway, he said, is indispensable to the economic health of the Brookings area and it would be a disaster if something happened to the old bridge. He also mentioned the increasing amount of tourist traffic and the large number of school children who ride school busses across the bridge. Mr. Martin again urged the early establishment of a corridor route and reiterated their offer of assistance in obtaining right-of-way in any way that they could.

Chairman Jackson stated that the Commission realizes that the bridge is obsolete and needs replacing but lack of finances is the problem that the Commission faces. He estimated the cost of the project at near five million dollars.

State Representative Thomas F. Young came before the Commission to request that the State take over maintenance of a section of the old Baker-Homestead Highway from Copperfield Junction to Ballards Landing in Baker County. He recalled that the section of about six miles is supposed to be maintained by the Idaho Power Company under the terms of an agreement with the State Highway Department. Maintenance, however, has been very poor and at times the highway is practically impassible. On this section of highway is a tunnel and if the tunnel is blocked, the only access that residents have is by boat on the Snake River. The Power Company, he continued, has shown little evidence of cooperation and he asked that the Commission see to it that the Power Company lives up to the agreement or that the State take over maintenance of the section. The Engineer commented that a suggestion has already been received from the Power Company that the State take over maintenance. Commissioner Bruno stated that it is the responsibility of the Commission to see that the Power Company lives up to the terms of the agreement. The Chairman said the Power Company will be notified to perform as agreed.

State Representative Paul Hanneman from Tillamook County, Jesse Sutton, County Commissioner L. C. Schulmerich from Pacific City, and Kenneth Crockett from Cloverdale came before the Commission concerning highway needs in Tillamook County.

Representative Hanneman mentioned construction of the Oregon Coast Highway in the Pacific City area; construction of the Dolph to Boyer cut-off; improvement of a hump near Brighton on the Oregon Coast Highway; improvement from Nehalem to the Sunset Highway Junction on the Necanicum Highway; and additional maintenance on the Wilson River Highway.

Commissioner Schulmerich commented that construction of the Pacific City Route is the number one project. He also mentioned that the County has plans for construction of a park on the Sandspit near Pacific City and construction of an access road is needed. Business development in the Pacific City area, he said, is being held up until the route is determined. Selection of any one of the routes considered would relieve this pressure and he urged the Commission to take action at an early date.

Representative Hanneman commented on the attitude of tourists in Tillamook County who are irritated by the obsolete Oregon Coast Highway north of Neskowin. He agreed that construction in the Pacific City area is the number one project, but if there is a stalemate construction of the Dolph to Boyer Section would be next in order. Chairman Jackson thanked the delegation for appearing.

An agreement with Marion and Yamhill Counties pertaining to construction, engineering, and other matters on the Willamette River (Lambert Bend) Bridge was brought up by the Engineer. He mentioned that the bridge is to be constructed under contract by Marion and Yamhill Counties and the agreement provides that the State perform preliminary engineering, design and other details at the expense of the State. Construction engineering and related details are to be performed by the State and are to be reimbursed by the Counties. The Counties also agree to assume full jurisdiction and control over the project after it is completed and opened to traffic. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was given to an agreement with Lane County for the acquisition of approximately 27 acres of land on the Coast Fork of the Willamette River in Lane County known as the Cinderella Park Acquisition. The Engineer stated that the project has been approved by the Willamette River Park System Committee with certain conditions. Value of the acquisition is estimated to be \$30,000, 25 percent of which is to be paid by the local governmental unit; 25 percent from the Willamette River Park System fund and 50 percent from Federal funds. The estimated cost to the State is \$7,500. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

The Engineer reported that C. H. Maison, Auditor (Controller) for the Highway Department, had submitted his intent to retire effective March 31, 1969, but because of the urgency of business at this time, he had consented to defer his retirement to April 30, 1969. The Engineer recommended that Mr. Vernon E. Skoog be appointed as Auditor (Controller) to succeed Mr. Maison effective April 1, 1969, at a salary of \$1,375 per month. Mr. Skoog, he said, is 38 years old, is a Certified Public Accountant and has served as an Assistant to Mr. Maison for about five years. He is well-versed in financial matters affecting the Department. The Commission approved the appointment of Mr. Skoog, subject to approval by the Civil Service Commission, for a four-year term beginning April 1, 1969, as recommended by the Engineer and thereupon adopted "Appointment Resolution No. 31," which resolution by this reference is made a part hereof and filed in the Secretary's Office. To avoid conflict of responsibility, and to prevent any difficulty in securing the required bond, the appointment was made with the understanding that Mr. Maison is to serve as Auditor (Controller) until his retirement date April 30 at which time Mr. Skoog will take over the full duties and responsibilities of the position.

The Commission considered a verbal request made to the Engineer by State Representative Leo M. Thorton for the establishment of a recreational trail between Portland and Oregon City on the former Portland Traction Company right-of-way. This matter was subject of a study by the Parks Division who submitted a report pointing out that although the project has considerable merit it is somewhat outside the concept of the State Parks Program and should be handled by a local jurisdiction. The Commission concurred with the report.

The Commission also considered a request from Neskowin North, Inc., of Tillamook, Oregon for its concurrence to remove approximately 50,000 cubic yards of sand from the beach at Neskowin for filling low areas on other private land easterly of the 16 foot contour line. After discussion it was the Commission's opinion that such removal would be adverse to the public interest and that Neskowin North should be advised to consider an alternate solution.

The Commission considered reports from the Parks and Recreation Committee and from the Travel Advisory Committee concerning an increase in fees for nonresidents who use State parks. The Commission concurred in the Committees' recommendations that separate fees not be established.

Based on the Engineer's recommendation, the Commission approved an increase in per diem allowances for employees of the Department from \$7 to \$9 per day effective March 17, 1969. (Details concerning moving and per diem allowances are to be found in a letter signed by Tom Edwards, Assistant State Highway Engineer, dated March 17, 1969, in the Salem Office, General Files.)

An agreement with Shannon and Wilson, Inc., and the City of Portland for the purpose of finding a solution to the OMSI-Portland Zoo Slide was presented by the Engineer. Cost of the study is not to exceed \$40,000 and is to be shared equally between the State and the City of Portland. Shannon and Wilson are to perform a foundation investigation, an engineering study, and make recommendations for control of hillside instability in the vicinity of the Portland Zoo. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission reappointed the following members to the State Parks and Recreation Advisory Committee:

- (1) P. M. Stephenson for a term beginning August 23, 1969, to August 23, 1973.
- (2) Alfred D. Collier for a term beginning August 8, 1969, to August 8, 1973.
- (3) Donald McGregor for a term beginning April 21, 1969, to April 21, 1973.
- (4) Eric Allen, Jr. for a term beginning April 20, 1969, to April 20, 1973.

The Commission expressed their gratitude and appreciation for the work that these members have performed on the Committee in the past.

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

"Bargain and Sale Deed" to Marcel and Reta Labrousse for sale of 1 acre stockpile (former) site and easement on Rockaway-Barview Section of Oregon Coast Highway in Tillamook County.

"Indenture of Access" to The Grand Lodge of Ancient Free and Accepted Masons of Oregon covering Forest Grove-Hillsboro Section of Tualatin Valley Highway in Washington County.

"Bargain and Sale Deed" to City of Dayville re sale of 0.97 acre portion of Dayville Maintenance Site on John Day Highway in Grant County.

"Bargain and Sale Deed" to King Courts, Inc., re sale of 8 acres of land on Junction City-Eugene Section of old Pacific Highway in Lane County.

"Deed of Dedication" from Pleasant Beach Land Company covering approximately 1/4 mile of beach area fronting Norwicks First Addition of Devils Lake for recreational purposes.

"Bargain and Sale Deed" to Lane County covering 0.55 acre on the Dexter-Duval Creek Section of the Willamette Highway in Lane County.

"Relinquishment of Title" to Lane County covering 0.65 acre on the Dexter-Duval Creek Section of the Willamette Highway in Lane County.

"Bargain and Sale Deed" to H. M. and Rose L. Featherston covering 1.07 acres on Vale-Cairo Section of Central Oregon Highway in Malheur County.

"Bargain and Sale Deed" to E. P. and Alta N. Phillips covering 27.15 acres on Salem Bypass-Jefferson Junction Section of Pacific Highway East in Marion County.

"Bargain and Sale Deed" to Elmer J. and Bernardine Lowery and Frank and M. Edna Blizzard covering land on the Catherine Creek Section of the Medical Springs Highway in Union County.

"Release and Deed" to Time Construction Company covering land on the Sunset Highway-Denny Road Section of the Beaverton-Tigard Highway in Washington County.

"Indenture of Access" to William G. and Margaret V. Wells covering Tigard-Newberg Section of Pacific Highway West in Washington County.

"Indenture of Access" to Pleasant Hill Rural Fire Protection District, a legal subdivision of Lane County, covering Pleasant Hill-Lost Creek Section of the Willamette Highway in Lane County.

"Indenture of Access" to James O. and Frances V. Potts covering Blue River-Mill Creek Section of McKenzie Highway in Lane County.

"Indenture of Access" to Church of Christ, Sandy, covering Sandy Section of Mt. Hood Highway in Clackamas County.

"Indenture of Access" to Marvin and Merna Vancil and Miles F. and Flossie E. Gilman covering the Little Beech Creek-Mt. Vernon Section of the Pendleton-John Day Highway in Grant County.

"Indenture of Access" to William and Joann C. Harland and Joel J. and Jean B. Brateng covering Dolph Corner-Rickreall Section of Willamina-Salem Highway in Polk County.

"Indenture of Access" to H. W. and Louise E. Sundemeier and Fred C. and George Zurcher covering Forest Grove-Yamhill County Line Section of Tualatin Valley Highway in Washington County.

"Indenture of Access" to George E. and Velma Warren covering Forest Grove-Yamhill County Line Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to Lloyd and Nellie A. Hunt covering the Forest Grove-Yamhill County Line Section of the Tualatin Valley Highway in Washington County.

"Indenture of Access" to Cecil and Bernice Hultman covering the Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Grant of Access" to Hunters Diversified Properties, Inc., and Velma Ann Brown covering the width of an existing access on the Deschutes River-Redmond Section of the McKenzie Highway in Deschutes County.

"Release and Grant of Easement" with Rich Manufacturing Company of California for a spur track on the North Portland Maintenance Site of the Pacific Highway in Multnomah County.

"Agreement" with Lincoln City covering an extension to December 31, 1969, allowing the State to connect the Devils Lake State Park sewer to the City's sewage disposal plant.

"Easement" to City of Lincoln City to permit construction, maintenance, and operation of a sewer line, a portion of which is in Devils Lake State Park.

"Agreement" with City of Eugene for purchase of 7,290 square feet near junction of Coburg Road and Ferry Street ramp in the City of Eugene as a part of the Willamette River Park System.

"Assignment of Lease and Agreement" from Thomas Blair to Cove Palisades, Inc., for operation of the marina concession at The Cove Palisades State Park for the remainder of the term beginning April 1, 1967, and ending December 31, 1969.

"Agreement" with Polk County abandoning to the County the Pedee-Ritner Creek Section of the Kings Valley Highway.

"Agreement" with Commission for the Blind to allow operation of a snack bar in the State Highway Building in Salem for a 5-year period beginning March 11, 1969.

"Land Use Agreement" with Tillamook County granting the State the right to use County-owned property adjacent to the Oregon Coast Highway in the vicinity of Garibaldi to develop a viewpoint overlooking Tillamook Bay.

"Agreement" with Union Pacific Railroad Company for construction of Bunker Hill Road-Heppner Section of Heppner Highway in Morrow County.

"Agreement" with City of McMinnville for interconnected pre-timed traffic signals at the intersections of Third Street and Ford Street and Third Street and Davis Street.

"Agreement" with City of Troutdale covering flashing beacon at intersection of Crown Point Highway and Halsey Street and 3 luminaire units on Sandy River Bridge.

"Agreement" with Multnomah County for traffic signals at the intersection of Barbur Boulevard and S.W. 64th Avenue.

"Agreement" with City of Coos Bay covering construction and abandonment of 8th Street-Bayshore Drive Section of Empire-Coos Bay Highway in City of Coos Bay.

"Agreement" with the City of Coos Bay for installation of traffic signals at 3 intersections on Anderson Avenue and 1 intersection at Commercial Avenue and 4th Street. Also remove existing signals at Central Avenue with Broadway and Bayshore Drive.

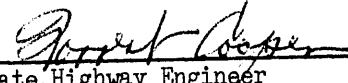
"Land Use Agreement" granting the Port of Hood River the right to use property which was acquired by the State as right of way for the Columbia River Highway.

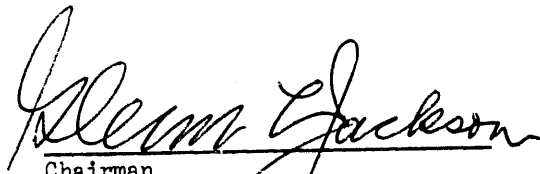
"Consent to Annexation" to City of Tigard of a portion of right of way of Beaverton-Tigard Highway.

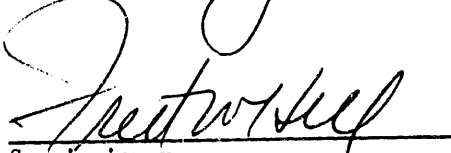
"Agreement" with Lane County for the acquisition of Cinderella Park in connection with the Willamette River Park System.

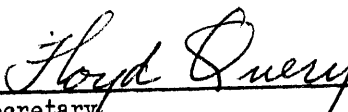
"Agreement" with Marion and Yamhill Counties covering construction of Willamette River (Lambert Bend) Bridge.

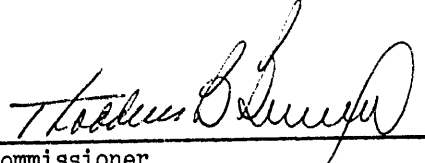
The meeting was adjourned by the Chairman at 12 noon.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

VOLUME 54

COMPLETE

MINUTES OF OREGON STATE HIGHWAY COMMISSION

COVERING PERIOD

FROM

APRIL 1, 1969

TO

MARCH 31, 1970

- - -

OREGON STATE HIGHWAY COMMISSION

Glenn L. Jackson, Chairman
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner

- - -

Forrest Cooper, State Highway Engineer
George E. Rohde, Chief Counsel
(April 1, 1969 to February 23, 1970)
Leonard I. Lindas, Chief Counsel
(February 24, 1970 to March 31, 1970)
Floyd Query, Secretary

- - -

HEADQUARTERS AND GENERAL OFFICE OF DEPARTMENT

LOCATED AT SALEM, OREGON

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HIGHWAY COMMISSION MINUTES

April 1, 1969, through March 31, 1970

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35505

Salem, Oregon
April 22, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, 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. Moerling, Right of Way Engineer
Floyd Query, Secretary

Among others present were R. E. Simpson, Division Engineer of the U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; V. D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; David G. Talbot, Parks Superintendent; C. H. Maison, Controller; Frank C. McKinney, Assistant Counsel; V. E. Skocg, Controller, effective May 1, 1969; Donald M. Harwell, Assistant County-City Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held on March 11, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 52 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 which are on or near the appraised amounts and are in order for Federal aid. After due consideration, the Commission approved closing the options including those sent to them by mail since the last Commission meeting, as well as those options presented for the first time at this meeting, and thereupon adopted "Right of Way Resolution No. 58," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from March 4 to April 14, 1969, was presented by the Right of Way Engineer. Miscellaneous sales in this period totaled \$21,735; land sales, \$42,410; timber sales, \$1,138.75 and rental receipts for March 1969 totaled \$27,098.77. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale four parcels of property no longer needed for highway

April 22, 1969

purposes. Minimum values, he said, 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 Resolution No. 510," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) 3.7 acres, File No. 13221, being a depleted quarry site located on the northerly side of Bald Mountain Yamhill County Road, approximately 4.1 miles north of the Hillsboro-Silverton Highway for not less than \$2,000. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 510")
- (2) 875 square feet of land, File No. 23673, located northerly and easterly from the northeast corner of the intersection of S. W. 20th Avenue and Spring Garden Road on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County for not less than \$250. No access is to be permitted to the freeway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was given March 21, 1959.
- (3) 0.18 acre of land, File No. 36095, in the southwest quadrant of the Durkee Interchange on the Oxman-Bibbs Ranch Section of the Old Oregon Trail in Baker County, for not less than \$450. No access is to be permitted to the highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (4) A portion of a 0.88 acre former stockpile site, File No. 13960, located outside of the right-of-way line on the southwest side of the Elkton-Sutherlin Highway approximately $3\frac{1}{2}$ miles west of the Sutherlin Interchange on I-5 in Douglas County, for not less than \$475. Access is to be allowed at Station 1086+00. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the record to cause the locations to show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Johnson property, File No. 38614, to show in the public record the constructed location of one 35 foot unrestricted point of access on the southerly side of the relocated Santiam Highway approximately one-half mile

- east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was granted December 12, 1968.
- (2) Middleton property, File No. 38594, to show in the public record the constructed location of one 35 foot unrestricted point of access on the northerly side of the relocated Santiam Highway at the east city limits of Sweet Home in Linn County. Approval by the Bureau of Public Roads was received December 12, 1968.
- (3) Cicero property, File No. 38632, to show in the public record the constructed location of one 35 foot unrestricted point of access on the southerly side of the relocated Santiam Highway approximately one mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was given December 12, 1968.
- (4) Chowning property, File No. 1369, for a change in location of one point of access 35 feet wide restricted to noncommercial use on the easterly side of the relocated Pacific Highway West approximately one-half mile south of Tigard in Washington County. Approval by the Bureau of Public Roads was received January 10, 1969.
- (5) Leppin property, File No. 40456, to show in the public record the constructed location of two unrestricted points of access 35 feet wide on the easterly and westerly sides of the relocated Pacific Highway West approximately $4\frac{1}{2}$ miles north of Rickreall in Polk County. Approval by the Bureau of Public Roads was received October 11, 1968.
- (6) Welker and Trustees of the McKenzie Bridge Christian Church property, File Nos. 36621 and 36622, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated McKenzie Highway approximately 10 miles easterly from the community of Blue River in Lane County. Approval by the Bureau of Public Roads was given September 25, 1967.
- (7) Safeway Stores, Inc., property, File No. 16357, for a change in location of one unrestricted point of access 35 feet wide on the Redmond (5th Street) Section of The Dalles-California Highway in Deschutes County. Approval by the Bureau of Public Roads is not required.
- (8) White City Corporation property, File No. 37601, for a change in location of two unrestricted points of access 35 feet wide on the easterly side of the relocated Crater Lake Highway approximately five miles

north of Medford in Jackson County. Approval by the Bureau of Public Roads was given on February 14, 1969.

- (9) Olson-Lawyer Lumber, Inc., property, File No. 33539, to show in the public record the constructed location of two unrestricted points of access 40 feet wide on the northerly side of the relocated Crater Lake Highway approximately six miles west of the community of Prospect in Jackson County. Approval by the Bureau of Public Roads was given January 22, 1969.

The Right of Way Engineer recommended that two Grants of Access be allowed, one to the Willamette National Forest Service and one to Leonard and Virginia F. Reimann. These requests, he said, have been investigated and approved by the Engineering Division. Following his favorable recommendation, the Commission approved the following Grants of Access:

- (1) To the Willamette National Forest Service, File No. 27779, for one point of access 35 feet in width and restricted to use as a park entrance only, on the south side of the Willamette Highway approximately 13 miles west of the town of Oakridge in Lane County. This access provides an entrance to a proposed 40-site campground. Approval by the Bureau of Public Roads was given November 5, 1968.
- (2) To Leonard and Virginia Reimann, File No. 13901, for two points of unrestricted access 35 feet wide immediately north of Wayside Terrace on the Pacific Highway East in the City of Salem, Marion County. Approval by the Bureau of Public Roads was given April 3, 1969.

Relinquishment of Title to Multnomah County on eight tracts of land on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway was brought up by the Right of Way Engineer. He commented that the eight tracts of land were covered in the original agreement dated October 5, 1953, and in a supplemental agreement dated May 17, 1957. These agreements called for transfer of maintenance and jurisdiction of the areas to Multnomah County, but in order that the County might have full control it is necessary to formally relinquish the title to the County. Following his favorable recommendation, the Commission approved Relinquishment of Title.

Consideration was given to a Release of Easement in favor of Rob Roy Munro in the Picture Gorge Park on the John Day Highway in Grant County. The Right of Way Engineer explained that the easement was secured to furnish access to the Turtle Cove Park Fossil Beds in Grant County. This easement provided that if the State should abandon the maintenance or use of the road for three years that the property should revert to the grantor. In 1962, the State acquired an easement over another strip of

land for access to the Fossil Beds and release of the original easement is now in order. The Commission released the easement.

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. 2545 through 2548," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. 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-5401 Leif Knutson, et al.	Hood River	Marine State Park		\$ 1,600.00	\$ 60,000.00	\$ 6,500.00
L-5848 John P. Burntrager, et ux.	Multnomah	East Portland Freeway	N.E. Glisan Street-S.E. Division Street Unit Columbia River-Pacific Highway	3,850.00	6,000.00	3,400.00
L-5511 Kenneth A. Berger, et ux.	Washington	Sunset	N. Plains Interchange- Cornelius Pass Road Interchange	2,775.00	26,225.00	5,650.00
L-5525 Carl Berger et ux.	Washington	Sunset	N. Plains Interchange- Cornelius Pass Road Interchange	50.00	9,000.00	6,000.00
L-5629 Myron F. Fleser, et ux.	Wallowa	Minam State Recreation Area		100.00	None Voluntary Non- suit	(((

(See remarks for L-5630)

(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5630 Irvin H. McKenzie, et al.	Wallowa	Miram State Recreation Area		\$13,700.00	None Voluntary Non-suit	(((

(These two files have been dismissed without progressing to trial for the reason that the Parks Division has determined there is no necessity for acquisition.)

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5331 State of Oregon	Dorothy Hoffman	Marion	Negligent operation of motor vehicle damaging guardrail	\$ 93.03	\$ 93.03
L-5332 State of Oregon	Toliver Carlton Brooks	Marion	Negligent operation of motor vehicle damaging highway light	270.59	270.59
L-5333 State of Oregon	Edward Carl Haikkala	Marion	Negligent operation of motor vehicle damaging light pole	361.93	361.98
L-5411 State of Oregon	Edgar Willis Haynes	Marion	Negligent operation of motor vehicle damaging guardrail	146.34 (100.00 paid)	46.34
L-5461 State of Oregon	Georgia-Pacific Corp. et al.	Hood River	Negligent operation of motor vehicle damaging guardrail	521.55	521.55
L-5930 State of Oregon	Patricia A. Zahumensky	Multnomah	Negligent operation of motor vehicle damaging guardrail	183.76	183.76
L-5894 State of Oregon	Floyd Way, et al.	Lane	Negligent operation of motor vehicle damaging State vehicle	787.85	787.85

(Report of Trial of Other Cases Cont.)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5946 State of Oregon	Leo Vilarino and John Morris Vilarino	Jackson	Negligent operation of motor vehicle damaging State vehicle	\$ 88.00	Dismissed by State
(After the action was commenced and service was attempted it was learned that the defendants had moved to California and had left no forwarding address. Attempts to obtain a California address were of no avail.)					
L-5906 State of Oregon	Raymond Wagner	Coos	Negligent operation of motor vehicle damaging bridge structure	89.12	Settled without trial

(Compromise settlement of \$65 offered by defendant and accepted.)

L-6000 State of Oregon	Larry Berge	Clackamas	Negligent operation of motor vehicle damaging guardrail	133.01	Action dismissed per Motion of State
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(It was brought to our attention that the vehicle involved in the damage to guardrail was being driven by an operator who had stolen it.)

L-5336 State of Oregon	Theron Paul Steenson	Jackson	Damage to a road sweeper	612.98	Case dismissed with prejudice
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(It was discovered that the State operator was suspended by the Department for ten days after the accident in failing to have flagmen properly stationed. In addition, the decision of the Safety Review Board classified the accident as preventable.)

L-5226 State of Oregon	Jarvis Arthur Powers	Multnomah	Suit in equity to modify a judgment		For Defendant
L-5979 State of Oregon	Audrey B. Wright	Multnomah	Action to recover possession of real property	Immediate possession	Dismissed on Motion of State

(Defendant, renter, fell into arrears on rent. It became necessary to file this action to dispossess renter. Following the filing of complaint the renter voluntarily moved and action has been dismissed.)

REPORT OF TRIAL, OR OTHER DISPOSITION,
OF CASES HANDLED BY STATE'S INSURANCE CARRIER

<u>Cases</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5905 Lewis H. Johnsrud, et al.	State of Oregon	Douglas	Personal injury and property damage	\$ 781.60 property damage 1,075.00 personal injury	Service of Process quashed as to all defendants
L-5719 Alaska Steel Co.	C. H. Savage Co., et al.	Multnomah	To recover damages alleged to have been caused by depositing sand on plaintiff's premises during sand blasting steel on West Marquam Interchange	96,814.55 first cause 25,379.00 second cause	Case dismissed

L-3620 Betty Ann Nanson	State of Oregon	Washington	Personal Injury	38,400.00	\$5,000.00
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(This case arose out of an accident which occurred on November 8, 1965, at which time a truck, towing a trailer with drilling equipment and driven by a Department employee ran through a stop light and struck plaintiff's automobile.

At 87th Street when applying the air brakes they failed to operate. The driver used gears and emergency brakes but could not stop. They entered the intersection and struck plaintiff's car.)

L-5608 Eileen E. Jimerfield et al.	Roy L. Houck Sons' Corp.,	Clackamas	Personal Injury	50,525.70	Settled
L-5609 Frank F. Jimerfield et al.	Roy L. Houck Sons' Corp.,	Clackamas	Personal Injury	50,300.00	Settled
L-5610 Eileen E. Jimerfield et al.	Roy L. Houck Sons' Corp.,	Clackamas	Loss of Consortium	20,000.00	Settled
L-5611 Frank F. Jimerfield et al.	Roy L. Houck Sons' Corp.,	Clackamas	Loss of Consortium	20,000.00	Settled

(Recently the State's insurance carrier reported to us that all four actions were settled for a total sum of \$18,000 with the State's carrier contributing \$1,000 on behalf of their liability for Mr. Cooper. The remaining sum undoubtedly was paid by insurance carriers for the other defendants.)

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(For additional details, see the Chief Counsel's letter dated April 18 concerning Cases Tried and filed in the Salem office, General Files.)

Chairman Jackson inquired as to the status of the suit against the U. S. Army Engineers for failure of the John Day Bridge on the Columbia River Highway in Sherman County. The Chief Counsel replied that the status of the case has not changed and that it may be heard in the late summer of 1969.

The Chairman then inquired as to any new developments in the DeLong case involving construction of piers for the Astoria Bridge in Clatsop County. The Chief Counsel stated that the State has presented its claims but he felt that the DeLong attorney would appeal the lower court verdict.

Cases settled out of court since the last Commission meeting were considered in another report presented by the Chief Counsel. The proposed settlements, he said, are based on competent appraisals and are in order for Federal aid. The total amount of the settlements is approximately \$346,000 as compared with total appraisals of approximately \$327,000. The Commission approved the settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-5729 Humble Oil & Refining Co., et al.	Clackamas	East Portland Free-way	Columbia River-Pacific Highway	\$55,750.00	\$63,639.00

(The Review Appraiser placed a value of \$55,750 on the property based upon an independent fee appraisal. Two other appraisers placed a value of \$67,000 on the property. The owner demanded \$75,000)

L-5775 James Praggastis, et ux.	Multnomah	Mt. Hood	Powell Blvd. (130th - 140th Avenue)	4,000.00	5,500.00
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(The taking of 1,470 square feet required modification plans as to parking area, size and location of building. Revision of appraisal became necessary and as revised settlement was accomplished.)

L-5797 Tony Caputo, et ux.	Multnomah	East Portland Freeway	Columbia River-Pacific Highway	6,750.00	7,500.00
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Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5958 Velma Bennett, et al.	Coos	Yoakum Point State Wayside		\$162,500.00	\$175,000.00

(Three independent appraisers were employed, two local, to appraise the property, with the Review Appraisal at \$162,500. All of the appraisals were made prior to March 1968 and would undoubtedly be higher if brought up to date.)

L-5961 Ronald Elmer Ferney, et ux.	Baker	Old Oregon Trail	Oxman-Benson Creek	275.00	600.00
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(The project would affect, to some extent, defendant's irrigation system which is "fertile" ground for damage claims in event of trial.)

L-5589 Landmark Enterprises, Inc., et al.	Polk	Salem-Dayton	Oak Crest Farm	10,110.00	10,110.00
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L-5996 Paul E. Doty, et al.	Washington	Pacific (I-5)	Stafford Road Interchange	31,000.00	38,000.00
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(Original appraisals discounted value of nursery stock in place. Appraisal obtained from an independent nurseryman on value of nursery stock alone, which, when added to land value equals \$36,500. State will acquire and use the nursery stock for highway beautification purposes.)

L-5504 Peter Olson, et al.	Washington	Beaverton-Tigard	Sunset Highway-Pacific Highway	42,100.00 (including signs 2,400.00)	45,750.00 (excluding signs at 2,400.00 separately acquired)
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(No problem was encountered over land values, but much difficulty arose out of the value of the fixtures in the restaurant.)

Settlement was only accomplished after a pretrial hearing before the court and a determination by the judge as to which items of equipment in the restaurant the State was obliged to pay for and which it did not have to pay for. Several items, evaluated at \$3,783, were held to be fixtures payable by State which had not been included in the offer.)

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REPORT OF OTHER CASES SETTLED

Case	Defendant	County	Cause of Action	Demand of Plaintiff	Settlement
L-5977 H. W. Baker	State of Oregon	Josephine	Suit to Quiet Title to less than .2 of an acre	Title to property described in complaint quieted in plaintiff	\$1,750.00 payment to State

(By letter of April 15, 1969 to Commission, subject Institution of Legal Proceedings, the background of this suit was set forth.)

L-5966 State Hwy. Davidson, Commission et al.	August	Tillamook	Recover damage to Nehalem River Bridge	\$4,866.00	1,250.00
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L-5967 State Hwy. Commission	Ordway Logging Co.	Tillamook	Recover damage to Nehalem River Bridge	4,866.00	1,250.00
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(Damage to the bridge was first discovered by department personnel as a result of an occurrence on November 30 when an overheight load of logs struck the bridge. During the course of investigation it was discovered that the bridge had been previously struck by a log truck of another company on November 14.

Cost of repairs totaled \$4,866 and legal actions were commenced against both of the known operators for the total amount. Both claim that damage was also caused by unknown operators.)

(For additional details, see the Chief Counsel's letter dated April 18, 1969, concerning Cases Settled and filed in the Salem office, General Files.)

The Commission also considered and approved a settlement with J. W. Thomas (L-5613) for property near the N. Plains Interchange-Cornelius Pass Road Interchange on the Sunset Highway in Washington County. Review appraisal was made at \$2,075 and settlement at \$2,500.

In discussing the Phelps case (L-5960) for parking of a mobile home in Rocky Creek State Wayside in Lincoln County, the Chief Counsel commented that a claim had been presented to Mr. Phelps for \$429.60 to cover water that he had used plus \$25 per month rental while in the wayside. It was his understanding that Mr. Phelps has now moved from the wayside and he has agreed to pay \$250. Mr. Lloyd Shaw, Assistant State Highway Engineer, pointed out that Mr. Phelps had made an illegal connection to the State's water line and the State had spent approximately \$400 trying to find out where the water was going. The Chairman inquired as to the circumstances under which Mr. Phelps had become a resident of the wayside. The Chief Counsel replied that his semi-permanent status may have been accounted for somewhat by erroneous information given him by a private real estate agent. The Commission approved the settlement.

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Confirmation was requested by the Chief Counsel and granted by the Commission for telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings as follows:

BLODGETT-MARYS RIVER SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-40603 - Bruce Starker, et ux. Parcel No. 1: 8.4 acres for right of way purposes; Parcel No. 2: 11.1 acres for right-of-way purposes; Parcel No. 3: 3.75 acres for permanent easement. Offer of \$18,200.00 approved by Mr. Jackson March 19, 1969.

BURLINGTON-SAUVIE ISLAND BRIDGE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-31654 (L-3736) - Dorothy Butler. Acquisition of access. Offer of \$100.00 approved by Mr. Jackson March 5, 1969.

BURNSIDE-BIG CREEK SECTION OF THE COLUMBIA RIVER HIGHWAY

R-41852 - Gunnar Lind, et ux. 0.76 acre for right-of-way purposes. Offer of \$1,650.00 approved by Mr. Jackson March 25, 1969.

COLUMBIA COUNTY LINE-BURLINGTON SECTION OF THE COLUMBIA RIVER HIGHWAY

R-42878 - Wing Hoi Auckland. Parcel No. 1: 5.9 acres for right-of-way purposes; Parcel No. 2: 5.2 acres for right-of-way purposes. Offer of \$53,000.00 approved by Mr. Jackson March 13, 1969.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38197 - Walter Grove, et ux. 2.9 acres for right-of-way purposes. Offer of \$17,500.00 approved by Mr. Jackson March 13, 1969.

R-41851 - Gilbert M. Riutta, et ux. 5.3 acres for right-of-way purposes. Offer of \$7,650.00 approved by Mr. Jackson March 21, 1969.

R-42023 - William L. Fornas, et al. 3.25 acres for right-of-way purposes. Offer of \$7,500.00 approved by Mr. Jackson March 24, 1969.

14TH STREET-BAYSHORE BOULEVARD (COOS BAY) SECTION OF THE EMPIRE-COOS BAY HIGHWAY

R-42968 - Kenneth E. McKay. 413 square feet for right-of-way purposes. Offer of \$1,700.00 approved by Mr. Jackson March 12, 1969.

FREMONT INTERCHANGE-MARQUAM BRIDGE SECTION OF THE STADIUM FREEWAY

R-42134 - Pacific Power & Light Company. 14,000 square feet for use restriction agreement. Offer of \$27,725.00 approved by Mr. Jackson March 27, 1969.

LaGRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL

R-41034 - Irwin D. Smutz, et ux. 1.72 acres for right-of-way purposes. Offer of \$3,250.00 approved by Mr. Jackson March 13, 1969.

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

R-41902 - Roy Lee Harris. 204 square feet for right-of-way purposes. Offer of \$450.00 approved by Mr. Jackson March 13, 1969.

NORTH TIGARD INTERCHANGE-HUBBARD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-42954 - Milton J. Wershow Co. 0.04 acre for right-of-way purposes. Offer of \$350.00 approved by Mr. Jackson March 17, 1969.

R-42957 - Ida C. Steigleder. 3,600 square feet for right-of-way purposes. Offer of \$350.00 approved by Mr. Jackson March 17, 1969.

R-42960 - Walter O. Wehler, et ux. 3,700 square feet for right-of-way purposes. Offer of \$600.00 approved by Mr. Jackson March 13, 1969.

PORTLAND WOMEN'S FORUM STATE PARK

R-31041 - Elliott J. Staten, et ux. Parcel No. 1: 0.95 acre for park purposes; Parcel No. 2: 2.6 acres for park purposes. Offer of \$12,750.00 approved by Mr. Jackson March 13, 1969.

RHODA CREEK-WHITE BRIDGE SECTION OF THE POWERS HIGHWAY

R-42992 - Mary Thomas, et al. 7.0 acres for permanent easement. Offer of \$500.00 approved by Mr. Jackson March 19, 1969.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-42569 - Joyce Compton. 26,772 square feet for right-of-way purposes. Offer of \$41,800.00 approved by Mr. Jackson March 4, 1969.

RUCH SECTION OF THE MEDFORD-PROVOLT HIGHWAY

R-42848 - Milton A. Houston, et ux. 0.14 acre for right-of-way purposes. Offer of \$2,625.00 approved by Mr. Jackson April 2, 1969.

SIXES RIVER-ELK RIVER SECTION OF THE OREGON COAST HIGHWAY

R-39585 - Charles W. Brooks, et al. Parcel No. 1: 2.83 acres for right-of-way; Parcel No. 2: 1.44 acres for permanent easement. Offer of \$2,150.00 approved by Mr. Jackson March 19, 1969.

R-39586 - Samuel A. Cuatt, et ux. 1.6 acres for right-of-way purposes. Offer of \$1,475.00 approved by Mr. Jackson March 7, 1969.

S. E. HINKLEY AVE.-LAKE ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42681 - Marie Frutiger. 0.95 acre for right-of-way purposes. Offer of \$11,950.00 approved by Mr. Jackson March 19, 1969.

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STAFFORD ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-42704 - Paul E. Doty, et ux. Parcel No. 1: 3.65 acres for right-of-way purposes; Parcel No. 2: 1.45 acres for right-of-way purposes. Offer of \$31,430.00 approved by Mr. Jackson March 21, 1969.

WOODLAND DRIVE-CENTRAL AVENUE SECTION OF THE EMPIRE-COOS BAY HIGHWAY

R-41653 - William J. Picard, et ux. 0.07 acre for right-of-way purposes. Offer of \$1,075.00 approved by Mr. Jackson March 17, 1969.

A report was also presented by the Chief Counsel and accepted by the Commission on orders received from the Public Utility Commissioner in which the State Highway Commission was an applicant summarized as follows:

PUX 625, SXF 381: Frazier Street Overcrossing of the Union Pacific Railroad on the Oregon-Washington Highway in Umatilla County. This was an order to amend the original order to correct some technical language. Order 45608 was received April 9, 1969.

PUX 718, SXF 470: Authorization for widening of the two overcrossing structures of Southern Pacific Company on Chemawa Road on the Pacific Highway in Marion County was received April 4, 1969 under Order No. 45603.

Legal proceedings involving the State Highway Commission and its employees were the subject of a report presented by the Chief Counsel and accepted by the Commission as follows:

- (1) Darlene C. Malloy vs. W. R. Rogers and Donald C. Rogers, dba Rogers Construction Company, Forrest Cooper, and Glenn Starkey. Plaintiff claims \$100,000 damages for loss of services and relationship of her husband, who was injured in an accident on the Columbia River Highway east of Cascade Locks in Hood River County.
- (2) Elaine Leonard vs. Glenn L. Jackson, Fred W. Hill, David B. Simpson, Forrest Cooper, L. C. Smitton and Claude Stamper. Plaintiff seeks to collect \$255,000 for personal injuries sustained when a rock fell from a bluff at M.F. 107 on the Columbia River Highway in Sherman County on December 17, 1967.
- (3) Melvin Newell, Administrator of Estate of Dean Newell, deceased, vs. Emory E. Johnston, Ralph C. Dimick, et al. Plaintiff seeks to recover \$25,000 for alleged negligence resulting in the death of his son. Plaintiff alleges that while a fence was being repaired the deceased ran through the opening onto the Columbia River Highway in the vicinity of 122nd Avenue in Multnomah County and was struck by a passing vehicle.

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- (4) H. W. and Christine Baker vs. State of Oregon, by and through the State Highway Commission. This is a suit to quiet title to a portion of former California and Oregon Coast Railroad Company right-of-way which the State acquired from the City of Grants Pass by deed dated February 13, 1958, in connection with construction of the Redwood Highway.

A quarterly report of property damage claims made and collected from January 1, 1969, through March 31, 1969, was presented by the Chief Counsel. During this period, claims were collected in the total amount of \$23,417.81. Twelve claims were abandoned in the same period as uncollectible for various reasons in the total amount of \$3,712.08. The Commission accepted the report.

The Engineer brought up the matter of an appointment to the State Parks and Recreation Advisory Committee from Division 5. He recalled that Commissioner Fred Hill had stated that his choice would be Roger Loennig of Haines. The selection was also approved by Chairman Jackson who, he said, cleared it with the Governor's Office, and Mr. Loennig has been advised of his appointment effective May 27, 1969, through May 26, 1973. The Commission confirmed the appointment.

Confirmation was requested by the Engineer for an agreement with Pacific Power and Light Company and the Department of General Services to provide electric service to Ecola State Park in Clatsop County. The Engineer commented that the agreement provides for payment to the Power Company of \$1,513 upon completion of the service extension and \$89.30 per month for operation and maintenance of a 6,600 lineal foot underground cable and transformer. Charges for electric energy are to be at the regularly filed tariff schedules for residential and general service customers. The agreement covers a period of ten years and may be terminated upon 90 days' notice by either party. The Commission confirmed the agreement and authorized the Secretary to sign it for them.

Consideration was also given to an electric service agreement with Idaho Power Company to furnish power for a water system at Lake Owyhee State Park in Malheur County. The Power Company is to extend its facilities 1,400 feet to the location of the water purifier and provide power at regularly filed tariff schedules. An immediate payment is to be made to the Company in the amount of \$966 to cover the excess costs of constructing the power line extension. Minimum annual charge for the electric power is \$24 and the agreement is to run for ten years. Following the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Lane County covering purchase of a tract of land along the Willamette River adjacent to the City of Eugene and west of Delta Parkway was discussed. The Engineer stated that the tract consists of 125 acres as a part of the Willamette River Park System. Cost of acquisition he estimated at \$125,000, to be financed 50 percent from

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the Land and Water Conservation Fund; 25 percent from the State Willamette River Park System Fund and 25 percent by Lane County. Cost to the State is estimated at \$31,250. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Confirmation was requested by the Engineer for telephonic approval given by the Commission on an agreement with Multnomah County for purchase of 95.5 acres of land along the bank of the Willamette River at its confluence with the Columbia River. The project has been approved by the Governor's Willamette River Park System Committee. The estimated cost of acquisition is \$150,000 to be financed 50 percent from the Land and Water Conservation Fund; 25 percent from the State Willamette River Park System Fund and 25 percent by Multnomah County. Cost to the State is estimated at \$37,500. Short term options, he said, have been secured on the property and for that reason the Chairman gave telephonic approval on March 17, 1969. The Commission confirmed the agreement and authority for the Secretary to sign it in their behalf.

The Chairman inquired as to how much of the \$800,000 allocated for the Willamette River Park System is available for expenditure. Lloyd Shaw, Assistant State Highway Engineer, replied that approximately \$485,000 is uncommitted.

Increases in project authorizations on three contracts were requested by the Engineer. He explained briefly the reasons for the overruns. The Commission approved the increases as follows:

- (1) Contract No. 7058 for work on the South Umpqua River Safety Rest Area on the Pacific Highway in Douglas County in the amount of \$19,904.82 (12%). Principal reasons for the overrun were additional top soil, revisions to the irrigation system and an increase in engineering expense caused by an extended contract period. The Bureau of Public Roads has approved the increase.
- (2) Contract No. 7112 for traffic signals on the Tualatin Valley Highway at S. E. 13th Avenue in Hillsboro, Washington County, for an increase of \$2,849.15 (15%). Cost of work to be done by Railroad forces was inadvertently omitted from the project authorization and caused the overrun.
- (3) Contract No. 7087 for a structure on the Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County for an increase of \$46,141.84 (7%). An increase in the special rock backfill for stream bed control, extra work in widening the USRS Canal bottom and extra work in slope protection adjacent to the Union Pacific Railroad main line track were given as the principal reasons for the overrun.

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The Engineer reported that in accord with ORS 366.525 distribution of \$4,718,614.14 was made to Oregon counties on April 7, 1969. This amount is 20 percent of the funds transferred to the State Highway Fund from motor vehicle taxes and fees during the first quarter of 1969. Distribution was verbally approved by the Chairman on April 3, 1969. The Commission confirmed the distribution of funds.

Attention was given to a request from the City of Sutherlin to construct a street connection to the Elkton-Sutherlin Highway at the west city limits of Sutherlin in Douglas County. The Engineer stated that the connection is to be constructed at City expense to serve an industrial manufacturing complex. Following his favorable recommendation, the Commission approved the request.

The Commission considered a revision in the construction program submitted to them by the Engineer on April 4, 1969. The Engineer explained that because of the preceding severe winter conditions, many sections of highways have shown evidence of failure and there is an urgent need to place overlays over considerable mileage. He presented a list of projects showing those which have been previously committed and those proposed for contracting at the April bid opening. He recommended that this State Construction Program be approved with the understanding that deletion of noncommitted projects has been forced in order to provide financing for the overlay projects. The Commission approved the following State Construction Program:

1969 STATE CONSTRUCTION PROGRAM
As of April 22, 1969

<u>Highway</u>	<u>Section</u>	<u>Length</u>	<u>Type of Work</u>	<u>Total Amount</u>	<u>Contract No. and Remarks</u>
<u>Division I</u>					
Mt. Hood	134th-138th Ave. Co-op.		Signals & Channel	\$ 17,500	State Share
Pacific East	S.P. O'xing-Milwaukie	5.70	Overlay	150,000*	
Pacific West	Harbor Drive-Parkway (50-50 co-op)		Building Demolition	137,000*	State Share
Columbia River	Union Ave.-102nd Ave.	6.13	Overlay	230,000*	
Columbia River	Burlington-Portland Slice Correction	0.04	Slide Correction	25,000	7209
Sunset	N. Plains Intchg.-Cedar Hills Blvd. Intchge.	11.5	Overlay	300,000*	
Sunset	Highlands-Intchge.-Vista Ridge Tunnel	1.38	G.,P.,Sign, Illum.	2,500,000	7186

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Highway	Section	Length	Type of Work	Total Amount	Contract No. and Remarks
Warm Springs	Willow Cr.-Simnasho Rd.	6.00	Overlay	\$ 150,000*	
Cascade	N. E. Killingsworth-S. E. Rhine	4.53	Overlay	115,000	
				<u>\$3,624,500</u>	

Division II

Pacific East	Highlands Ave.-Norway (Salem 75-25 co-op)	0.2	Grade, Pave	96,500	State Share
Pacific West	Marys R. Br.-S. E. Goodnight Avenue	1.58	Overlay	55,000*	
Oregon Coast	Cannon Beach (M.P. 27.9) Slide		Slide Correction	200,000	Maint. CA-2-69
Oregon Coast	Silver Point Slide		Slide Correction	523,000	
Oregon Coast	Tillamook-Simmons Creek	5.00	Overlay	160,000*	
Willamina-Salem	Doakes Ferry Co. Rd. Slloe		Slide Correction	50,000	7182
Albany-Jct. City	Santiam Jct. S.P. O'xing (Albany 75-25 co-op)	0.79	Curb, Widen, Pave	40,000	State Force
Hillsboro-Silverton	Boones Ferry Rd.-Pac. Hwy. E. (Woodburn 50-50 co-op)	1.42	Grade, Pave	550,000	State Share
Woodburn-Estacada	Pudding River (Killin) Bridge		Grade, Pave, Str.	550,000	7180
North Santiam	Big Cliff Dam-Detroit	11.0	Overlay	260,000*	
Kings Valley	Walnut St. Wash. St. (Dallas 75-25 co-op)	0.5	Grade, Pave Str.	259,000	7210 State Share
				<u>\$2,750,000</u>	

Division III

Pacific	Neil Creek Slide		Slide Correction	100,000	
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Highway	Section	Length	Type of Work	Total Amount	Contract No. and Remarks
Oregon Coast	Pistol River Bridge		Reconstruct Bridge	\$185,000	
Redwood	Wilderville Sauers Flat	12.0	Shldr, Pave: Overlay	500,000	7207
Eugene-Springfield	McKenzie Hwy. Jct.		Rdsd. Impr.	7,500	7176
Empire-Coos Bay	8th St.-Bayshore Dr. (Coos Bay 50-50 co-op)	0.33	Grade, Pave	137,500	State Share
				<u>\$980,000</u>	

Division IV

The Dalles-Calif.	Little Walker Mt. Chemult	3.6	G., P., Overlay	300,000	7175
The Dalles-Calif.	Lenz Rd.-Kirk Rd.	16.00	Overlay	400,000*	
The Dalles-Calif.	Collier State Park-Williamson R.	6.6	Overlay	190,000*	
The Dalles-Calif.	Main St. (K. Falls) Connection		Rdsd. Impr.	20,000	7174
McKenzie-Bend	Cloverdale Rd. (M.P. 4.5)	0.38	Grade, Pave	35,000	7205
McKenzie-Bend	Cloverdale Road-Tumalo	8.79	Overlay	200,000*	
K. Falls-Lakeview	Main St.-Broad St. (K. Falls 75-25 co-op)	0.45	Grade, Pave	125,000	7160
K. Falls-Lakeview	Sprague R. Rd.-Bly	17.78	Overlay	495,000*	
Lake of the Woods	Dead Indian Rd. Seldon Cr. (F.H.P.)	2.8	G., P., Struc.	20,000	
Service Cr.-Mitchell	Richmond Jct. Girds Cr. Rd., So. Unit	2.0	Grade, Oil	100,000	7184
				<u>\$1,955,000</u>	

Division V

Central Oregon	Burns-Buchanan	21.67	Overlay	500,000*	
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Highway	Section	Length	Type of Work	Total Amount	Contract No. and Remarks
Wallowa Lake	Sand Ridge Road-Rhanehart	9.81	Overlay	\$ 410,000*	
Wallowa Lake	Rock Creek-Wallowa	4.51	Overlay	120,000*	
La Grande-Baker	La Grande Section	3.64	Overlay	130,000*	
Freewater	N. W. 4th Ave.-Broadway (Milton-Freewater 75-25 co-op)	0.3	Grade, Pave	41,500	State Share
Steens	M.P. 53.2 to M.P. 55.5	2.3	G., P., Overlay	150,000	7172
Steens	M.P. 52.18 to M.P. 53.2	1.02	Extend	7172 80,000	7172
I.O.N.	Blue Mt. Pass-Jackson Cr. (FLH co-op)	8.2	Widen, Overlay 32'	400,000*	State Share
				<u>\$1,831,500</u>	

* Projects approved for bids to be received April 17-18, 1969.

Early contracting of the Albany Bridge Section or the Albany-Corvallis Highway in Linn and Benton Counties was discussed. The Engineer stated that this project which includes the second bridge across the Willamette at Albany is 0.94 mile in length and is estimated to cost \$3,150,000 for construction plus \$350,000 for right-of-way. To finance the project, he recommended deferment of a project on the Winston-Shady Section of the Coos Bay-Roseburg Highway in Douglas County estimated to cost \$3,250,000. The Chairman recalled that in a discussion with residents of Albany about five years ago, that the Commission had indicated construction of the bridge could be anticipated in five years. He inquired of the Engineer as to when bids could be received. The Engineer replied that it is expected to call for bids in the fall of 1969. The Commission approved the project for contracting, deferment of the Winston-Shady Project and the necessary adjustment in Construction Program XI.

Construction of four lanes on the Polk Street-Hilda Street Section of the Cascade Highway in Oregon City, Clackamas County, was brought up by the Engineer. The survey on this project, he said, has been completed and it is planned to undertake the work in cooperation with Oregon City. He estimated cost of the project at \$250,000 including right-of-way with the State share being \$187,500 and the City share \$62,500. The project is listed tentatively on Program XI, with the State portion to be financed from Federal-aid Secondary Funds. He recommended approval so that bids may be called at an early date. The Commission accepted his recommendation.

Confirmation of verbal approval given by the Chairman on March 17, 1969 for cooperation in the National Cooperative Research Program was

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requested by the Engineer. He explained that the work is coordinated through the American Association of State Highway Officials and the Bureau of Public Roads and is financed from Federal-aid apportionments earmarked for research and planning. Oregon's share is \$69,953, but requires no State matching funds. The Commission confirmed the State's cooperation in the program.

Payment of \$1,700 to the Western America Convention and Travel Institute Show Committee for travel shows in Los Angeles, New York and Chicago was considered. The Engineer stated that this organization covers the entire tourist industry in the western states and a portion of Mexico. Cost of the shows is handled cooperatively at a considerable saving. He recommended that the State participate in the three shows at a cost of \$1,700. The Commission approved the payment.

As C. H. Maison, Controller, is retiring as of April 30, 1969, the Engineer recommended that his successor, Vernon E. Skoog, be authorized to sign Federal reimbursement vouchers in behalf of the Commission. The Commission accepted the recommendation.

The Engineer introduced Mr. Vernon E. Skoog who will act as Controller for the State Highway Department following Mr. Maison's retirement on April 30. The Chairman expressed the Commission's appreciation for the fine work that Mr. Maison has done as Highway Controller. The Commission, he said, wishes him the best of everything in his retirement.

Requests were considered from Klamath, Multnomah, Polk and Umatilla Counties for Federal-aid Secondary Projects. These projects, the Engineer said, have been investigated and he recommended that they be approved. The Commission approved the following FAS projects and authorized the Secretary to sign routine construction agreements:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Klamath	415	Main Street Channelization Section. East Side Bypass. Structure, grade, drain, curb and pave. (To be supplemented with future funds.)	\$356,000	1969
Multnomah	639	Johnson Creek Bridge Section. S. E. Foster Road. Structure, grade, drain, base, and pave.	100,000	1969
Polk	915	South Yamhill River Bridge Section. Grande Ronde Agency Road Structure.	100,000	1969
Umatilla	758	Pilot Rock-East Birch Creek Bridge Section. East Birch Creek Road. Pave - 3 miles.	120,000	1969

(Continued on next page)

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County	FAS	Section & Description	Programmed Amount	FAS Funds
Umatilla	471	Walla Walla River (Joe West) Bridge Section. Walla Walla River Road. Structure.	\$200,000	1969
TOTAL			\$876,000	

SUMMARY BY FISCAL YEARS	1969	1970	TOTAL
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (corrected to date)	2,062,000	--	2,062,000
Unprogrammed Balance	1,907,000	5,089,000	6,996,000
Projects Proposed	876,000	--	876,000
Unprogrammed Balance	\$1,031,000	\$5,089,000	\$6,120,000

Requests by contractors for extensions of time in which to complete highway contracts without assessment of liquidated damages were considered. 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:

- (1) C. R. O'Neil and Dorman Construction Company, Contract No. 7130, on the Columbia River Highway in Columbia County, requested an extension on the first-phase completion date. The Commission approved an extension of time on the first-phase work to November 11, 1968 thereby eliminating all liquidated damages incurred in phase one. Concurrence by the Bureau of Public Roads was given in their letter dated April 1, 1969.
- (2) Morse Bros., Inc., Contract No. 7127, on Benton County Road FAS 209 requested an extension of 44 calendar workdays. The Commission approved an extension of four calendar workdays without assessment of liquidated damages.
- (3) McNutt and Sons, Inc., Contract No. 7071, on the Sunset Highway in Washington County, requested an increase of 10 calendar workdays. The Commission denied the request.

The Engineer reported that Contract Nos. 6985, 7019, 7039, 7040, 7048, 7071, 7095, 7170, 7171, 7190, for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been accepted by letter

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since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 175," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next Highway Commission meeting date was confirmed for Wednesday, May 28, 1969, in the Conference Room of the State Highway Building in Salem. A tentative date for the following meeting was set for Tuesday, July 8, 1969.

The Commission confirmed telephonic approval given on March 26, 1969, awarding contracts on which bids were received March 20, 1969, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM MARCH 20, 1969

Contract No. 7202 for parking area embankment in Fort Stevens State Park, Battery Russell Parking Area in Clatsop County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, O and K Construction Company, Gresham, in the amount of \$24,940.

Contract No. 7203 for maintenance painting of the McCullough Bridge over Coos Bay at north city limits of North Bend on the Oregon Coast Highway in Coos County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Calvert Services, Inc., Edmonds, Washington, in the amount of \$68,100.

Contract No. 7204 for maintenance painting of the Ben Chandler Bridge over Coos River on the Coos River Highway in Coos County. State Project. Ten bids were received. The Commission awarded the contract to the low bidder, Tri-State Painting Company, Portland, in the amount of \$17,480.

Contract No. 7205 for grading and paving the Cloverdale Road (M. P. 4.5) Section of the McKenzie-Bend Highway in Deschutes County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, in the amount of \$47,060.50.

Contract No. 7206 for maintenance painting of the Umpqua River Drawbridge on the Oregon Coast Highway in Reedsport, Douglas County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, B-G Paint Co., Tacoma, Washington, in the amount of \$33,020.

Contract No. 7207 for grading and paving the Wilderville-Sauers Flat Section of the Redwood Highway in Josephine County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Page Paving Co., Salem, in the amount of \$429,429.50.

Contract No. 7208 for maintenance painting of the Siletz River Drawspan on the Oregon Coast Highway in Lincoln County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Calvert Services, Inc., Edmonds, Washington, in the amount of \$17,200.

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Contract No. 7209 for slide correction on the Burlington-Portland Section of the Columbia River Highway in Multnomah County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Richard Blickle, Portland, in the amount of \$17,786.

Contract No. 7210 for grading, paving, and structure on the Walnut Avenue-Washington Street (Dallas) Section of the Kings Valley Highway in Polk County. State Project. One bid was received. The Commission elected to accept the lone bid of Salem Road and Driveway Company, Salem, in the sum of \$260,524 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Dallas is received, the sum of \$80,300 is deposited by the City, and the right-of-way is cleared.

Well construction in Ladd Canyon Safety Rest Area on the Old Oregon Trail in Union County. Federal-aid Interstate Highway Project No. I-80N-6(36)268. No acceptable bids were received.

Contract No. 7211 for maintenance painting of Mill Creek Bridge on the Warm Springs Highway in Wasco County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, A. H. Barbour and Son, Inc., Portland, in the amount of \$17,277.

Contract No. 7212 for overnight camp area in Memaloose State Park on the Columbia River Highway in Wasco County. State Project. Six bids were received. The Commission elected to accept the low bid of Richard Blickle, Portland, in the sum of \$268,961 and the State Highway Engineer was directed to award the contract to said bidder as soon as the Railroad permit of entry is received.

Remote Rock Production Project on the Coos Bay-Roseburg Highway in Coos County. State Project. Two bids were received. The Commission rejected both bids as being too high.

Necanicum Rock Production Project on the Sunset Highway in Clatsop and Tillamook Counties. State Project. One bid was received. The Commission rejected the bid as being too high. (See minute entry ahead)

Bly Mountain Rock Production Project on Klamath Falls-Lakeview Highway in Klamath County. State Project. This project was withdrawn from the bid letting.

Spring Creek Hill Rock Production Project on The Dalles-California Highway in Klamath County. State Project. This project was withdrawn from the bid letting.

The Engineer recalled that when bids were received on March 20, 1969, only one bid had been received for the Necanicum Rock Production Project on the Sunset Highway in Clatsop and Tillamook Counties. This bid was for \$85,000 which was 28.4 percent above the estimated cost. The bid was rejected as being too high. It is essential that the rock be produced in this area and negotiations were undertaken with Oceanlake Sand

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and Gravel, Inc., who submitted the lone bid. They have agreed to furnish the materials as required in the contract for \$79,000 - \$6,000 below their original bid. It was the Engineer's opinion that readvertising the contract would not attract additional bids and he recommended acceptance of the negotiated contract at \$79,000. The Commission accepted his recommendation and authorized the Secretary to sign the contract.

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

- (1) Well exploration in Deadmans Pass Safety Rest Area on the Old Oregon Trail in Umatilla County. Bids received on January 9, 1969. Contract No. 7197 awarded January 29, 1969, to R. J. Strasser Drilling Company, Portland, low bidder.
- (2) Grading, paving, and structure on the Walnut Avenue-Washington Street Section in the city of Dallas on the Kings Valley Highway in Polk County. Bids received on March 20, 1969. Contract No. 7210 awarded April 7, 1969, to Salem Road and Driveway Company, Salem, low bidder.
- (3) Overnight camp area in Memaloose State Park on the Columbia River Highway in Wasco County. Bids received March 20, 1969. Contract No. 7212 awarded April 9, 1969, to Blickle Company, Portland, low bidder.

Consideration was given to the award of contracts on which bids were received on April 17 and 18, 1969. The Engineer stated that on April 18 he had sent a letter to the Commission giving his recommendations on the projects. The Commission approved the award of the contracts as recommended by the Engineer and authorized the Secretary to sign the contracts on the following projects:

BIDS RECEIVED IN SALEM APRIL 17, 1969

Contract No. 7214 for grading, paving, structure, signing and illumination on the West Fremont Interchange Section of the Stadium Freeway in Portland, Multnomah County. Federal-aid Interstate Project No. I-405-8(20)303. Eight bids were received. The Commission elected to accept the low bid of Andersen-Hannan, Portland, in the sum of \$18,893,289 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.

Durkee-Huntington Rock Production Project on Old Oregon Trail in Baker County. State Project. This project was withdrawn from the bid letting.

Contract No. 7215 for grading, paving, and structures on the North Fork Coquille River (Myrtle Point) Bridge on the Coos Bay-Roseburg Highway in Coos County. FAP No. F-RF-111(11). Three bids were received.

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The Commission elected to accept the low bid of Roy L. Houck Sons' Corporation, Salem, in the sum of \$1,905,497 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired, clearance from the Coast Guard, and approval of the Bureau of Public Roads is received.

Contract No. 7216 for grading and paving the Roberts Mountain Slide Section of Pacific Highway in Douglas County. FAP No. I-5-2(29)116. Two bids were received. The Commission awarded the contract to the low bidder, Roseburg Paving, Inc., Roseburg, in the amount of \$54,065.

Contract No. 7217 for the Olex-Service Creek Rock Production Project on the John Day Highway in Gilliam and Wheeler Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, E. H. Itschner Company, Molalla, in the amount of \$30,200.

Contract No. 7218 for the Austin Rock Production Project on the John Day and Baker-Unity Highways in Grant, Baker, and Malheur Counties. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Arthur Simonsen and Company, Baker, in the amount of \$50,900.

Contract No. 7219 for illumination of the West Wyeth Weigh Station on the Columbia River Highway in Hood River County. FAP No. I-8ON-2(47)48. One bid was received. The Commission elected to accept the low bid of Sims Electric, Inc., Roseburg, in the sum of \$15,800 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.

Prospect Rock Production Project on Crater Lake Highway in Jackson County. State Project. This project was withdrawn from the bid letting.

Contract No. 7220 for the Lincoln Rock Production Project on the Green Springs Highway in Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Melvin H. Barlow, Cave Junction, in the amount of \$30,900.

Grading and signing the Grants Pass-Evans Creek Section of the Pacific Highway in Josephine and Jackson Counties. FAP No. I-5-1(71)50. This project was withdrawn from the bid letting.

Contract No. 7221 for the Lane County Line-Odell Butte Rock Production Project on the Willamette Highway in Klamath County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Valley Equipment Company, Salem, in the amount of \$59,500.

Contract No. 7222 for the Adel-Doherty Slide Rock Production Project on the Warner Highway in Lake County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, Jed Wilson and Son, La Pine, in the amount of \$41,850.

Grading and signing on the Dever Road-North Albany Interchange Section of Pacific Highway in Linn County. FAP No. I-5-4(67)235. Two

bids were received. The Commission rejected both bids as being too high.

Contract No. 7224 for grading and paving the Murder Creek Section of FAS 761 (Salem Road) in Linn County. FAP No. S-567(1). One bid was received. The Commission elected to accept the lone bid of Morse Bros., Inc., Lebanon, in the sum of \$179,049.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Linn County is received and the sum of \$58,500 is deposited by the County.

Contract No. 7225 for the Santiam Junction-Suttle Lake Rock Production Project on the Santiam Highway in Linn and Jefferson Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Valley Equipment Company, Salem, in the amount of \$43,800.

Contract No. 7226 for grading and paving the Blue Mountain Pass-Jackson Creek Section of the I.O.N. Highway in Malheur County. FAP No. FLH-319. Three bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, in the amount of \$776,752.50.

Contract No. 7227 for paving the Hermiston-Meadow Valley Interchange Section of FAS 911 in Umatilla County. FAP No. S-554(3). Eight bids were received. The Commission referred the bids to the Engineer to make award when approval of Umatilla County is received and deposit made.

Contract No. 7228 for the Emigrant Hill-Baker County Line Rock Production Project on the Old Oregon Trail in Umatilla and Union Counties. State Project. Five bids were received. The Commission awarded the contract to the low bidder, E. S. Schnell and Company, Hermiston, in the amount of \$109,560.

Contract No. 7229 for paving the Cloverdale Road-Tumalo Section of the McKenzie-Bend Highway in Deschutes County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Bend Aggregate and Paving Company, Bend, in the amount of \$153,460.

Contract No. 7230 for the Lenz Road-Kirk Road Paving Project on The Dalles-California Highway in Klamath County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Acme Construction Company, Vancouver, Washington, in the amount of \$393,690.

Contract No. 7231 for paving and rock production on the Sprague River Road-Bly Section of Klamath Falls-Lakeview Highway in Klamath County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Pacific Crushing Company and Gerald M. Endicott, Eugene, in the amount of \$483,500.

Contract No. 7232 for paving the N. E. Killingsworth-S. E. Rhine on 82nd Avenue (Cascade Highway) in Multnomah County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$69,500.

Contract No. 7233 for paving the Marys River-Goodnight Avenue (Corvallis) Section of the Pacific Highway West in Benton County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Morse Bros., Inc., Lebanon, in the amount of \$34,005.

Contract No. 7234 for paving the Union Avenue-102nd Avenue Section of the Columbia River Highway in Portland, Multnomah County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$152,336.

Contract No. 7235 for paving the Sand Ridge Road-Rhinehart Section of the Wallowa Lake Highway in Union County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, E. S. Schnell and Company, Hermiston, in the amount of \$231,180.

Contract No. 7236 for paving the Willow Creek-Simnasho Road Section of Warm Springs Highway in Wasco County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Interstate Paving Company, The Dalles, in the amount of \$134,485.

BIDS RECEIVED IN SALEM ON APRIL 18, 1969

Contract No. 7237 for the Alsea Rock Production Project on the Alsea and Alsea-Deadwood Highways in Benton County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Corvallis Sand and Gravel Company, Corvallis, in the amount of \$60,260.

Contract No. 7238 for traffic signals on Arlingtor Street in Gladstone at the Pacific Highway East in Clackamas County. State Project. Three bids were received. The Commission elected to accept the low bid of McCoy Electric Company, Portland, in the sum of \$24,895 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Gladstone is received and the sum of \$3,000 is deposited by the City.

Contract No. 7239 for grading and paving the Silver Point Slide Section of the Oregon Coast Highway in Clatsop County. State Project. Six bids were received. The Commission elected to accept the low bid of Construction West, Ltd., Astoria, in the sum of \$365,694.70 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right of way is acquired.

Contract No. 7240 for grading and paving 8th Street-Bayshore Drive (Coos Bay) Section of the Empire-Coos Bay Highway in Coos Bay, Coos County. State Project. One bid was received. The Commission elected to accept the lone bid of Bob Angell, Inc., Eastside, in the sum of \$776,750 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Coos Bay is received and the sum of \$725,000 is deposited by the City.

Contract No. 7241 for the Long Creek Rock Production Project on the Kimberly-Long Creek and Pendleton-John Day Highways in Grant County. State Project. Two bids were received. The Commission awarded the contract

to the low bidder, Arthur Simonsen and Company, Baker, in the amount of \$32,175.

Contract No. 7242 for the Burns Rock Production Project on the Central Oregon, Steens, and John Day-Burns Highways in Harney County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, N. A. Toole Construction, Ontario, in the amount of \$26,150.

Contract No. 7243 for the Ashland-Siskiyou Rock Production Project on the Pacific Highway in Jackson County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, B. S. B. Cinder Company, Montague, California, in the amount of \$105,600.

Contract No. 7244 for the Jackson County Line-Klamath River Rock Production Project on the Green Springs Highway in Klamath County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, M. C. Lininger and Sons, Inc., Medford, in the amount of \$64,920.

Deschutes County Line-Gap Ranch Rock Production Project on the Central Oregon Highway in Lake and Harney Counties. State Project. One bid was received. The Commission rejected the bid as being too high.

Contract No. 7246 for the Santiam Rock Production Project on four highways in Linn, Lane, Marion and Jefferson Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, F. H. McEwen Construction Company, Eugene, in the amount of \$140,880.

Contract No. 7247 for building demolition on the Harbor Drive Section of the Pacific Highway West in Portland, Multnomah County. State Project. Five bids were received. The Commission elected to accept the low bid of Atlas Building Wreckers and Terminal Transfer, Inc., Portland, in the sum of Alternate A \$123,000 or Alternate B \$148,000 and directed the State Highway Engineer to award the contract to said bidder as soon as approved by the City of Portland.

Contract No. 7248 for traffic signals at S. W. Barbur Boulevard (Portland) Section of the Pacific Highway West at 64th Avenue in Multnomah County. State Project. Four bids were received. The Commission elected to accept the low bid of McCoy Electric Company, Portland, in the sum of \$26,639 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 \$15,500 is deposited by the County.

Contract No. 7249 for the Shaniko-Clarno Rock Production Project on the Shaniko-Fossil Highway in Wasco County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Babler Bros., Inc., Portland, in the amount of \$39,050.

Contract No. 7250 for traffic signals on Third Street at Davis and Ford Streets in McMinnville on the Salmon River Highway Spur in Yamhill County. State Project. Four bids were received. The Commission elected to accept the low bid of Power City Electric, Inc., Spokane, Washington, in the sum of \$14,888 and directed the State Highway Engineer to award the

contract to said bidder as soon as approval of the City of McMinnville is received and the sum of \$8,650 is deposited by the City.

Contract No. 7251 for the Burns-Buchanan Paving Project on the Central Oregon Highway in Harney County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, E. H. Itschner Company, Molalla, in the amount of \$363,600.

Contract No. 7252 for the Collier State Park-Williamson River Paving Project on The Dalles-California Highway in Klamath County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Asphalt Paving Company, Klamath Falls, in the amount of \$183,270.

Contract No. 7253 for the Big Cliff Dam-Detroit Paving Project on the North Santiam Highway in Marion County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, North Santiam Sand and Gravel, Inc., Stayton, in the amount of \$282,690.

Contract No. 7254 for paving the Southern Pacific Overcrossing-Milwaukie Section of the Pacific Highway East in Multnomah and Clackamas Counties. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$97,902.

Paving the Tillamook-Simmons Creek Section of the Oregon Coast Highway in Tillamook County. State Project. Three bids were received. The Commission rejected all bids as being too high.

Contract No. 7256 for signal installation on Flanagan Avenue-Edward Avenue Section of the Oregon Coast Highway in Coos County. State Project. Three bids were received. The Commission elected to accept the low bid of Hansen Electric Company, Coos Bay, in the sum of \$21,329 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 \$12,200 is deposited by the County.

Contract No. 7257 for paving the Rock Creek-Wallowa Section of the Wallowa Lake Highway in Wallowa County. State Project. Five bids were received. The Commission awarded the contract to the low bidder, Poe Asphalt Paving, Inc., Lewiston, Idaho, in the amount of \$101,310.

Contract No. 7258 for paving the La Grande Section of the Old Oregon Trail in Union County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, L. W. Vail Company, Inc., Pasco, Washington, in the amount of \$97,155.

Contract No. 7259 for paving the North Plains-Cedar Hills Boulevard Interchange Section of the Sunset Highway in Washington County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Cascade Construction Company, Inc., Portland, in the amount of \$226,140.

The Chairman inquired as to the approximate percentage of extra maintenance work done by contract. The Engineer stated that approximately 80 percent of this work is placed under contract. He estimated that maintenance costs of approximately \$3,000,000 had been caused by the unusually hard winter of 1968 - 1969. Total annual maintenance costs, he stated, would not exceed \$22,000,000. The Chairman then inquired concerning surface maintenance costs on the Interstate Highways. Assistant State Highway Engineer, Tom Edwards, estimated that annual costs would be about $1\frac{1}{2}$ to 2 million dollars, and that this amount would increase in years to come as the relatively new surfaces become worn. The Chairman then asked if a ceiling of \$20,000,000 could be kept on maintenance expenditures. The Engineer replied negatively, and pointed out that approximately 48 percent of maintenance expenditures consist of labor, the cost of which is rising rapidly. Chairman Jackson then commented on the erosion of highway funds available for construction and that present trends indicate there would be less construction money in the future.

There was some discussion then on the application of Interstate funds to other State highways after the Interstate highways have been completed in Oregon. The Engineer commented that AASHO has recommended that Federal funds be distributed on a $2/3 - 1/3$ or $3/4 - 1/4$ basis instead of the present sixty/fifty formula. He also remarked that some of the heavily populated States such as California hope to get the formula altered so that they will receive more money. At the present time, he continued, a number of the sparsely populated States including Oregon receive proportionately more Federal money than States such as California or New York. Commissioner Bruno inquired as to whether Oregon might be penalized in securing Federal funds because of early completion of the Interstate highways in Oregon. The Engineer replied in the negative.

The Chairman then asked that if the State finishes its Interstate program early, if it would be necessary to wait for Federal money until the other States had finished their Interstate program. It was his thought that there may be a two or three year period of slack construction activity in Oregon unless the Federal allocation procedure is made more flexible. He pointed out that during the past few years there has been a constant decrease in funds available for construction on the ABC highway system, and he wondered how construction could be accelerated as it appears unlikely that cuts could be made in park facilities or in maintenance. He felt that the Highway Commission could not sit by idly but must consider some means of financing construction if additional Federal money is not forthcoming. The Engineer commented that bonds could be issued or an appeal could be made to the legislature for additional funds. Commissioner Bruno mentioned that a well-improved ABC system is necessary to supplement the Interstate system. It was the Chairman's observation that reexamination should be made of some of the basic concepts for highway financing.

A delegation from The Dalles representing the Wasco County Court, The Dalles and Dufur Chambers of Commerce, and the Lions Club of Maupin came before the Commission regarding construction on The Dalles-California Highway between Dufur and Tygh Grade in Wasco County. The

following people were present all from The Dalles: Judge O. W. Kortge, Donald Dunn, A. O. DeFrate, Vic Peterson, and Vern Tenneson.

Judge Kortge introduced the members of the delegation. Donald Dunn urged early construction of the approximate seven-mile section between Dufur and Tygh Grade. He recalled that this section is part of a project which was started several years ago and pointed out on a map the section in which they are concerned. He recalled, too, that the County had spent approximately \$114,000 on the northerly section as far as Eightmile Creek. The narrow and dangerous condition of the old highway was shown in pictures presented to the Commission of log trucks on the wrong side of the road. The Forest Service, he said, has increased the allowable cut in adjoining forests, and the amount of log haul will increase considerably. It is expected that a reservoir near Wamic will draw approximately 90,000 visitors annually. He also pointed out that the old, crooked section is located between two improved sections thus increasing the hazards on the older portion. The County, he said, will take over the old highway when the new one is completed.

Judge Kortge stated that the County Court is not promoting any particular new route, but he felt that property owners would cooperate in getting right-of-way for the new alignment. He asked that the Commission give early consideration to reconstruction of this section.

Chairman Jackson stated that it is estimated that the improvement requested would cost approximately \$2,600,000 and at this time has not been programmed for construction as money is not available. However, right-of-way is being acquired and the Department will continue to acquire the remaining right-of-way. Construction will be programmed as soon as money is available.

A delegation representing the Fossil Community Club came before the Commission concerning highway improvements in the Fossil area. The following people were present all from the town of Fossil: Jack Steiwer, H. C. Wright, and Millard Webb.

Mr. Steiwer gave some brochures to the Commission. Mr. Wright stated that their Planning Committee is urging improvement of the John Day Highway from Fossil to Spray in Wheeler County and completion of the Service Creek-Mitchell Highway. He inquired as to whether funds are available for the John Day River Bridge. The Engineer stated that the cost of this project is approximately \$750,000 and will require the construction of something over two miles of highway. Lack of funds is holding up the job. Mr. Steiwer commented on the need for improving the highway between Service Creek and Mitchell. Mr. Webb expressed concern for the safety of school children who this fall will be carried by bus over this highway. He pointed out that there are some curves where a bus could not meet another car and pass safely. He asked that early construction be undertaken.

Chairman Jackson stated that cost of completing this section is about \$420,000 and he inquired of the Engineer if a lighter type work could

be performed by maintenance forces on the Service Creek-Mitchell Highway. The Engineer stated that about all that can be done has been accomplished by maintenance forces and the remaining seven miles needs a heavier type of work than can be performed by maintenance operations. However, other possible solutions will be looked into. Chairman Jackson advised the delegation that an investigation would be made as to what can be done for \$420,000 or less.

A delegation representing the Medford Chamber of Commerce and others came before the Commission concerning improvement of the Barnett Road Interchange on I-5 and the couplet west of Medford on the Jacksonville Highway. The following people were present all from the City of Medford: Paul V. Rynning; Wallace Brill; R. J. Carstensen, County Engineer; Chester Hubbard; and Vern Rasmussen.

Mr. Rynning commented that the traffic using the Barnett Road Interchange is as much now as was estimated for 1980. He said that it is their hope to hold up development of land adjoining the interchange so that a cloverleaf type could be constructed. He asked the Commission to make a study of traffic needs so that the necessary land could be reserved for future construction. It was his feeling that this study is necessary so that the City can take action to protect the area. He presented resolutions from the City of Medford and Jackson County Court in support of improvement to this interchange.

Mr. Hubbard expressed concern about traffic to and from the hospital. Cost of acquiring the land for the improved interchange he felt would be reasonable at this time and asked that the necessary property be acquired soon. Mr. Carstensen emphasized the need of keeping private development out of the area so that the interchange could be improved. Mr. Rynning commented on the need for the study. Mr. Brill exhibited a map showing the 8th Street Couplet used at the hearing held in 1967 on the Medford-Provolt Highway. He called particular attention to private development plans which are underway to build on right-of-way which will be needed for highway construction.

Chairman Jackson stated that the Commission would give full attention to their request but the cost of construction of approximately \$650,000 is not available and he could give no time as to when it would be. The Commission, he continued, is aware of the critical traffic condition at this interchange.

A delegation from Columbia County appeared before the Commission concerning plans for improvement of the Lower Columbia River Highway in the Scappoose and St. Helens area in Columbia County. The following people were present: State Senator Wm. H. Holmstrom; Honorable N. W. Barmeier, Columbia County Judge; Mayor Forrest M. Sanders of Scappoose; Mayor M. E. McMichael of St. Helens; and Clarence O'Brian of Scappoose.

Senator Holmstrom asked that the route be established so that the Cities can complete their plans for utilities such as sewage disposal

and water mains. Judge Barmer pointed out that Columbia County has grown about 30 percent in population in the last few years and a greater increase is anticipated in the next five years. The Cities of Scappoose and St. Helens, he said, are trying to plan their utility construction to meet the expected growth.

Mayor Sanders stated that the City of Scappoose is planning for enlargement of their sewer system and in so doing, it is necessary to know where the highway will be constructed. Mayor McMichael of St. Helens called attention to the fact that in order to secure Federal Aid for city utilities, it is necessary to prepare plans 5 to 20 years ahead. The City of St. Helens also needs to know where the highway will be located so that they can plan their sewer construction. The City of Rainier is faced with the same problem.

The Chairman stated that preliminary surveys are just getting underway. Cost of construction of the section is estimated at approximately 2½ million dollars and will be performed as soon as funds can be found. The Commission, he continued, is aware of the rapid growth along the Lower Columbia River Highway and the need for careful planning. The Highway Department in developing plans for highway construction will take all of these needs into account and coordinate their work with the counties and cities involved.

Travel expenses for Robert Blensly to attend a meeting concerning the National Highway Functional Classification Study was brought up by the Engineer. He explained that an earlier agreement with the Research Institute requires prior approval by the Commission for out-of-state travel expenses. As the Bureau of Public Roads has requested that Mr. Blensly attend this meeting in San Francisco, April 24 and 25, 1969, he recommended approval at an estimated cost of \$140. The Commission accepted his recommendation.

The matter of subscribing to the Highway Research Correlation Service was presented by the Engineer. He explained that the service is a function of the Highway Research Board which collects information relating to highways and highway transportation. The findings are published in the form of reports and distributed to States which subscribe to the service. The information provided is the only practical means by which the Highway Department staff can be kept abreast of new developments. Oregon's share has been set at \$15,800 and he recommended that it be paid for the fiscal year beginning July 1, 1969. The Commission approved payment.

The Engineer recalled that in December, 1968, the Commission had approved construction of a new bridge over the Siuslaw River at Mapleton in Lane County, as a part of the Forest Highway Program at an estimated cost of \$780,000. However, Forest Highway Funds are available only in the amount of \$630,000. He recommended that \$95,310 be taken from the Federal-aid Program and \$54,690 from State funds (total \$150,000) and applied to this project so that the Bureau of Public Roads may put the work under contract at an early date. The Commission approved the transfer of funds.

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Consideration was given to a request from the Bureau of Public Roads that the State conduct a research project on the operation and use of fog detection equipment. The Engineer stated that the Bureau wishes to conduct the research to see if there is some feasible means of operating fog control signs other than the manual operation which is employed in the fog warning signs installed on the Murder Creek Section of the Pacific Highway at Albany, Linn County. The entire cost of the installation and maintenance is to be paid by the Bureau of Public Roads. The Highway Department is to be responsible for writing the evaluation report, and act as contractor for the project with a completion date of June 1, 1970. Cost of the project (\$13,500) to be paid by the Bureau of Public Roads. The Commission approved the project, and authorized the Secretary to sign the contract.

The Commission also considered a request from the Bureau of Public Roads that a research project be conducted on the effectiveness of the fog warning sign system on the Murder Creek Section of the Pacific Highway at Albany, Linn County. The Engineer said the research project will consist of collection and analysis of data concerning the operation of traffic during periods of foggy weather and also during normal weather to form a basis of comparison. The data gathering equipment is estimated to cost \$107,000, which will be financed with Highway Planning and Research Funds. Following his favorable recommendation, the Commission approved the project.

Employment of high school students during the summer vacation period was discussed. The Engineer stated that the Department can use approximately 24 young men to pick up litter and perform other house-keeping chores on highway rights of way. It also appears that the Department can use approximately 20 high school girls as typists during the summer season. The total cost should not exceed \$50,000 for the season. It was his opinion that both of these programs would be of benefit to the Department and the people involved and he recommended that it be approved. The Commission accepted his recommendation.

A change in an existing speed zone on the Oregon Coast Highway in the Bunker Hill Section, south of Coos Bay, in Coos County was brought up by the Engineer. Traffic volume in this section, he said, is very high and the accident record is above average. He recommended that the existing 40 mile-per-hour speed zone contained in "Speed Zone Resolution No. 136" dated January 21, 1954, be rescinded and that a 30 mile-per-hour speed zone be established from the south city limits of Coos Bay at M.P. 239.22 to a point 0.14 mile south of Adams Street (M.P. 240.03), except that between M. P. 239.54 and M.P. 239.81 the designated speed shall be 20 miles per hour during the hours of school crossings. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 545," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Reduction of traffic hazards on the Bunker Hill Section of the Oregon Coast Highway, south of Coos Bay, in Coos County was discussed. The Engineer commented that as a part of this work left-turn refuges are to be established at all intersections which will require prohibition

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of parking along the highway. He recommended that parking be prohibited on the Oregon Coast Highway from the easterly end of the Coal Bank Slough Bridge (M.P. 239.25, Engineer's Station 39+25) to Mullen Street (M.P. 239.53, Engineer's Station 54+75) in Coos Bay. He recalled that this action was verbally approved by the Chairman on March 26, 1969. The Commission confirmed the action and thereupon adopted "No Parking Resolution No. 271," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on April 8, 1969, covering the Third Amendment to the Oregon Statewide Forest Highway Cooperative Agreement. He explained that the third amendment consists of an up-to-date listing of U. S. Forest Highways in the State of Oregon. The Commission confirmed the approval and authority for the Secretary to sign the amendment for them.

Consideration was given to a letter-form agreement with Multnomah County allowing the County to occupy State-owned property in the vicinity of S. E. Washington Street and 94th Avenue east of Portland for the purpose of constructing a temporary connection with the S. E. Washington Street-S. E. Stark Street couplet. The agreement provides that the County prepare all plans, award contracts, supervise construction, and maintain the temporary connection without cost to the State. The County also is to vacate the property upon 90 days' notification by the State. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A throughway-abandonment agreement with Clatsop County concerning construction of the Fern Hill-Burnside Section of the Columbia River Highway was considered. The agreement provides for construction of the throughway, reconstruction of county road connections, road closures, utility relocation and other matters. In addition, the County agrees to take over portions of the old highway section when the new portion is completed. 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 a throughway-abandonment agreement with Clackamas County pertaining to construction of the Alder Creek-Forest Boundary Section of the Mt. Hood Highway. This agreement, the Engineer said, contains the usual provisions for construction of the throughway, county road connections and closures, utility relocation, and other matters. Also the County agrees to take over portions of the old highway when the new section is completed. Part of this project is on new alignment bypassing the community of Brightwood. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A throughway-abandonment agreement with Washington County concerning widening to six lanes and reconstruction of the Stafford Road Interchange on the East Portland Freeway-Wilsonville Interchange Section of the Pacific Highway was also considered. The agreement provides for construction of the project, utility relocation, closure of the existing Stafford Road, and temporary closure of Norwood Road during construction

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and other matters. Washington County agrees to accept jurisdiction of frontage roads along the throughway. 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 Multnomah County for replacement of traffic signals at the intersection of the Mt. Hood Highway (Powell Boulevard) and S. E. 136th Avenue. The Engineer commented that under the agreement the State is to perform the work and the County is to pay one-half the cost of installation and provide all of the required maintenance and electrical energy. He estimated the total cost of the installation at \$35,000 with the State's share to be charged to State Construction Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with the City of Cottage Grove for modernization of traffic signals at the intersection of 9th and Main Streets in Lane County was presented by the Engineer. The Engineer estimated the total cost of the project at \$9,000 with the City to pay one-half the cost of the installation and provide all of the required maintenance and electrical energy. The State's portion of the cost (\$4,500) is 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.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on April 1, 1969, for the installation of traffic signals at two intersections on the Oregon Coast Highway in the Bunker Hill Section, south of Coos Bay, in Coos County. Signals are to be installed at the Flanagan Avenue intersection and at the Edwards Street intersection at a total estimated cost of \$27,000. The County agrees to pay one-half the cost of installation and provide all of the necessary maintenance and power needs. The State's share of the cost (\$13,500) is to be taken from Minor Betterment Funds. The Commission confirmed the project and authority for the Secretary to sign the agreement for them.

Attention was given to an agreement with the City of Portland pertaining to the cost of furnishing electricity for lights installed in the eastbound Vista Ridge Tunnel and lights which are to be installed in the westbound tunnel on the Sunset Highway. Under terms of the agreement, the City is to provide for all electrical energy requirements and the State is to maintain the lights. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with the City of Prineville for revision of traffic signals was presented by the Engineer. Under the agreement, revisions are to be made on the Ochoco Highway at the intersection of Third and Main Streets in Crook County. The State is to perform the work, with the City to pay one-half the cost of the revision and provide all of the maintenance and electrical energy requirements. The Engineer estimated the total cost of the revision at \$1,100 with the State's share of \$550

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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 Southern Pacific Company pertaining to reconstruction of the Railroad undercrossing structure as required because of highway construction on the Murder Creek Section of FAS 761 in Linn County. According to the agreement, the Railroad is to perform all work at an estimated cost of \$69,770 and be reimbursed by the State for the actual cost. The Railroad is to maintain the reconstructed structure and Linn County is to maintain the roadway and channel change. The Commission accepted the Engineer's recommendation for approval.

The Commission also considered an agreement with Union Pacific Railroad Company and Roy L. Houck Sons' Corporation covering the use of a private access road across the railroad at grade on the Lime Section of the Old Oregon Trail in Baker County. As the crossing is for the contractor's convenience, all liability and expenses are to be borne by the contractor. Following the Engineer's favorable recommendation, the Commission approved the agreement.

An agreement with Westland Irrigation District pertaining to reconstruction of the District's facilities required by highway construction on the Morrow County Line-Stanfield Junction Section of the Old Oregon Trail in Umatilla County was considered. The Engineer stated that although the work has been completed, the agreement finalizes the negotiations with the District and outlines future obligations. In addition to reconstruction of irrigation facilities, the State is to perform all structural maintenance on these facilities within the access control lines, and the District is to perform all maintenance outside the access control lines. The agreement also provides that the State is to reimburse the District in the amount of \$1,229 for the cost of installation by the District of two cattle guards and two slide gates on the siphon crossings. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Simpson and Curtin for updating a Mass Transit Use Study to determine appropriate design volumes of the Mt. Hood Freeway Section of I-80N in Multnomah County was presented by the Engineer. He commented that a copy of the agreement was sent to the Bureau of Public Roads for their approval prior to execution of the agreement. Cost of the update study is \$5,200 to be financed with H.P.R. funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to revising the stop signs at the junction of the Crater Lake Highway and the West Diamond Lake Highway in Jackson County. The Engineer stated that an investigation at this intersection indicates that the major traffic stream would be better served by revising the existing stop signs and he recommended that "Through Highways and Stop Signs Resolution No. 4" dated April 27, 1943, be amended as it pertains to the Crater Lake Highway to include the

following: "All westbound traffic on the Crater Lake Highway shall stop before proceeding through the intersection." The Commission accepted his recommendation and thereupon adopted "Through Highways and Stop Signs Resolution No. 4r," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer stated that Oregon has received an allocation of \$1,645,913 under the Federal-Aid TOPICS Program for this fiscal year and it is expected that a like amount will be available after July 1, 1969. These funds must be matched by State or local governments on the same ratio as the normal Federal-Aid Program (63%-37%). Negotiations have been undertaken with the League of Oregon Cities concerning the distribution of these funds and he recommended the adoption of the following program:

- (1) Allocate on per capita basis to eligible (over 5,000 population) cities for the first two years. Evaluate possibility of allocating on (a) priority basis and/or (b) urban area per capita basis during this period. Allocation to be made on same population figures used for cities' share of gas tax.
- (2) Invite League of Oregon Cities to participate in advisory capacity.
- (3) Liason for program to be handled by the County-City Division.
- (4) Cities to choose projects by priority basis with approval by the Oregon State Highway Commission.
- (5) Projects may be on Type I or II system.
- (6) All work to be financed on 64 percent Federal, 18 percent State, 18 percent local ratio.
- (7) Planning assistance eligible under the TOPICS Program performed by Oregon State Highway Department personnel to be on same matching ratio as under 6 above.
- (8) Unobligated TOPICS funds to be reallocated two years after apportioned to cities.

Cost to the State for this program, he said, would be approximately \$548,000 for this fiscal year and probably an equal amount next fiscal year. The Commission approved the preceding eight point program and allocation of funds to cities of over 5,000 population as follows:

CITY	POPULATION 1-1-69	PERCENT OF POPULATION	FEDERAL FUNDS	TOTAL FUNDS
				Includes State and Local Matching Money (Rounded to Thousands)
Albany	17,700	1.8968	\$ 31,220	\$ 52,000
Ashland	13,300	1.4253	23,459	39,000

(Continued on next page)

CITY	POPULATION 1-1-69	PERCENT OF POPULATION	FEDERAL FUNDS	TOTAL FUNDS Includes State and Local Matching Money (Rounded to Thousands)	
Astoria	10,800	1.1574	\$ 19,050	\$	32,000
Baker	9,500	1.0181	16,757		28,000
Beaverton	16,350	1.7522	28,840		48,000
Bend	13,400	1.4360	23,635		39,000
Coos Bay	14,500	1.5539	25,576		43,000
Corvallis	31,350	3.3597	55,298		92,000
Cottage Grove	5,700	0.6108	10,053		17,000
Dallas	5,900	0.6323	10,407		17,000
Eugene	77,000	8.2518	135,817		226,000
Forest Grove	6,900	0.7394	12,170		20,000
Gladstone	5,450	0.5841	9,615		16,000
Grants Pass	13,300	1.4253	23,459		39,000
Gresham	7,500	0.8037	13,228		22,000
Hermiston	5,300	0.5681	9,351		16,000
Hillsboro	13,000	1.3932	22,931		38,000
Klamath Falls	18,200	1.9504	32,102		54,000
LaGrande	10,100	1.0824	17,815		30,000
Lake Oswego	13,500	1.4467	23,811		40,000
Lebanon	6,500	0.6966	11,465		19,000
McMinnville	9,350	1.0020	16,492		27,000
Medford	30,600	3.2793	53,974		90,000
Milwaukie	16,400	1.7575	28,927		48,000
Newport	5,900	0.6323	10,407		17,000
North Bend	8,470	0.9077	14,940		25,000
Ontario	6,400	0.6859	11,289		19,000
Oregon City	8,650	0.9270	15,258		25,000
Pendleton	14,600	1.5646	25,752		43,000
Portland	377,800	40.4874	666,387	1,111,000	
Roseburg	15,100	1.6182	26,634		44,000
St. Helens	5,750	0.6162	10,142		17,000
Salem	68,480	7.3387	120,789		201,000
Springfield	25,400	2.7220	44,802		75,000
The Dalles	11,780	1.2624	20,778		35,000
West Linn	6,650	0.7127	11,730		20,000
Woodburn	6,550	0.7019	11,553		19,000
TOTAL	933,130	100.0000	\$1,645,913	\$2,743,000	

SUMMARY, ENTIRE STATE-FISCAL YEAR 1970 TOPICS FUNDS

Total Federal Funds for TOPICS (less planning and research funds)	\$1,645,800
Plus estimated required match money State Funds	548,600
. Local Funds	548,600
TOTAL TOPICS FUND	\$2,743,000

NOTE: Above funds allocated to individual jurisdictions on per capita basis proposed by League of Oregon Cities and approved by Highway Commission

Upon the recommendation of the Right of Way Engineer, the Commission approved a Grant of Access without consideration to the Ruthella Herburger property between Mt. Vernon and John Day on the John Day Highway in Grant County.

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

"Relinquishment of Title" to Hood River County covering Indian Creek Section of Hood River Highway in Hood River County.

"Deed of Dedication" to the Public covering Stanfield Junction-Pendleton Section of the Old Oregon Trail in Umatilla County.

"Release of Slope Easement" to Pacific Power and Light Company covering the Devil's Lake Outlet Section of the Oregon Coast Highway in Lincoln County.

"Bargain and Sale Deed" to Donald R. Miller covering 2,456 square feet of land on Killingsworth-Lombard Section of N. E. Portland Highway in Multnomah County.

"Bargain and Sale Deed" to Elizabeth P. White covering 0.11 acre on Grants Pass-Rock Point Section of Pacific Highway in Jackson County.

"Roadway Easement" to Everett L. Leach and Patricia C. Leach, Donald W. and Beverly J. Clause covering the Midland Information Center on The Dalles-California Highway in Klamath County.

"Indenture of Access" to Adolph L. and Gertrude I. Johnson covering the Sweet Home-Foster Section of the Santiam Highway in Linn County.

"Indenture of Access" to Frank H. and Mary O. Middleton covering Sweet Home-Foster Section of the Santiam Highway in Linn County.

"Indenture of Access" to Charles and Peggy Cicero covering Sweet Home-Foster Section of the Santiam Highway in Linn County.

"Indenture of Access" to Noble H., Elizabeth, Noble, Jr., Laura S., Eldon W. and Orr Lyda Chowning covering Tigard Section of the Pacific Highway West in Washington County.

"Indenture of Access" to Arthur and Ella Leppin covering Holmes Gap-Baskett Slough Section of the Pacific Highway West in Polk County.

"Indenture of Access" to Harold G. and Evelyn Welker and Trustees of the McKenzie Bridge Christian Church covering Mill Creek-Belknap Springs Section of the McKenzie Highway in Lane County.

"Indenture of Access" to Safeway Stores, Inc., a Maryland Corporation, covering Redmond Section of The Dalles-California Highway in Deschutes County.

"Indenture of Access" to White City Corporation, an Oregon corporation, covering Biddle Road-Camp White Section of Crater Lake Highway in Jackson County.

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"Indenture of Access" to Olson-Lawyer Lumber, Inc., an Oregon corporation, covering Cascade Gorge-Forest Boundary Section of Crater Lake Highway in Jackson County.

"Grant of Access" to Willamette National Forest Service covering Lookout Point Reservoir on the Willamette Highway in Lane County.

"Grant of Access" to Leonard and Virginia F. Reimann covering Hayesville-Salem Section of Pacific Highway East in Marion County.

"Relinquishment of Title" to Multnomah County covering 8 tracts of land on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway in Multnomah County.

"Release of Easement" to Rob Roy Munro covering Picture Gorge Park on the John Day Highway in Grant County.

"Agreement" between Department of General Services and Pacific Power and Light Company to provide electric service to Ecola State Park in Clatsop County.

"Electric Service Agreement" with Idaho Power Company for power for a water system at Lake Owyhee State Park in Malheur County.

"Agreement" with Lane County covering purchase of a tract of land along the bank of the Willamette River adjacent to the city of Eugene and west of Delta Parkway as part of Willamette River Park System.

"Letter" authorizing Vernon E. Skoog, Controller, to sign Federal reimbursement vouchers in behalf of Commission.

"Subscription" form to Highway Research Correlation Service for fiscal year starting July 1, 1969.

"Letter Form Agreement" with Multnomah County allowing the County to occupy State-owned property in the vicinity of S. E. Washington Street and 94th Avenue for purpose of constructing a temporary connection.

"Agreement" with Clatsop County concerning construction of Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County.

"Agreement" with Clackamas County for construction of Alder Creek-Forest Boundary Section of the Mt. Hood Highway in Clackamas County.

"Agreement" with Washington County rewidening to six lanes and reconstruction of Stafford Road Interchange on East Portland Freeway-Wilsonville Interchange Section of Pacific Highway.

"Agreement" with Multnomah County for replacement of existing traffic signals at intersection of Mt. Hood Highway (Powell Boulevard) and S. E. 136th Avenue.

"Agreement" with City of Cottage Grove for modernization of traffic signals at the intersection of Ninth and Main Streets.

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"Agreement" with Coos County for installation of traffic signals at two intersections on the Oregon Coast Highway in the Bunker Hill Section south of Coos Bay.

"Agreement" with City of Portland for power costs for the lights installed in the eastbound Vista Ridge Tunnel and lights which will be installed in the westbound tunnel.

"Agreement" with City of Prineville for revision of traffic signals at intersection of Third and Main Streets.

"Agreement" with Southern Pacific Company providing for reconstruction of the railroad undercrossing structure as required by construction of Murder Creek Section of FAS 761 in Linn County.

"Agreement" with Union Pacific Railroad Company and Roy L. Houck Sons' Corporation covering use of an existing, private access road across the railroad at grade on the Lime Section of the Old Oregon Trail in Baker County.

"Agreement" with Westland Irrigation District covering reconstruction of District's facilities in conflict with Morrow County Line-Stanfield Junction Section of I-80N in Umatilla County.

There being no further business to conduct, the Chairman adjourned the meeting at 11:45 a.m.

Harold Cooper
State Highway Engineer

Floyd Query
Secretary

Gleason Jackson
Chairman

John W. Key
Commissioner

William D. Brown
Commissioner

April 22, 1969

Salem, Oregon
May 28, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, 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

Among others present were R. E. Simpson, Division Engineer of the Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; V. D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; David G. Talbot, Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; John Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Assistant County-City Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held April 22, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 36, 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 which are on or near the appraised amounts and are in order for Federal aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting as well as those options presented for the first time at this meeting, and thereupon adopted "Right of Way Resolution No. 59," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from April 15 to May 21, 1969, was presented by the Right of Way Engineer. Miscellaneous sales in this period totaled \$13,850; land sales, \$1,200; timber sales, \$591.68; and rental receipts for April, 1969, totaled \$26,121.85. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale four parcels of property which are no longer needed for Highway purposes. 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 Resolution No. 511," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

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- (1) 0.29 acre, File No. S-491, located in the southeast corner of the intersection of Yamhill and Florence Streets in the City of Sheridan on the Willamina-Sheridan Highway in Yamhill County, for not less than \$800. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) 2.2 acres, File No. 16466, being a former stockpile site located at the Flora junction with the Enterprise-Lewiston Highway in Wallowa County for not less than \$300. A 75-foot strip is to be retained. Two points of unrestricted access to the highway are to be granted and signboard and junkyard exclusion clauses are to be included in the deed. Bureau of Public Roads' approval is not required.
- (3) 0.75 acre, File No. 17620 and 27075, located at the westerly connection of the old and new Ochoco Highway in the town of Mitchell in Wheeler County for not less than \$750. No access is to be permitted to the highway and signboard and junkyard exclusion clauses are to be included in the deed. Also, the State is to be held free from liability by future flooding. Approval by the Bureau of Public Roads is not required.
- (4) 9,640 square feet of land, File No. 10778 and 10780, located northeast of North Hampton Street, west of its intersection with North Brandon Avenue, along the Pacific Highway West in the City of Portland, for not less than \$1,450. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 511")

Authority to make direct sales on two parcels of property which are no longer needed for highway purposes was requested by the Right of Way Engineer. Public sale of these properties, he said, is not feasible because of peculiarities of location which restrict salability to a single party. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 512," which resolution by this reference is made a part hereof and filed in the Secretary's Office:

- (1) To the McMinnville Hospital, File No. 22303, 2,000 square feet of land located at the south end of the Adams-Baker couplet in McMinnville, just north of the hospital parking area along the Pacific Highway West in Yamhill County for the sum of \$500. No access is to be permitted to the highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was given by letter dated May 14, 1969.

- (2) To Roseburg Rural Fire Protection District, File No. 17099, 0.58 acre of land located in the northeast quadrant of the Winchester Interchange on the Pacific Highway in Douglas County for the sum of \$2,500. No access is to be allowed to the Pacific 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. 512")

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the record so as to show the location as actually constructed. The Commission approved the following Indentures of Access:

- (1) Southgate Development property, File No. 22676, to widen one unrestricted point of access from 25 feet to 64 feet, and to eliminate two reserved access points located directly east of S.E. King Road, approximately one and one-half miles south of the Portland city limits on the Cascade Highway in Clackamas County. Approval by the Bureau of Public Roads was received May 15, 1969.
- (2) Windham property, File No. 21648, for one new point of unrestricted access and a change in location and widening to 35 feet of four unrestricted points of access on the westerly side of the relocated Columbia River Highway, approximately six miles north of St. Helens in Columbia County. The owners of the property are to reimburse the State in the amount of \$2,850, the estimated value by which the property will be increased because of the access changes. Approval by the Bureau of Public Roads was given February 17, 1969.
- (3) Reproco, Inc., property, File No. 31180, to change the location and widen to 35 feet one point of unrestricted access on the southerly side of the Green Springs Highway, approximately one-half mile east of Ashland and just west of the Green Springs Interchange in Jackson County. Approval by the Bureau of Public Roads was received November 26, 1968.
- (4) Merett property, File No. 35657, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated McKenzie Highway, approximately three miles east of the community of Blue River in Lane County. Approval by the Bureau of Public Roads was received June 9, 1967.

- (5) Warren property, File No. 36607, to show in the public record the constructed location of two unrestricted points of access 35 feet wide on the southerly side of the relocated McKenzie Highway, approximately nine miles east of the community of Blue River in Lane County. Approval by the Bureau of Public Roads was given September 25, 1967.
- (6) Boyd, Graham and Asher property, File No. 35020, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Corvallis-Newport Highway, approximately two miles north of Toledo in Lincoln County. Approval by the Bureau of Public Roads is not required.
- (7) Duncan and Moore Logging Company and Thompson Company property, File No. 38635, to show in the public record the constructed location of one unrestricted point of access 40 feet wide on the northerly side of the relocated Santiam Highway, approximately one mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was received December 12, 1968.
- (8) Nothiger property, File No. 38624, to show in the public record the constructed location of two unrestricted points of access 35 feet wide on the northerly side of the relocated Santiam Highway, approximately one-half mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was received December 12, 1968.
- (9) Wiley property, File No. 38626, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the Santiam Highway, approximately one-half mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was given December 12, 1968.
- (10) McCallie Logging Company, Inc., property, File No. 38651, to show in the public record the constructed location of one unrestricted point of access 40 feet wide on the northerly side of the relocated Santiam Highway approximately one mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was received December 12, 1968.
- (11) Jeffers property, File No. 40356, for a change in location of one unrestricted point of access 50 feet wide on the southerly side of the relocated Wallowa Lake Highway just south of the location of the LaGrande Bypass on the Old Oregon Trail in LaGrande, Union County. Approval by the Bureau of Public Roads was received January 30, 1969.

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- (12) Pacific Power and Light Company property, File No. 33538, to show in the public record the constructed location of eight points of unrestricted access 35 feet wide on the Crater Lake Highway west of Prospect in Jackson County. Approval by the Bureau of Public Roads was given January 22, 1969.
- (13) Bishop property, File No. 33554, to show in the public record the constructed location and the widening to 35 feet of one unrestricted point of access on the southerly side of the relocated Crater Lake Highway, approximately four miles west of Prospect in Jackson County. Approval by the Bureau of Public Roads was received January 22, 1969.
- (14) Ulrich property, File No. 33555, to show in the public record the constructed location and the widening to 35 feet of one unrestricted point of access on the southerly side of the relocated Crater Lake Highway, approximately four miles west of Prospect in Jackson County. Approval by the Bureau of Public Roads was received January 22, 1969.

Confirmation was requested by the Right of Way Engineer for the award of a demolition contract made on May 2, 1969, covering removal of structures on the East Portland Freeway (I-205) in Multnomah County. Four bids were received for the removal of 16 buildings, grading, and cleaning up of debris. The low bid was submitted by Colhouer Construction in the amount of \$4,200. The Commission confirmed award of the contract to the low bidder and authorized the Secretary to sign the contract.

Consideration was given by the Commission to a height limitation easement to the State Board of Aeronautics for the passage of aircraft above the Cottage Grove-Walker Section of Lane County Road No. 728 to accommodate the Cottage Grove State Airport. The Right of Way Engineer explained that a small corner of the Rowe River gravel pit comes under the North Clear Zone Easement for the Cottage Grove Airport. Following his favorable recommendation, the Commission approved the easement.

Confirmation was requested by the Right of Way Engineer for approval received from Chairman Jackson on May 8, 1969, to lease to the City of Phoenix a 3.05 acre parcel of land on the Pacific Highway in Jackson County for park and public purposes for a consideration of \$1. The Commission confirmed the lease, and authorized the Secretary to sign the lease.

Attention was given to a Memorandum of Understanding with the U.S. Corps of Engineers and the State Director of Veterans' Affairs for an exchange of land in connection with the John Day Lock and Dam Project on the Columbia River Highway in Morrow County. The Right of Way Engineer explained that the Highway Commission's part of the Memorandum is to accept from the Corps its reversionary rights in property which the Corps conveyed

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to the Department of Veterans' Affairs and which the Department of Veterans' Affairs then conveyed to the Highway Commission for right-of-way for I-80N (Columbia River Highway). Following his favorable recommendation, the Commission approved the Memorandum 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 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. 2549 through 2553," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. 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-5998 Walter Grove, et al.	Clatsop	Columbia River	Fern Hill-Burnside	\$17,550.00	None	Voluntary Non-Suit
L-5940 Christine D. Myers, et al.	Curry	Garrison Lake Park	State	28,200.00	\$50,000.00	\$ 39,380.00
L-5874 Harvey Nelson, et al.	Jackson	Lake of the Woods	Brownsboro-Crater Lake	6,425.00	28,000.00	15,500.00
L-5878 William Shepherd, et al.	Jackson	Lake of the Woods	Brownsboro-Crater Lake	7,575.00	25,000.00	17,500.00
L-5890 John Charles Lent, et al.	Jackson	Lake of the Woods	Brownsboro-Crater Lake	13,150.00	25,500.00	14,500.00
L-5828 Richard Anderson, et al.	Lincoln	Agate Beach Wayside	State	89,900.00	240,000.00	167,500.00

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(Report of Condemnation Cases Tried Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-5920 Charles Smutz	Union	Old Oregon Trail	La Grande-North Powder	\$ 4,450.00	\$40,000.00	\$ 31,375.00
L-5785 Ross E. Davidson	Clackamas	East Portland Freeway	West Linn-Pacific	7,475.00	20,600.00	8,400.00
L-5922 Arthur J. McCall	Union	Old Oregon Trail	La Grande	11,500.00	28,000.00	26,915.00

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-5802 City of Maywood Park	State of Oregon	Multnomah	Declaratory Judgment and Injunction Relief		Sustained State's Demurrer and entered Judgment dismissing complaint

(On April 23, 1969, Judge Dean Bryson rendered a written opinion in this case sustaining the State's demurrer to the complaint. The grounds for the demurrer that the City had no legal capacity to sue in this proceeding, in that, at the time of the alleged acts and omissions, the Plaintiff City was not in existence and could not have been injured.

The Court considered the evidence as to the public hearing that had been held on I-205 and the adoption of Survey Resolution for the location of the highway route. He then reviewed the statutes concerning location of highways and cases on the applicable construction to be given thereto.)

L-5983 State of Oregon	Lawrence Gene Kaufman	Linn	Negligent operation of motor vehicle damaging guardrail	\$234.10	Settled without trial \$234.10
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(Report of Trial of Other Cases Cont.)

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5985 State of Oregon	Vernon Ray Comstock	Multnomah	Negligent operation of motor vehicle damaging guardrail	\$ 79.84	Settled without trial \$ 79.84
L-5990 State of Oregon	William D. Lester	Coos	Negligent operation of motor vehicle damaging Coquille River Bridge	394.11	394.11
L-5872 State of Oregon	Gordon L. Pottorff	Marion	Negligent operation of motor vehicle damaging overcrossing	264.68	Dismissed

(Original claim was \$584.68. Installment payments reduced the amount to \$264.68. Subsequent to filing complaint the defendant declared bankruptcy with liabilities greatly in excess of assets.)

(For additional details, see the Chief Counsel's letter dated May 22, 1969, concerning cases tried and filed in the Salem Office, General Files.)

Concerning the Maywood case on I-205 in Multnomah County, the Chief Counsel commented that in his opinion the verdict in favor of the State would be appealed. He mentioned that the total of the verdicts rendered amounted to approximately \$321,000 against appraisals totaling approximately \$180,000. The largest discrepancy between the verdict and the State's offer was in the Richard Anderson case for purchase of land in Lincoln County in which the verdict was \$167,500 compared with the State's offer of \$89,900 and the owner's demand of \$240,000. Chairman Jackson remarked that the difference in the State's offers based on appraisals as compared with the court verdicts made it difficult to obtain settlements without court action.

Concerning the DeLong case involving construction of the Astoria Bridge Piers and the recent court hearing to determine attorney's fees, the Chief Counsel mentioned that DeLong's attorneys had asked the granting of actual attorney costs which in their opinion would not exceed \$175,000. The Court awarded to the State attorney's fees in the amount of \$250,000. No appeal has yet been filed by DeLong; and in response to the Chairman's inquiry concerning interest, the Chief Counsel said that the amount awarded by the Court would now accrue interest at the rate of 6 percent.

Concerning the Hay case involving the ocean beach at Cannon Beach in Clatsop County, the Chief Counsel commented that the State Attorney General has asked for an extension from June 2 to June 26, 1969.

The Chairman inquired as to the status of the State's case against the U.S. Corps of Engineers concerning the collapse of the John Day Bridge on the Columbia River Highway in Gilliam and Sherman Counties. The Chief Counsel replied that there is nothing new to report in the case and it is proceeding in a normal manner. It appears that a hearing may be held in late summer of 1969.

Cases settled out of court since the last Commission meeting were considered in another report presented by the Chief Counsel. The proposed settlements, he said, are based upon competent appraisals and are in order for Federal aid. Offers made by the State totaled approximately \$79,000 and proposed settlements totaled approximately \$81,700. The Commission approved settlements which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6002 Walter Wehler, et al.	Clackamas	Pacific	Tigard Interchange-Hubbard Interchange	\$ 600.00	\$ 900.00
L-5976 Oscar Samuel Peterson, et al.	Lincoln	San Marine State	Wayside	23,500.00	26,400.00
(26,000.00 Review Appraisal)					
L-5843 Lincoln Loan Co., an Oregon Corporation	Multnomah	East Portland Freeway	N.E. Glisan Street-S.E. Division Street Unit-Columbia River-Pacific Highway	8,250.00	8,250.00
L-5613 J. W. Thomas, et ux.	Washington	Sunset	North Plains Interchange-Cornelius Pass Road Interchange	1,650.00	2,500.00
(Reported at April 22, 1969, Commission meeting as an NOA item.)					
L-5917 Raymond A. Thompson, et ux.	Coos	Coos Bay-Roseburg	Gray Creek-Myrtle Point	3,250.00 including 250.00 fencing allowance	4,250.00

(Appraisals revised after original negotiations to reflect up-to-date sales of property in close proximity to subject taking.)

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
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L-5680 Clyde Edwin Kern	Multnomah	Shepherd's Dell	State Park	\$ 5,600.00	\$ 7,000.00
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(Revised appraisals reflecting the proper interpretation of zoning ordinance are at \$6,500.)

L-5883 Stanley L. Stark, et ux.	Jackson	Lake of the Woods	Crater Lake Highway- Brownsboro	2,670.00	3,500.00
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(Original offer was made upon the premise that an easement only would be taken on Parcel No. 2. Revised appraisals on the basis of taking a fee title to Parcel No. 2 are \$3,150.)

L-4787 William O. Condray, et al.	Douglas	Pacific	Canyonville- Josephine County Line	4,805.00	7,400.00
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(Revised appraisals have now been made with the reconstructed highway facilities in place. As constructed the highway facilities reveal damage items not previously contemplated. The owner has submitted an appraisal by an independent appraiser often used by the State at \$10,500.)

R-41902 Roy Lee Harris, et al.	Multnomah	Pacific	North Portland Harbor-N. Russell Street	450.00 (204 sq. ft.)	4,500.00 (entire taking)
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(Title to property is involved in estate proceedings. Impossible to negotiate on partial taking basis; however it was possible to negotiate on basis of acquiring the entire property of 4,296 sq. ft. appraised at \$5,800.00.)

L-5858 Freight- ways Terminal Co., Inc.	Multnomah	Columbia River	Kitteridge Avenue Channelization	11,700.00	17,000.00
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(Involved in this case is the problem of limitation of access to a tract of land with 845 foot frontage to three accesses. The property is used as a track terminal. Due to the channelization some 200 feet of frontage at one end of the property will have no access. Two appraisals were obtained - one allowed little in way of damages and the other allowed such damage. State's higher appraisal was at \$16,600.)

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REPORT OF OTHER CASES SETTLED

Case	Defendants	County	Cause of Action	Demands of Plaintiff	Settlement
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L-6003 Grange Insurance Assoc.; subrogee on claims by Ronald L. Couch, Zelma D. Couch and Lewis H. Johnsrud	James A. Brown, et al.	Douglas	Personal injury and property damage	\$1,250.00 together with 1,050.00 attorney fees	Undisclosed amount
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(These claims arose out of an accident which occurred April 8, 1968, on Highway #38, approximately 3 miles west of Elkton. Johnsrud and Couch vehicles involved in head-on collision. Elkton maintenance crew were engaged in work on highway with traffic under control of flagmen. The area was dusty with limited visibility.

State's insurance carrier reports settlement of case for undisclosed sum.)

L-5960 State of Oregon	G. A. Phelps, et ux.	Lincoln	Recover possession, rent and \$426.99 damages	Surrender possession immediately and \$250.00
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(Reported at April 22, 1969, Commission meeting as an NOA item.)

(For additional details, see the Chief Counsel's letter dated May 22, 1969, concerning cases settled and filed in the Salem Office, General Files.)

The Chief Counsel presented and the Commission approved two additional settlements as follows:

- (1) Gim C. Wong, L-5887, on the North Portland Harbor-North Russell Street Section of the Stadium Freeway, Portland. The State's reviewed appraisal was \$1,800 and the settlement is \$2,200.
- (2) State vs. Stanley Demarest, L-5900, on the Seventh Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County. The State's reviewed appraisal was \$150,000 and the settlement is for \$160,000 plus the State cutting off part of the motel building.

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Confirmation was requested by the Chief Counsel and granted by the Commission for telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings as follows:

ALLEGANY-MARLOW CREEK SECTION OF THE COOS RIVER HIGHWAY

R-42453 - Ilmer N. Koivunen, et ux. 0.32 acre for right-of-way purposes. Offer of \$1,575.00 approved by Mr. Jackson May 6, 1969.

BANDON STATE PARK

R-42325 - Frances D. Cavoretto, et al. 2.8 acres for park purposes. Offer of \$9,100.00 approved by Mr. Jackson April 17, 1969.

BEVERLY BEACH STATE PARK

R-42485 - W. E. Martin. 10.4 acres for park purposes. Offer of \$20,700.00 approved by Mr. Jackson April 22, 1969.

BLODGETT-WREN SECTION OF THE CORVALLIS-NEWPORT HIGHWAY

R-40592 - Delbert R. Kessi, et ux. 0.57 acre for right-of-way purposes. Offer of \$700.00 approved by Mr. Jackson May 13, 1969.

FERN HILL-BURNSIDE SECTION OF THE COLUMBIA RIVER HIGHWAY

R-38197 - Walter Grove, et ux. 2.9 acres for right-of-way purposes. Offer of \$17,700.00 approved by Mr. Jackson April 22, 1969.

R-41844 - Crown Zellerbach Corporation. Parcel No. 1: 0.5 acre for right-of-way purposes; Parcel No. 2: 16.8 acres for right-of-way purposes; Parcel No. 3: 1.6 acres for right-of-way purposes; Parcel No. 4: 0.17 acre for permanent easement; Parcel No. 5: 1.1 acres for permanent easement. Offer of \$10,000 approved by Mr. Jackson May 2, 1969.

R-42023 - William L. Fornas, et al. 3.2 acres for right-of-way purposes. Offer of \$7,500.00 approved by Mr. Jackson May 2, 1969.

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

R-40274 - Robert S. Trigg, et ux. 0.17 acre for right-of-way purposes. Offer of \$2,000.00 approved by Mr. Jackson April 17, 1969.

R-40286 - Clyde L. Head, et ux. Parcel No. 1: 2.3 acres for right-of-way purposes; Parcel No. 2: 0.5 acre for permit of entry. Offer of \$6,025.00 approved by Mr. Jackson April 15, 1969.

N.E. GLISAN STREET-S.E. DIVISION STREET UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43450 - John R. Mahaffy, et ux. 11,625 square feet for right-of-way purposes. Offer of \$40,000.00 approved by Mr. Jackson April 24, 1969.

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NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-42909 - Eastern Oregon Meat Company. Parcel No. 1: 7.7 acres for right-of-way purposes; Parcel No. 2: 0.01 acre for right-of-way purposes; Parcel No. 3: 0.41 acre for permanent easement. Offer of \$41,625.00 approved by Mr. Jackson May 6, 1969.

POLLARD CREEK-WILDERVILLE SECTION OF THE REDWOOD HIGHWAY

R-43346 - Dale S. Green and Richard D. Green. 2.7 acres for right-of-way purposes. Offer of \$2,150.00 approved by Mr. Jackson April 17, 1969.

RUCH SECTION OF THE MEDFORD-PROVOLT HIGHWAY

R-42840 - Shirley Marks. Parcel No. 1: 0.04 acre for right-of-way purposes; Parcel No. 2: 0.06 acre for right-of-way purposes. Offer of \$1,425.00 approved by Mr. Jackson April 16, 1969.

SILVER POINT SLIDE SECTION OF THE OREGON COAST HIGHWAY

R-19909 - Elizabeth J. Johnson. Parcel No. 1: 2.3 acres for right-of-way purposes; Parcel No. 2: 4.0 acres for scenic area. Offer of \$33,500.00 approved by Mr. Jackson May 7, 1969.

R-43395 - Frances Edwina Chapman, et al. 0.05 acre for right-of-way purposes. Offer of \$50.00 approved by Mr. Jackson May 7, 1969.

STAFFORD ROAD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-42706 - Ralph H. Elligsen, et ux. Parcel No. 1: 0.17 acre for right-of-way purposes; Parcel No. 2: 3.5 acres for right-of-way purposes. Offer of \$20,100.00 approved by Mr. Jackson April 22, 1969.

WOODLAND DRIVE-CENTRAL AVENUE SECTION OF THE EMPIRE-COOS BAY HIGHWAY

R-41669 - Donald R. Falls, et ux. 2,570 square feet for right-of-way purposes. Offer of \$3,650.00 approved by Mr. Jackson May 6, 1969.

CAPE KIWANDA-NESKOWIN SECTION OF THE OREGON COAST HIGHWAY

R-43245 - Alice L. Ward. 0.09 acre to clear interest. Offer of \$750.00 approved by Commission May 28, 1969.

Consideration was given to a petition from the Highway Commission to the City of Cannon Beach in Clatsop County, requesting the vacation of Sylvan Way and a portion of Atlantic Street in the City of Cannon Beach. The Engineer explained that the State had recently acquired approximately three acres of land as an extension to Tolovana Park for use as a beach access. The two undeveloped streets divide the property into three parts and should be vacated. The petition, he said, has been given the written

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consent of more than two-thirds of the owners of real property affected by the vacation. Following his favorable recommendation, the Commission approved the Petition for Vacation and authorized the Secretary to sign it for them.

The Engineer stated that in February, 1969, a letter had been received from the Lake County Chamber of Commerce requesting that Goose Lake State Recreation Area south of Lakeview in Lake County be renamed as C. W. Ogle Park. Their request was referred to the State Parks Advisory Committee who gave the matter very careful consideration and recommended that the name of the recreation area remain unchanged, but that a suitable plaque be placed in the area recognizing Judge Ogle's role in securing the land and in its development. The Commission accepted the recommendation of the Advisory Committee.

The Engineer reported that in the development of McIver State Park in Clackamas County a roadway has been graded from the upper level of the park to a point on the Clackamas River about one-half mile below River Mill Dam. Paving of the roadway, a parking lot, and a boat ramp would allow more extensive use of the southerly half of the park. This matter was discussed with the Chairman, who, on May 1, 1969, approved the project at an estimated cost of \$80,000. It is planned to receive bids for the work on June 26, 1969. The Commission confirmed the project.

The matter of establishing a memorial to Lloyd J. Wentworth in the construction of a viewpoint near Garibaldi along the Oregon Coast Highway in Tillamook County was discussed. The Engineer stated that the family of Lloyd J. Wentworth had inquired into the establishment of a memorial similar to the Collier Memorial at Collier State Park. Mrs. E. G. Richards, daughter of Mr. Wentworth, has indicated that the family would contribute approximately \$9,000 toward construction of a viewpoint if the area could be designated as a memorial. Most of the land on which the viewpoint would be constructed is owned by Tillamook County and the Engineer felt that the County should also be recognized. Both Mrs. Richards and the County have indicated that this would be satisfactory. The project was approved by the Chairman on May 8, 1969. The Commission confirmed the action.

An agreement with Columbia County for purchase of 23.5 acres known as the J. J. Collins Memorial Park north of Scappoose was presented by the Engineer. This project, he said, has been approved by the Governor's Willamette River Park System Committee and includes all of Coon Island, approximately three miles east and one mile north of Scappoose. Market value of the tract is estimated at \$6,000. It is proposed that the project be financed 50 percent from the Land and Water Conservation Fund; 25 percent by Columbia County and 25 percent or \$1,500 from the Willamette River Park System Fund. 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 considered an agreement with Multnomah County for the purchase of approximately 5.67 acres of land as an extension to Howell Park on Sauvie Island. The Engineer stated that the land is located near the historic Howell-Bybee House and includes approximately 600 feet of frontage on Multnomah Channel, a branch of the Willamette River. The project has been approved by the Governor's Willamette River Park System

Committee. Cost of acquisition is estimated at \$8,490. Multnomah County is to pay 25 percent of this amount, 50 percent from the Land and Water Conservation Fund, and 25 percent (estimated \$2,122) from the Willamette River Park System Fund. 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 the City of Cottage Grove for purchase of approximately four acres known as River Road Parkway No. 4 in connection with the Willamette River Park System. This project, the Engineer said, has been approved by the Governor's Willamette River Park System Committee and consists of six small tracts totaling about four acres on the Coast Fork of the Willamette River and one nearby parcel along Silk Creek in Lane County. Total cost of the land is estimated at \$40,000 with 25 percent to be paid by the City of Cottage Grove, 25 percent (estimated \$10,000) from the Willamette Park System Fund, and 50 percent from the Land and Water Conservation Fund. Following 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 the City of West Linn for purchase of 14.9 acres at the confluence of the Tualatin and Willamette Rivers in Clackamas County. This project known as the Willamette Park Addition has been approved by the Governor's Willamette River Park System Committee at an estimated land cost of \$42,950. Of this amount, the City of West Linn is to pay 25 percent, 25 percent (estimated \$21,475) is to be paid from the Willamette Park System Fund and 50 percent is to be paid from the Land and Water Conservation Fund. The Engineer commented that the purchase of this land will provide approximately 1,400 feet of river frontage. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Chairman inquired as to about how much of the \$800,000 allocated for the Willamette River Park System Fund remains uncommitted. Assistant State Highway Engineer Shaw stated that about half of the amount is committed and he stated that part of the problem of getting these projects underway seems to lie in the fact that the counties and cities are not able to provide their required 25 percent. The Chairman then inquired if it is possible for the State to advance funds to counties and cities for these projects. The Engineer replied that under Bureau of Outdoor Recreation Regulations, it is doubtful if this procedure could be followed.

An agreement with the City of Wilsonville for purchase of approximately 61 acres of land for a project known as Wilsonville City Park in Clackamas County was considered. This acquisition, the Engineer said, has been approved by the Governor's Willamette River Park System Committee at an estimated cost of \$188,500. The land lies along the north bank of the Willamette River with approximately 1,400 feet of river frontage. The agreement provides for financing of 50 percent of the cost of the land from the Land and Water Conservation Fund, 25 percent by the City of Wilsonville, and 25 percent (estimated \$47,125) from the Willamette River Park System Fund. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

The matter of adopting a corridor survey route on the Rickreall-Independence Junction Section of the Willamina-Salem Highway in Polk County was brought up by the Engineer. He recalled that a corridor public hearing had been held on March 6, 1969, and a complete study made of the hearing transcript relating to the alternate corridors. He recommended that Corridor No. 1 be approved as the future route. A request for approval has been submitted to the Bureau of Public Roads. The Commission approved the route designated as Corridor No. 1 and thereupon adopted "Corridor Route Survey Resolution No. 366," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Requests by contractors for extensions of time in which to complete highway contracts without assessment of liquidated damages were considered. 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 the following action on the requests:

- (1) All-City Tree and Landscape Service, Contract No. 7099, for I-5 roadside improvement in the Pacific Highway in Washington and Clackamas Counties, requested an extension of the specified completion date from May 31 to August 22, 1968. The Commission approved the extension as requested without assessment of liquidated damages. Approval by the Bureau of Public Roads was given in a letter dated April 29, 1969.
- (2) Steeck Electric Company, Contract No. 7159, on the Jackson County Table Rock Road requested 24 additional calendar days. The Commission denied the request and assessed liquidated damages for the 24-day overrun.
- (3) Steeck Electric Company, Contract No. 7109, on the Klamath Falls-Malin Highway in the City of Klamath Falls, Klamath County, requested 127 additional calendar days. The Commission approved an extension of 135 calendar days without assessment of liquidated damages.

The Engineer reported that Contract Nos. 6832, 7009, 7058, 7087, 7158, 7163, and 7202 for highway construction have been completed as required by the contracts or modifications thereof and said contracts are now ready for acceptance or have been approved by letter since the last Commission meeting. After due consideration, the Commission accepted the contracts by adopting "Contracts Completed Resolution No. 176," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission confirmed the date for the next regular Commission meeting on Tuesday, July 8, 1969, in the Conference Room of the State Highway Building in Salem. A tentative date of August 19, 1969, was set for the following meeting.

The Commission confirmed telephonic approval given May 20, 1969, awarding contracts on which bids were received May 15, 1969, and authorized the Secretary to sign the contracts on the following projects:

BIDS RECEIVED IN SALEM ON MAY 15, 1969

Contract No. 7260 for grading a channel change on the Nelson Point Railroad Shoofly Section of the Old Oregon Trail in Baker County. FAP No. I-80N-7(23)328. Two bids were received. The Commission awarded the contract to the low bidder, E. W. Eldridge, Inc., Sandy, in the amount of \$53,357.

Contract No. 7261 for grading, paving, structure and traffic control devices on the Harmony Road Interchange-Cascade Highway Section of the Clackamas Highway in Clackamas County. FAP No. US-271(9). Five bids were received. The Commission elected to accept the low bid of Slate-Hall and Hamilton Construction Company, Portland, in the sum of \$2,200,421.80 and the State Highway Engineer was directed to award the contract to said bidder as soon as the signal and illumination agreement is signed by Clackamas County. (The County refused to sign the agreement and the contract was awarded for a revised total of \$2,145,526.80.)

Contract No. 7262 for grading and paving the Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County. FAP No. F-121(2). Five bids were received. The Commission awarded the contract to the low bidder, Slate-Hall, Portland, in the amount of \$1,514,042.25.

Contract No. 7263 for grading and paving S.E. Jetty Avenue in the city of Warrenton in Clatsop County. State Project. Two bids were received. The Commission elected to accept the low bid of Palmberg Paving Company, Inc., Seaside, in the sum of \$24,302.20 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Warrenton is received and the sum of \$3,230 is deposited by the City. (The City of Warrenton refused to make the deposit. Palmberg Paving Co. was notified that all bids had been rejected.)

Austin Maintenance Station on the John Day Highway in Grant County. State Project. Four bids were received. The Commission rejected all bids as being too high.

Contract No. 7265 for the Sage Hen Safety Rest Area on the Central Oregon Highway in Harney County. FAP No. LSF-21(3). Five bids were received. The Commission elected to accept the low bid of R. L. Coats, Bend, in the sum of \$174,572.80 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.

Contract No. 7266 for the Frenchglen Rock Production Project on the Frenchglen Highway in Harney County. State Project. One bid was received. The Commission awarded the contract to the lone bidder, N. A. Toole Construction, Ontario, in the amount of \$116,125.

Contract No. 7267 for the Prospect Rock Production Project on the Crater Lake Highway in Jackson County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, Melvin H. Barlow, Cave Junction, in the amount of \$43,400.

Contract No. 7268 for grading and signing the Grants Pass-Evans Creek Section of the Pacific Highway in Josephine and Jackson Counties. FAP No. I-5-1(71)50. Two bids were received. The Commission awarded the contract to the low bidder, Laam, Irving and Company, Gladstone, in the amount of \$490,161.

Contract No. 7269 for the Deschutes County Line-Gap Ranch Rock Projection Project on the Central Oregon Highway in Lake and Harney Counties. State Project. Two bids were received. The Commission awarded the contract to the low bidder, R. L. Coats, Bend, in the amount of \$51,500.

Contract No. 7270 for grading, paving and structure reconstruction on the Creswell Interchange and Hawley Road Sections of the Pacific Highway in Lane County. FAP No. I-5-3(85)171. Three bids were received. The Commission elected to accept the low bid of M. R. Holst, Oakridge, in the sum of \$277,101.90 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Contract No. 7271 for grading and paving Pioneer Street in the city of Lowell in Lane County. State Project. Two bids were received. The Commission elected to accept the low bid of McKenzie Road and Driveway Company, Eugene, in the sum of \$25,264.90 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Lowell is received and the sum of \$4,300 is deposited by the City.

"D" River Outlet on the Oregon Coast Highway near Lincoln City in Lincoln County. This project was withdrawn from the bid letting.

Contract No. 7272 for grading, paving and facilities on the Oak Grove Safety Rest Area on the Pacific Highway in Linn County. FAP No. I-5-4(66)206. Four bids were received. The Commission awarded the contract to the low bidder, M. R. Holst and Hellsgate Logging and Construction, Oakridge, in the amount of \$509,756.15.

Contract No. 7273 for grading, paving and signing on the Rufus-Quinton Section of the Columbia River Highway in Sherman and Gilliam Counties. FAP Nos. I-8ON-3(58)108 and I-8ON-4(20)112. Four bids were received. The Commission elected to accept the low bid of J. C. Compton Company and G. L. Compton, McMinnville, in the sum of \$2,082,223.15 and the State Highway Engineer was directed to award the contract to said bidder as soon as approval of the Corps of Engineers is received.

Contract No. 7274 for grading, paving, and structure on 10th Street-South Pendleton Interchange Section of the Oregon-Washington Highway in Umatilla County. FAP No. F-U-170(20). Four bids were received. The Commission awarded the contract to the low bidder, Rogers Construction, Inc., Portland, in the amount of \$1,459,123.

Fencing the Hilgard-Oro Dell Section of the Old Oregon Trail in Union County. FAP No. I-8ON-6(41)252. No bids were received for this job.

Contract No. 7275 for grading, paving, structure and signing on the East Portland Freeway-Wilsonville Section of the Pacific Highway in Washington and Clackamas Counties. FAP No. I-5-5(44)285. Six bids were received. The Commission awarded the contract to the low bidder, Guy F. Atkinson Company, San Francisco, California, in the amount of \$3,782,409.

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The Engineer stated 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, paving, structure, signing and illumination on West Fremont Interchange Section of Stadium Freeway in Portland, Multnomah County. Bids received April 17, 1969. Contract No. 7214 awarded April 29, 1969, to Andersen-Hannan, Portland, low bidder.
- (2) Grading, paving, and structures on the North Fork Coquille River (Myrtle Point) Bridge Section of the Coos Bay-Roseburg Highway in Coos County. Bids received April 17, 1969. Contract No. 7215 awarded May 5, 1969, to Roy L. Houck Sons' Corporation, Salem, low bidder.
- (3) Illumination of West Wyeth Weigh Station on Columbia River Highway in Hood River County. Bids received on April 17, 1969. Contract No. 7219 awarded April 29, 1969, to Sims Electric, Inc., Roseburg, low bidder.
- (4) Grading and paving the Murder Creek Section of FAS 761 in Linn County. Bids received April 17, 1969. Contract No. 7224 awarded April 25, 1969, to Morse Bros., Inc., Lebanon, low bidder.
- (5) Paving the Hermiston-Meadow Valley Interchange Section of FAS 911 in Umatilla County. Bids received April 17, 1969. Contract No. 7227 awarded May 5, 1969, to J. C. Compton Co., (Corp.), McMinnville, low bidder, for Alternate B in the amount of \$119,135.
- (6) Traffic signal installation on Gladstone Section of Pacific Highway East in Clackamas County. Bids received April 18, 1969. Contract No. 7238 awarded May 16, 1969, to McCoy Electric Company, Portland, low bidder.
- (7) Grading and paving on Silver Point Slide Section of Oregon Coast Highway in Clatsop County. Bids received April 18, 1969. Contract No. 7239 awarded May 16, 1969, to Construction West, Ltd., Astoria, low bidder.
- (8) Grading and paving on Eighth Street and Bayshore Drive in Coos Bay on Empire-Coos Bay Highway in Coos County. Bids received April 18, 1969. Contract No. 7240 awarded May 1, 1969, to Bob Angell, Inc., Eastside, low bidder.

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- (9) Demolition of old Journal Building on Pacific Highway West in city of Portland. Bids received April 18, 1969. Contract No. 7247 awarded April 28, 1969, to Atlas Building Wreckers and Terminal Transfer, Inc., Portland, low bidder, for Alternate B in the amount of \$148,000.
- (10) Traffic signals on S.W. Barbur Boulevard (Portland) Section of Pacific Highway West at 64th Avenue in Multnomah County. Bids received April 18, 1969. Contract No. 7248 awarded May 22, 1969, to McCoy Electric Company, Portland, low bidder.
- (11) Traffic signal installation at Third Street at Davis and Ford Streets in the city of McMinnville on the Salmon River Highway Spur in Yamhill County. Bids received April 18, 1969. Contract No. 7250 awarded May 9, 1969, to Power City Electric, Inc., Pasco, Washington, low bidder.
- (12) Traffic signal installation on Flanagan Avenue-Edward Avenue Section of Oregon Coast Highway in Coos County. Bids received April 18, 1969. Contract No. 7256 awarded May 15, 1969, to Hansen Electric Co., Coos Bay, low bidder.
- (13) Grading and paving Pioneer Street in the city of Lowell in Lane County. Bids received May 15, 1969. Contract No. 7271 awarded May 20, 1969, (later in day) to McKenzie Road and Driveway Company, Eugene, low bidder.
- (14) Grading, paving and signing on Rufus-Quinton Section of Columbia River Highway in Sherman and Gilliam Counties. Bids received May 15, 1969. Contract No. 7273 awarded May 26, 1969, to J. C. Compton Co. and G. L. Compton, McMinnville, low bidder.

A revision in speed zoning on The Dalles-California Highway south of Klamath Falls in Klamath County was recommended by the Engineer. He mentioned that when the Klamath Falls-Green Springs Interchange Section is completed, a higher speed than the existing 35 and 50 mile-per-hour zones will be reasonable. He recommended that "Speed Zone Resolution No. 498" dated December 14, 1965, be rescinded and that a 55 mile-per-hour zone be established from the south city limits of Klamath Falls (M.P. 275.48) to a point south of the south city limits at M.P. 275.68, and that a speed zone of 65 miles per hour be established from M.P. 275.68 south to the California State Line at M.P. 291.73. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 546," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission also considered a change in speed zoning on The Dalles-California Highway north of Madras in Jefferson and Wasco Counties. Commercial development near Madras, the Engineer said, indicates that a speed of less than 65 miles per hour should be put into effect. He recommended that "Speed Zone Resolution No. 374a" dated March 2, 1962, be rescinded and that a speed zone of 65 miles per hour be established from the Sherman Highway at M.P. 67.17 southerly to a point 0.10 mile north of Jefferson Street at M.P. 91.30; and that a 50 mile-per-hour speed zone be established from M.P. 91.30 to the north city limits of Madras at M.P. 91.72. The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 547," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Prohibition of parking of vehicles on both sides of the Mt. Hood Highway between S.E. 134th Avenue and S.E. 138th Avenue in Multnomah County was brought up by the Engineer. He explained that bids will be opened in June for left-turn channelization and revision of traffic signals at the intersection of the Mt. Hood Highway and S.E. 136th Avenue in Portland. For proper traffic movement in this area, parking should be prohibited through the reconstructed section on both sides of the highway from a point 380 feet west of the west property line of S.E. 134th Avenue to a point 170 feet east of the east property line of S.E. 138th Avenue. The Commission accepted his favorable recommendation and then adopted "No Parking Resolution No. 272," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution to abandon approximately 0.3 mile in the Yellow Creek-Galapooza Creek Section of the Elkton-Sutherlin Highway in Douglas County was discussed. The Engineer stated that the new section of highway has been completed and is open to public travel. The units to be abandoned are no longer needed for highway purposes or for the services of persons living thereon and he recommended that these units be abandoned to the abutting property owners. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 491," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation was requested by the Engineer for approval given April 28, 1969, by the Chairman on a supplemental agreement with the City of Portland covering the demolition of the old Oregon Journal Building. The agreement, he said, provides that the cost of demolition is to be shared equally between the State and the City, and that the State is to prepare plans and let a contract to accomplish the work. The Commission confirmed the agreement and authorization for the Secretary to sign it.

Confirmation was also requested by the Engineer for approval given by the Chairman on May 8, 1969, and by Commissioner Bruno on May 9, 1969, for Modification No. 5 to an agreement with the Corps of Engineers for the John Day Lock and Dam Project on the Columbia River Highway (I-80N) in Sherman and Gilliam Counties. He explained that in the original agreement, shoulders to the highway were to be constructed with an oil-mat surface. Revised standards since that time require the installation of guardrail and surfacing of the shoulders with asphalt concrete. Modification No. 5 allows the Corps to contribute the estimated cost of the original oil shoulders and guardrail installations on the basis of price agreements between the State and the Corps. Additional costs will come out of Interstate funds. The Commission confirmed the Modification.

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Consideration was given to a letter-form agreement with the City of Estacada concerning the Estacada-Cazadero Dam Section of the Clackamas Highway in Clackamas County. The Engineer stated that the purpose of the agreement is to set out details of street widths and closures. The City by resolution has excepted paragraph 1 relieving the State of obligation in this regard. The Commission accepted his favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with the City of Eugene for installation of approximately 49 luminaire units on the Seventh Avenue-Willamette River Section of the Eugene-Springfield Highway, Lane County, was considered. Under the agreement, the State is to do the work as an Interstate project at an estimated cost of \$88,000 and maintain the units after installation. The City is to 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.

The Commission also gave attention to an agreement with the City of Oregon City for installation of traffic signals at the intersection of 7th and Washington Streets on the Cascade Highway in Clackamas County. The Engineer stated that the State is to perform the work and the City is to pay one-half the cost of installation and provide for all maintenance and electrical energy requirements. He estimated the cost of the installation at \$9,000 with the State's share of \$4,500 to be taken from Minor Betterment Funds. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

An agreement with the City of Silverton for the installation of a flashing beacon at the intersection of the Hillsboro-Silverton Highway and the Cascade Highway in Marion County was presented by the Engineer. Installation of the flashing beacon, he said, has become necessary because of congested traffic conditions at this intersection. He estimated the total cost of the installation at \$1,200 with the State's share of \$600 to be taken from Minor Betterment Funds. The City has agreed to pay 50 percent (\$600) and to pay for all electrical energy used and for all maintenance requirements. 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 a supplemental cooperative construction agreement with the City of Coos Bay pertaining to construction of the Woodland Drive-Central Avenue Section of the Empire-Coos Bay Highway in Coos County. The Engineer explained that the purpose of the supplemental agreement is to provide for acquisition of right-of-way and construction of alleyways to furnish rear access to properties near Lincoln and Butler Roads. His recommendation for approval was accepted by the Commission who authorized the Secretary to sign the agreement for them.

An agreement with the Grand Ronde Valley Irrigation District covering reconstruction of the District's facilities in the La Grande Section of the Old Oregon Trail (I-80N) in Union County was considered. In constructing the highway section, the Engineer stated that it is necessary to cross the facilities of the District which will require considerable revision of their facilities. The revisions are to be included in the Highway contract at an estimated cost of \$81,000. The agreement also contains

provisions for maintenance by the State and the District, and for an exchange of right-of-way. If future adjustments to the District's facilities covered by the agreement are required, such adjustments are to be performed at State expense. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Engineer reported that a slide has developed at M.P. 17.15 (Murphy Hill) on the Salmon River Highway in Polk County. To correct the condition, he recommended construction of a ground-water interception system at an estimated cost of \$150,000 to be placed under contract as soon as possible. The Commission approved the project as an item in the current State Construction Program.

The Engineer reported that the Travel Advisory Committee had given careful study to selection of an advertising firm to handle State Highway Department tourist advertising. On May 23, 1969, the Committee heard presentations by McCann-Erickson, Inc.; Lennen-Newell/Pacific, ex-Dawson, Turner and Jenkins; Montgomery, Shinn and Mangels; Grant Thuemmel and Associates, Inc.; Gerber Advertising Agency, Inc.; and Cole and Weber Advertising, Inc. A scoring system was used to evaluate the presentations. After due consideration, the Travel Advisory Committee had recommended unanimously that Cole and Weber Advertising, Inc., be chosen to handle travel advertising for a four-year period beginning July 1, 1969. Commissioner Bruno moved that Cole and Weber be selected. His motion was seconded by Chairman Hill and made unanimous by Chairman Jackson.

Mr. Lestle Sparks, a member of the State Parks and Recreation Advisory Committee for the past 8 years, was present. Chairman Jackson in behalf of the Commission presented to him a certificate of appreciation signed by Governor McCall; Loran Stewart, Chairman of the State Parks and Recreation Advisory Committee; and Chairman Jackson. The Chairman expressed the Commission's thanks and appreciation for Mr. Sparks' service in the parks recreation field during his eight-year tenure and for 50 prior years in athletic recreation.

A U.S. Forest Highway Program for the fiscal year 1970 was presented by the Engineer. He commented that as in the past the program had been formulated by joint conferences with members of the U.S. Forest Service, the U.S. Bureau of Public Roads, and State Highway Department personnel. The Commission accepted his recommendation for approval of the following Forest Highway Program:

(See next page for program.)

OREGON
1970 FISCAL YEAR FOREST HIGHWAY PROGRAM

1970 Fiscal Year Funds Available for Programing \$3,418,414

Project Number	Name and Termini	Type	Miles	Program Amount
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REVISE PREVIOUSLY PROGRAMED PROJECT:

Increase previously reduced program amount

(\$735,000) by \$1,000,000 - decrease length by 1.2 Mi.:

7-3(3)	Siuslaw Hwy. Hanson Creek-easterly	Grade, Base, Pave	2.0	1,735,000
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F. H. FUNDS REQUIRED FOR ABOVE ADJUSTMENT \$1,000,000

F. H. FUNDS AVAILABLE FOR NEW PROJECTS \$2,418,414

NEW PROJECTS:

46-3(1)	Cascade Lakes Hwy. Jct. with S.H. 58-northerly	Grade	5.0	460,000
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48-1(3)	Klamath Lake-West Side Hwy. from Seven-Mile Creek- southerly	Pave, Bridge	14.5	600,000
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49-1(5)	Mt. Hood Loop Hwy. Vicinity of White River	Channel Improvement	---	100,000
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55-1(2), 2(2)	Clackamas Hwy. Estacada-easterly, intermittent work over 17.1 miles	Slide Correction, Guardrail, Drainage Correc- tion & Structure	9.9	560,000
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57-1(2)	Mapleton-Austa Hwy. Jct. with State Hwy. 36 at Mapleton-easterly	Grade, Base & Pave	0.3	300,000
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Lump Fund - Survey & Design
All F. H. Routes 250,000

TOTAL FOR NEW PROJECTS \$2,270,000

F. H. UNPROGRAMED BALANCE 148,414

The matter of requesting the State Emergency Board to authorize a \$15 million bond issue was brought up by the Engineer. The Commission instructed that the request is to state that proceeds of the sale are to be applied to the North Plains-Wilson River Junction Section of the Sunset Highway in Washington County; the Eagle Creek-Estacada Section of the Clackamas Highway in Clackamas County; the Chetco River-Winchuck River Section of the Oregon Coast Highway in Curry County and for beach acquisition. The Commission further directed that the request include restoration of budget reductions in the Parks Division and the Travel Information Division and that an additional \$100,000 be authorized to finance travel advertising and \$30,000 to fund the functions of Oregon Welcome.

Consideration was given to a request from the City of Phoenix in Jackson County for State cooperation in the improvement of the southbound lanes of Highway 99 in the business section of the city. The Engineer commented that the request had been made on the basis that the State contribute 75 percent and the City 25 percent of the cost of the project which he estimated at \$150,000. The Commission approved the project with the understanding that construction cannot be undertaken until funds are available sometime in the future.

The Commission recommended to Mr. Leander Quiring, Director of the Department of Finance, that the salary of the State Highway Engineer be established at \$2,349 per month beginning July 1, 1969. (By letter of June 12, 1969, Mr. Quiring approved a salary of \$2,237 per month effective July 1, 1969.)

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

"Assignment of Easement" to George A. and Eula I. Hughes re McAllister Slough on Oro Dell-Union Jct. of Old Oregon Trail in Union County.

"Quitclaim Deed" to H. W. and Christine Baker covering Hayes Hill-Grants Pass Section of Redwood Highway in Josephine County.

"Quitclaim Deed" to Eleanor C. Proctor covering Hayes Hill-Grants Pass Section of Redwood Highway in Josephine County.

"Quitclaim Deed" to City of Bandon covering Michigan Avenue-Ferry Creek Section of Coquille-Bandon Highway in Coos County.

"Bargain and Sale Deed" to George A. and Alice Ruth Edwards covering sale of 875 square feet on Harbor Drive-Barbur Blvd. Section of Pacific Highway in Multnomah County.

"Bargain and Sale Deed" to Theodore, El Dora, Leo, and Rochelle B. Bloomberg covering 0.60 acre on Brownsboro-Hanley Ranch Section of Lake of the Woods Highway in Jackson County.

"Indenture of Access" to Southgate Development Company covering S.E. Flavel Street-S.P. Co. Overcrossing Section on Cascade Highway in Clackamas County.

"Indenture of Access" to J. J. and Marjorie E. Windham covering Tide Creek-St. Helens Section of Columbia River Highway in Columbia County.

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"Indenture of Access" to Reproco, Inc., covering 7 Oaks-Neil Creek Section of Pacific Highway in Jackson County.

"Indenture of Access" to Melvin E. and Phyllis V. Merett covering Blue River-Mill Creek Section of McKenzie Highway in Lane County.

"Indenture of Access" to Covert C. and Ida A. Warren covering Mill Creek-Belknap Springs Section of McKenzie Highway in Lane County.

"Indenture of Access" to Boyd, Graham, and Asher covering Toledo-Pioneer Mountain Section of Corvallis-Newport Highway in Lincoln County.

"Indenture of Access" to Duncan and Moore Logging Co. and Thompson covering Sweet Home-Foster Section of Santiam Highway in Linn County.

"Indenture of Access" to A. B. and Muriel E. Nothiger covering Sweet Home-Foster Section of Santiam Highway in Linn County.

"Indenture of Access" to George L. and Lila A. Wiley covering Sweet Home-Foster Section of Santiam Highway in Linn County.

"Indenture of Access" to McCallie Logging Co., Inc., covering Sweet Home-Foster Section of Santiam Highway in Linn County.

"Indenture of Access" to William and Juanita R. Jeffers covering Oro Dell-Union Jct. Section of Old Oregon Trail in Union County.

"Indenture of Access" to Pacific Power and Light Company covering Cascade Gorge-Forest Boundary Section of Crater Lake Highway in Jackson County.

"Indenture of Access" to Howard A. and Mona M. Bishop covering Cascade Gorge-Forest Boundary Section of Crater Lake Highway in Jackson County.

"Indenture of Access" to Hazel Ulrich covering Cascade Gorge-Forest Boundary Section of Crater Lake Highway in Jackson County.

"Easement" to State Board of Aeronautics for granting of a height limitation for the Cottage Grove Airport on Cottage Grove-Walker Section of County Road 728.

"Memorandum of Understanding" with Corps of Engineers and State Director of Veterans' Affairs re John Day Lock and Dam on Columbia River Highway in Morrow County.

"Petition for Vacation" to City of Cannon Beach covering Atlantic Street and all of Sylvan Way in Tolovana Park extension.

"Agreement" with Columbia County re purchase of 23.5 acres known as J. J. Collins Memorial Park north of Scappoose in connection with Willamette River Park System.

"Agreement" with Multnomah County for purchase of 5 2/3 acres of land as an extension of Howell Park located on Sauvie Island in connection with Willamette River Park System.

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"Agreement" with City of Cottage Grove for purchase of approximately 4 acres, known as River Road Parkway No. 4, in connection with Willamette River Park System.

"Agreement" with City of West Linn for purchase of 14.9 acres located at confluence of Tualatin and Willamette Rivers in Clackamas County in connection with Willamette River Park System.

"Agreement" with City of Wilsonville for purchase of approximately 61 acres of land for a project known as Wilsonville City Park in connection with Willamette River Park System.

"Letter-form Agreement" with City of Estacada pertaining to Estacada-Cazadero Dam Section of Clackamas Highway.

"Agreement" with City of Eugene for installation of approximately 49 luminaire units on 7th Avenue-Willamette River Section of Eugene-Springfield Highway.

"Agreement" with City of Oregon City for installation of traffic signals at intersection of 7th and Washington Streets (Cascade Highway).

"Agreement" with City of Silverton for a flashing beacon at intersection of Hillsboro-Silverton Highway and Cascade Highway.

"Supplemental Cooperative Construction Finance Agreement" with City of Coos Bay re construction of Woodland Drive-Central Avenue Section of Empire-Coos Bay Highway.

"Agreement" with Grand Ronde Valley Irrigation District covering reconstruction of District's facilities in order to construct the La Grande Section of I-80N in Union County.

The delegation from Yamhill County scheduled at 10 a.m., had not appeared by 10:15 a.m. There being no further business to consider, the meeting was adjourned by the Chairman at 10:15 a.m.

Later in the day about 11 a.m., Representative Tony Meeker, James H. Stanard and A. T. Beall in the Engineer's office discussed with the Commission road problems in Yamhill County. They stated that a canvass of the County indicates that the first priority project is completion of four laning southwesterly on the Pacific Highway West to McMinnville; with later four laning on the Salmon River Highway from McMinnville to Otis Junction. Second priority was given to construction of the Newberg Bypass, and third priority to continue improving the Tualatin Valley Highway southerly from Gaston. The delegation also requested that consideration be given to modernizing the Pacific Highway West between Holmes Gap and McMinnville. It was explained to them there is no question as to the desirability of

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the proposed projects but it does not appear that funds will be available until a new Federal-aid Program is developed by Congress.

Forrest Cooper
State Highway Engineer

Floyd Query
Secretary

Glenn L. Jackson
Chairman

Justus Hill
Commissioner

Thaddeus B. Bruno
Commissioner

Salem, Oregon
July 8, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, 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

Among others present were R. E. Simpson, Division Engineer of the Bureau of Public Roads; C. W. Head, Assistant Secretary to the Commission; L. H. Young, Program and Planning Engineer; E. S. Hunter, Maintenance Engineer; David G. Talbot, Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; and John J. Earley, Information Officer.

At this time the Chairman stated that the Commission wished to present 40-year service pins to the following men:

Arthur M. Burt, Parks Operations Supervisor, Woodburn, Statewide
William M. Gibson, Section Foreman, Ashland, Division III
Vergil S. Hoflich, Large Extra Gang Foreman, Newport, Division III
Truman E. Messenger, Landscape Foreman, The Dalles, Division IV
Ivan D. Merchant, Bridge Engineer, Salem, Statewide
Lennis L. Edwards, Section Foreman, Sandy, Division I
Paul Stoutt, Section Foreman, Parkdale, Division I

He asked them to come forward and offered congratulations on behalf of the Commission for the 40 years' service that each of them had rendered to the State Highway Division. The Commission, he said, recognizes the problems that they have had to meet during their years of service and that this service has been vital in the maintenance and construction of State highways. Rewards for length of service, he continued, are not all measured in monetary values and the public as well as the Commission owes the men a debt of gratitude for meeting and fulfilling their obligations during the past 40 years. He expressed the sincere wishes of the Commission for their health and happiness in the years ahead.

The Commission approved the minutes of the meeting held May 28, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 45, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are based

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upon competent appraisals which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail 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. 60," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to the Property Manager's report showing sales of miscellaneous properties and rental receipts from May 22 to July 1, 1969. The Right of Way Engineer commented that during this period miscellaneous sales totaled \$19,557; land sales \$8,565; and timber sales \$606.15. Rental receipts for May, 1969, were \$23,449.41 and for June, 1969, were \$26,422.58. The Commission accepted the report.

Authority was requested by the Right of Way Engineer to offer at public sale a portion of the former Trussell borrow site adjoining the Capitol Manor in West Salem on the Willamina-Salem Highway in Polk County, File Nos. 33463, 33464, and 33465. The land to be sold consists of 5.08 acres in one parcel and 0.6 acre in another and is to be offered for a minimum consideration of \$10,500. Signboard and junkyard exclusion clauses are to be included in the deed. The State is to retain for its use a 60-foot easement across the 0.6 acre of land; a 30 x 60 foot easement on the southeasterly corner of the 5.08 acre parcel of land; and a 30-foot easement connecting the 0.6 acre parcel with a third parcel. The easements are to become void when the third parcel is sold. Approval by the Bureau of Public Roads is not required. Following his favorable recommendation, the Commission approved public sale of the property and thereupon adopted "Real Property Resolution No. 513," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered a direct sale of a 0.3 acre excess frontage road, File No. 33514, to Daniel M. Webb and Pauline A. Webb, owners of adjoining property, located just north of the Rice Hill Interchange on the Pacific Highway in Douglas County for \$100. The Right of Way Engineer explained that the State no longer needs control of the road as all property adjoining the road is under one ownership. A junkyard exclusion clause is to be included in the deed. Concurrence in the sale was requested from the Bureau of Public Roads by letter dated June 25, 1969. The Commission approved the sale subject to concurrence by the Bureau of Public Roads.

Recommendations were made by the Right of Way Engineer and accepted by the Commission for approval of the following Indentures of Access to cover changes in location of access or to correct the public record so as to show the access location as it was actually constructed:

- (1) Crown Zellerbach Corporation and Boise Cascade Corporation property, File No. 39503, to show in the public record the constructed location of two unrestricted points of access 35 feet wide, one on the southwesterly side and one on the northerly side of the relocated Sunset Highway approximately six miles west of Elsie in Clatsop County. Approval by the Bureau of Public Roads is not required.

- (2) Oak Leaf Corporation property, File Nos. 21297 and 21298, for a change in location and widening to 35 feet for two points of access restricted to private residential use on the westerly side of the relocated Columbia River Highway approximately five miles north of St. Helens, in Columbia County. Approval by the Bureau of Public Roads was given April 18, 1969.
- (3) Banta property, File No. 38649, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Santiam Highway approximately one mile east of Sweet Home in Linn County. Approval by the Bureau of Public Roads was given December 12, 1968.
- (4) Hamilton property, File No. 35641, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated McKenzie Highway approximately two miles easterly from the community of Blue River in Lane County. Approval by the Bureau of Public Roads was received June 9, 1969.

A Grant of Access Rights to the Wallowa County Grain Growers on the Flora Junction-Forest Boundary Section of the Enterprise-Lewiston Highway in Wallowa County was discussed. The Right of Way Engineer stated that the access at Engineer's Stations 389+60 and 386+65 is to be used for grain storage business only. The approaches are to be 50 feet in width and the Grain Growers are to pay the sum of \$20 for these access rights. Bureau of Public Roads' approval was given April 29, 1969. The Commission approved the access.

The Commission considered a five-year lease to Richard Sundeleaf, File No. 22514, for his use of 3,700 square feet of land for parking of motor vehicles between the Baldock Freeway (Pacific Highway, I-5) and Macadam Avenue in the City of Portland. The lessee is to pay the State \$240 per year and is to pay all taxes and assessments and is to construct at his expense all required improvements. Based on the Right of Way Engineer's favorable recommendation, the Commission approved the lease and authorized the Secretary to sign it in their behalf.

The Commission also considered a lease to Giusti Wine Company for their use of 7,700 square feet of land under the Morrison Street Bridge ramp at the southeast corner of S.E. Water Street and S.E. Morrison Street in the City of Portland for public parking purposes. Under terms of the lease, which covers a period of five years, the lessee is to pay to the State \$90 a month and pay for all improvements made. The Right of Way Engineer stated that the property has been renting for \$75 per month and there have been no other requests to use it. Approval, he said, has been secured from the Bureau of Public Roads. The Commission approved the lease, and authorized the Secretary to sign it in their behalf.

The matter of granting a transmission line easement to Bonneville Power Administration over 1.39 acres of land located approximately one mile south of Jefferson on the Santiam Dike Section of the Pacific Highway in Linn County was brought up by the Right of Way Engineer. Consideration for the easement, he said, has been established by staff appraisal at \$4,000 and he recommended approval. The Commission accepted his recommendation.

Attention was given to a permanent easement to Jessie I. Tollefson for a right of access across 0.7 acre of land adjoining her property north of the Yoncalla Interchange on the west side of the Pacific Highway in Douglas County. The Right of Way Engineer explained that in 1953, the State had bought a parcel of land in this area for borrow purposes and had inadvertently failed to give the Tollefsons a right of access. The Commission accepted his recommendation for approval.

Consideration was given to relinquishment to the City of Roseburg of 2.74 acres of land located between the Oakland-Shady Highway and Diamond Lake Boulevard (North Umpqua County Road), Douglas County. The Right of Way Engineer stated that the land is not needed for State Highway purposes and as the City has requested use of the land, he recommended that it be relinquished to the City for public use. The Commission accepted his recommendation.

The Right of Way Engineer requested authority to expend \$4,000 for painting a 9-unit apartment house along the East Portland Freeway in West Linn, Clackamas County. He explained that when the apartment house was purchased it consisted of 17 units which has been reduced to 9 because of construction requirements. When construction of the West Linn Bridge is completed, it is planned to sell the apartment and the expenditure for painting will preserve its value. The Commission approved the expenditure.

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. 2554 through 2556," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel and accepted by the Commission concerning cases 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-5947 Theodore O. Morin, et al.	Baker	Old Oregon Trail	North Powder-Baker	\$16,100.00	\$21,000.00	\$19,055.00

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(Report of Condemnation Cases Tried Cont.)

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Defendant's Demand</u>	<u>Verdict</u>
L-5795 Ethel Fiala, et al.	Clackamas	East Portland Freeway	Columbia River Pacific Highway	\$27,500.00	\$55,000.00 (Answer)	\$32,800.00
L-5780 Ernest A. Fischer, et al.	Clackamas	East Portland Freeway	Columbia River Pacific Highway	1,450.00	4,500.00	4,000.00
L-5784 Lyle W. Parson, et al.	Clackamas	East Portland Freeway	Columbia River Pacific Highway	1,400.00	6,750.00 (Answer)	2,500.00
L-5232 Bernard F. Meinikheim, et al.	Hood River	Columbia River	Cascade Locks-Viento	2,500.00	10,200.00	7,000.00
L-5891 Evelyn B. Smith, et al.	Jackson	Lake of the Woods	Crater Lake Highway-Brownsboro	225.00	None	225.00
L-5842 Stanleigh R. Brazil, et al.	Multnomah	Columbia River	Kittridge Avenue Channelization	5,575.00	15,000.00 (Answer)	13,500.00
L-5895 Henrietta Lewis Bryant, et al.	Multnomah	East Portland Freeway	N.E. Glisan S.E. Division	55,550.00	90,000.00	55,550.00
L-5835 D. A. Harshfield, et al.	Wallowa	Little Sheep Creek	Forest Boundary-Imnaha	2,950.00	8,000.00	7,000.00
L-5840 Carl P. Hansen, et al.	Washington	East Portland Freeway	Columbia River Pacific Highway	13,400.00	202,500.00 (Answer)	20,000.00

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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-6201 State of Oregon	Merlin Sundseth, et al.	Deschutes	Negligent operation of motor vehicle damaging State vehicle	\$194.80	Complaint dismissed
L-6027 State of Oregon	James C. Carpenter, et al.	Marion	Negligent operation of motor vehicle damaging guardrail	837.11	
(Defendant paid full amount of State's claim after complaint filed.)					
L-6016 State of Oregon	Thomas Francis Yucka	Coos	Negligent operation of motor vehicle damaging lightpole	811.33	\$811.33
L-5899 State of Oregon	Doran Dale Desirey	Marion	Negligent operation of motor vehicle damaging bridge	364.54	364.54
L-5989 State of Oregon	Melvin Harrison LaMay	Wasco	Negligent operation of motor vehicle damaging guardrail	334.04	334.04
L-4899 State of Oregon	John F. McKee	Multnomah	Contract to recover delinquent rent.	450.00 + costs	450.00
L-5806 State of Oregon	Bentley Pinniger	Josephine	Negligent operation of motor vehicle damaging guardrail	265.79	Nonsuit (involuntary)

(Court held that evidence showed no negligence on defendant's part.)

L-5860 Gregory Allen Myrick	Don Pierson Also listed as defendants: Mr. Cooper Mr. Rulien Mr. Keasey Mr. Morgan Mr. Klaboe Mr. Starkey	Multnomah	Personal injury arising out of motor vehicle accident	196,540.00	Directed verdict in favor of all State employees
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(Report of Trial of Other Cases Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-4922 Bruce V. Deardorff, et al.	State of Oregon	Hood River	Suit to Quiet Title	That title be quieted in Plaintiff	State's Demurrer to complaint sustained

(This suit was commenced in 1965. The plaintiff thereby sought to Quiet Title in his own name to approximately 320 acres of wooded wilderness park area in the Columbia Gorge adjacent to Wygant State Park and Seneca Fouts Memorial State Park, all lying above the bluff.

Recently this case was brought to the attention of the court at which time he entered an order sustaining the State's demurrer. The time for further pleading having elapsed the case is considered dismissed.)

(For additional details, see the Chief Counsel's letter dated July 3, 1969, concerning cases tried and filed in the Salem Office, General Files.)

The Chief Counsel also commented that since the last Commission meeting, 30 cases had been disposed of and the trial case load in a period of one year had been reduced from 261 pending cases to 185. The Chairman inquired as to the normal time for disposition of a trial case. The Chief Counsel replied that the time required to bring a case to trial varies considerably among the counties. Multnomah County, for example, would ordinarily require about a year whereas in Umatilla County four or five months would normally bring a case to trial. The Chairman then inquired if an advance payment is made to the owner before the verdict is rendered by the Court. The Chief Counsel replied that 75 percent of the appraised value of the property is advanced. He also commented that bringing of cases to trial is limited not only by the ability of the Courts to place them on the docket but by the number of attorneys that the State is able to provide. Commissioner Bruno inquired if it is often necessary for the State attorneys to request extensions of time in trying cases. The Chief Counsel replied that no extension is requested in over 90 percent of the cases. Commissioner Bruno complimented the Legal staff on the results of cases tried which were considered at this meeting.

A report was also presented by the Chief Counsel on proposed settlements of pending cases. These settlements, he said, are based upon competent appraisals and are in order for Federal aid. Offers totaled approximately \$226,600 and the settlements proposed totaled approximately \$244,000. The Commission approved settlements which are summarized as follows:

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REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5887 Gim G. Wong, et al.	Multnomah	Stadium Freeway	North Portland Harbor-North Russell Street	\$ 1,600.00	\$ 2,200.00
L-5900 Stanley Demarest, et al.	Lane	Eugene-Springfield	Seventh Avenue-Willamette River	150,000.00	160,000.00
L-6012 Frances D. Cavoretto, et al.	Coos	Bandon State Park		9,100.00	9,500.00
L-5901 Robert H. Brons, et al.	Multnomah	East Portland Freeway	S.E. Division- S.E. Foster Rd. Columbia River-Pacific Highway	11,000.00	12,250.00

(Original appraisals were obtained 1967. Reappraisal resulted in two State appraisers at \$12,250.00 and owner's appraiser at \$12,500.00.)

L-5473 Mike S. Fayer, et ux.	Multnomah	Columbia River	St. Helens Rd.-N.W. 21st Avenue	19,225.00 partial taking 9600 square ft.	31,000.00 entire taking
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(Appraisals indicate that remainder is damaged up to 100 percent. Taking is of entire property.)

L-5934 Howard R. Proctor, et ux.	Clackamas	East Portland Freeway	Columbia River Highway	22,000.00 original appraisals dated early in 1967	24,500.00
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(December 1968 appraisal was \$25,000.00.)

L-5993 Walter Richlick, et al.	Washington	Pacific	Pacific Highway Scenic Area	5,400.00	5,400.00
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REPORT OF OTHER CASES SETTLED

Case	Defendants	County	Cause of Action	Demands of Plaintiff	Settlement
L-5489 Donald A. Way	Kenneth A. Cummings, a department maintenance employee	Lane	Personal injuries arising out of alleged negligent operation of road grader	\$10,955.00	\$ 500.00

(Plaintiff was injured when he collided with a road grader from the rear. His complaint alleged that the operator of the grader was negligent in several respects.

Prior to this case being set for trial, the State's case for damages to the grader against the plaintiff in this case was tried. A verdict was recovered in favor of State.

The insurance carrier who was handling the defense in this case settled and paid the plaintiff \$500.)

L-4993 State of Oregon	American Pipe & Construction Co., et al.		Anti-Trust Suit		1,136.83 installment payment
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(This is the first of five installments, totaling \$4,833.35, with the remaining installments to be received annually.)

L-5837 Roy L. Houck Sons' Corp.	State of Oregon	Marion	Claim arising out of Construction Contract No. 6519 (Glendale Junction-Coyote Creek-Pacific Highway)	42,429.00	25,000.00
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(The contractor presented claims for additional compensation essentially in two parts (1) This claim involved an item in the plans which indicated the contractor would be permitted to use excess rock material to be excavated estimated to be 197,600 c.y. The contractor intended to use this excess rock material as base rock and aggregate after crushing. Relying on the estimate of excess rock being available, the contractor set up his crusher plant in the area. The rock available, due to other reasons, underran some 69,420 c.y. and necessitated the moving of the crusher to another area (a private source) to obtain the balance needed for his use on the grade. This would not have been necessary had the area shown on the plans supplied the yardage stated to be excess material. The contractor claimed \$36,429 on this item. (2) The second item was a claim of \$11,830 made by the prime contractor on behalf of the bridge sub-contractor for structural excavation.)

(Report of Other Cases Settled Cont.)

Case	Defendants	County	Cause of Action	Demands of Plaintiff	Settlement
L-5974 Helen R. Woodcock, et al.	State Highway Commission	Tillamook	Inverse Condemnation to recover damages for change of grade of highway adjacent to plaintiff's property and also damages for restriction of access	\$15,000.00	\$ 6,500.00

(This was an inverse condemnation action brought after the State improved the Coast Highway, abutting the property of the Woodcock's, which is improved by a store building at Neskowin.)

Legal research determined that the change of grade, which was not minimal, was compensable, and further the obstruction of all access from the existing highway was an impairment of access which was also compensable.

A staff appraisal was made on the above basis showing a damage in amount of \$5,750, which was reviewed and approved. Attorney for the landowner agreed to a \$6,500 settlement.)

L-5965 State of Oregon	Andrew Olson	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guardrail	506.30	300.00
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(In preparing for trial our staff attorney was unable by any means to find a person who purportedly had witnessed the collision. This would have meant proceeding to trial with no witnesses other than as to the damage.)

(For additional details, see the Chief Counsel's letters dated July 3 and 7, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission for telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings as follows:

ALLEGANY-MARLOW CREEK SECTION OF THE COOS RIVER HIGHWAY

R-42455 - Frank E. Hustead, et ux. 0.99 acre for right-of-way purposes. Offer of \$5,100.00 approved by Mr. Jackson June 5, 1969.

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BANDON STATE PARK

R-42327 - Walter Sarad and Orrin H. Sepp. 20.0 acres for park purposes. Offer of \$32,000.00 approved by Mr. Jackson June 19, 1969.

R-42328 - Lena Christensen. 20.0 acres for park purposes. Offer of \$21,000.00 approved by Mr. Jackson June 16, 1969.

CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42982 - Richard F. Davis, Jr., et ux. 0.22 acre for right-of-way purposes. Offer of \$8,000.00 approved by Mr. Jackson May 29, 1969.

R-42985 - Moskee Investment Co. 6,925 square feet for right-of-way purposes. Offer of \$35,000.00 approved by Mr. Jackson May 29, 1969.

DECEPTION CREEK-OAKRIDGE SECTION OF THE WILLAMETTE HIGHWAY

R-20574 - Hobart A. Clark, et ux. 0.18 acre for right-of-way purposes. Offer of \$2,850.00 approved by Mr. Jackson May 29, 1969.

LA GRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL

R-41040 - Edward U. Counsell, et ux. Parcel No. 1: 19.3 acres for right-of-way purposes; Parcel No. 2: 4.9 acres for right-of-way purposes; Parcel No. 3: 0.9 acre for right-of-way purposes; Parcel No. 4: 2.0 acres for permanent easement; Parcel No. 6: 0.06 acre for permanent easement. Offer of \$3,700.00 approved by Mr. Hill May 29, 1969.

MANHATTAN BEACH STATE WAYSIDE

R-40666 - Publishers Paper Co. 34.0 acres for park purposes. Offer of \$200,000.00 approved by Mr. Jackson May 27, 1969.

N.E. SANDY BLVD.-N.E. GLISAN ST. UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41400 - Harry O. Trip, et ux. 5,000 square feet for right-of-way purposes. Offer of \$8,000.00 approved by Mr. Jackson June 11, 1969.

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

R-43082 - U.S. National Bank of Portland (Oregon). 4,742 square feet for right-of-way purposes. Offer of \$26,000.00 approved by Mr. Jackson May 29, 1969.

S.E. HINKLEY AVE.-LAKE ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42683 - North Pacific Lumber Co. 0.07 acre for right-of-way purposes. Offer of \$1,600.00 approved by Mr. Bruno June 19, 1969.

R-42809 - Lois Laird. 20,154 square feet for right-of-way purposes. Offer of \$14,250.00 approved by Mr. Jackson May 29, 1969.

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

R-42307 - Paul R. Chichester, et ux. Parcel No. 1: 2.1 acres for right-of-way purposes; Parcel No. 2: 0.2 acre for right-of-way purposes. Offer of \$73,500.00 approved by Mr. Jackson May 29, 1969.

A quarterly report of property damage claims collected during the period from March 31, 1969, through June 30, 1969, was presented by the Chief Counsel. He mentioned that during this period \$40,829.69 had been collected and ten claims totaling \$1,384.45 had been abandoned as it was deemed not feasible to make further efforts to collect. The Chairman inquired as to the cost of collecting the damage claims. The Chief Counsel replied that an exact figure cannot be given; however, only one staff attorney is working on collection of the claims and that only part time. Commissioner Hill inquired as to who determines whether negligence is involved. The Chief Counsel replied that most of the claims originate in the Maintenance Division, but the attorney handling the case looks them over carefully to determine negligence and liability and makes recommendations as to cases which should be abandoned. The Commission accepted the report.

Consideration was given to a Grant of Easement to Tillamook County covering a short section of roadway located in Cape Lookout State Park in Tillamook County. The Engineer explained that in the development of the park the State had constructed approximately one-half mile of road through the park from the end of the existing County road. Subsequently the County extended the road through the park to a connection with the road at Sand Lake and an easement was granted to the County covering the new construction. The County now requests jurisdiction over the section maintained by the State inside the park which also serves as a portion of the County road. The Commission accepted the Engineer's recommendation for approval of the easement.

Confirmation was requested for approval given by the Chairman on June 19, 1969, for an increase of \$10,000 in the purchase price of an area by the City of Wilsonville, Clackamas County, in connection with the Willamette River Park System. The Engineer recalled that at the Commission meeting on May 28, 1969, an agreement had been approved based on a total cost of \$188,500. Since then it has been found impossible to settle with the owner for the original estimated price, but an agreement has been reached in the amount of \$198,500. The increase means that the amount of money to be taken from the Willamette River Park System Fund will be increased by 25 percent of \$10,000 or \$2,500. The Commission confirmed the increase.

The Commission considered a State Parks Contract Construction Program for the 1969-1971 biennium. Following the Engineer's favorable recommendation, the Commission approved the following program:

<u>Park</u>	<u>County</u>	<u>Estimated Cost</u>
Mary S. Young	Clackamas	\$ 85,000
River front protection. Place heavy rock riprap in terraces to provide protection from erosion and construct a system of pedestrian ramps to the water's edge. (50 percent of cost to be paid by Mrs. Young.)		
Fort Stevens	Clatsop	\$450,000
Roads and parking. About 3.8 miles of paved roadway from Battery Russell to approximately the south jetty of the Columbia River, including two parking areas adjacent to the foredune and a lower standard, hard-surface road from the jetty onto the sandspit lying northerly thereof.		
Tolovana	Clatsop	\$ 25,000
Rest rooms. This will complete a beach access area which has been acquired, cleared, graded, and surfaced.		
Bullards Beach	Coos	\$ 70,000
Pave tent loop and lighthouse road. The tent loops serve 62 new campsites which have been constructed and the roadways graded, but have not been surfaced. There will be 1.4 miles of paved roadway constructed from the camp area to the lighthouse and beach access parking area near the mouth of the Coquille River.		
Humburg Mountain	Curry	\$ 35,000
Utility building. This project will replace an existing old substandard building which is costly to maintain.		
Harris Beach	Curry	\$320,000*
Overnight camp. This project is contingent upon availability of a city sewer which is not yet constructed. Sixty-one new campsites will be brought up to full trailer standard, including one new utility building and a revised park entrance with a new registration booth.		
Peter Skene Ogden	Deschutes	\$ 25,000
Rest rooms. A well has been drilled, making a water supply available. This project will provide modern flush toilets and standard rest room building.		
Collier	Klamath	\$ 25,000
Rest rooms. Construction of a new building to replace an outdated one in the main day-use area.		
Goose Lake	Lake	\$ 25,000
Rest rooms. Construction of standard rest room facility to replace pit toilets which will serve both the picnic area and a small campground.		

<u>Park</u>	<u>County</u>	<u>Estimated Cost</u>
J. M. Honeyman Bathhouse. This building will be located at a new picnic area being developed on Woahink Lake.	Lane	\$ 35,000
South Newport Rest rooms. This project will be simple rest rooms at a newly developed beach access point.	Lincoln	\$ 25,000
South Newport Overnight camp. Construction of approximately 100 new campsites to full trailer standard and the necessary utility building.	Lincoln	\$320,000*
Rooster Rock River front protection. Construction of piling and planks to protect a badly eroded river front.	Multnomah	\$ 90,000
* Alternate Projects		
	Total	\$1,200,000

The Engineer requested authority to hold a design public hearing on the South Unit, Astoria-Camp Rilea Section of the Oregon Coast Highway in Clatsop County. Corridor route approval, he said, was received from the Bureau of Public Roads on June 17, 1969, and the next step is a hearing on the design. The Commission approved his request.

In response to an inquiry from the Chairman as to what information the public asks for in hearings, the Engineer explained that in some cases it is necessary to hold two hearings. One to determine a corridor route and one concerning design within the approved corridor. To comply with Bureau of Public Roads' regulations concerning design hearings, it is necessary that the State show details of construction, location of interchanges, right-of-way to be acquired and other matters.

The Chairman then inquired as to the time taken by the Bureau of Public Roads to clear these matters. The Engineer replied that most of the steps are cleared promptly by Mr. R. E. Simpson, Division Engineer of the Bureau of Public Roads, and except in unusual cases, higher clearance is not required.

Approval of a corridor route on the McKenzie Highway-Jasper Section of the Springfield-Creswell Highway in Lane County was requested by the Engineer. A corridor public hearing was held on March 12, 1969. A study of the transcript and reports resulting from the hearing indicate that Corridor No. 2 is the better of the three routes presented. He recommended approval of Corridor No. 2, contingent upon approval by the Bureau of Public Roads, and authority to conduct a field survey in preparation for a design hearing. The Commission accepted his recommendation and thereupon adopted "Highway Corridor Resolution No. 367," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Chairman Jackson then inquired if the Federal order has been rescinded which allowed individual protests on the location of highways to be acted upon by the head of the Department of Transportation in Washington D.C. The Engineer replied that this feature has been removed. The Chairman then asked if any substitute order had been placed in effect.

Mr. Simpson of the Bureau of Public Roads stated that protests are now handled by the same procedures that were in effect prior to the regulation which had been removed. The difference, he said, between the rescinded regulation and the present practice is that the right of appeal no longer is a matter of law but must be considered through regular channels.

The Chairman stated that the point he wished to make is that the lead time from the beginning of planning to the start of construction has been extended so far that conditions may change between the planning stage and construction, and that basic needs in various parts of the State may be altered considerably in the lead time that is now required.

The Engineer pointed out that where it is necessary to go through residential areas it appears that a lead time of approximately three years will be required before construction can actually start. He also mentioned that there are some instances in which it is not necessary to go through all of the hearing procedures.

The Chairman then asked if construction could be speeded up by the use of State funds on highways where Federal rules do not apply. The Engineer replied that in general the answer would be no, but this would depend to some extent on the location of the job. In an area where it is necessary to relocate people, he stated that three years time is a reasonable figure. Some projects which have been under consideration in the past can be approved by the Bureau of Public Roads without going through all of the required procedures but on new projects, it is necessary to follow all of the Federal requirements.

The Chairman commented that the past flexibility in highway construction has largely evaporated, which may be detrimental in meeting the transportation needs of the State. The Engineer stated that the days of quick construction appear to be gone as it is necessary to adhere to the Federal rules or forego Federal-aid. Commissioner Bruno commented on the increased complexity of regulations concerning the construction of the Mt. Hood Freeway in comparison with the Foothills Freeway in western Portland which was approved a few years ago.

The Chairman inquired if the Federal rules had been considered by AASHO. The Engineer replied that AASHO has been instrumental in getting some of the more stringent regulations modified, particularly the one which would have allowed an individual to hold up construction pending a decision from Washington D.C. He stated that it was recognized that the double hearing procedure would create a slowdown and although this can be lived with, it does cause considerable delay.

Mr. Simpson observed that although the new hearing procedures would take up some additional time, the one requiring relocation assistance to property owners would be the regulation mostly responsible for time consumption. Concerning relocation assistance, the Chairman commented that

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the procedures now require that in addition to paying a fair price for property it is necessary to consider details of environment, livability, etc. The Engineer recalled that in the original regulations pertaining to relocation assistance, there had been a paragraph requiring a lock on the bathroom door.

Approval of a corridor route for the Marquam Bridge-East Portland Freeway Section of the Mt. Hood Freeway (I-80N, Mt. Hood Highway) in Multnomah County was requested by the Engineer. He mentioned that a corridor public hearing was held in Portland May 16, 1969. Careful review has been given to the testimony presented at the hearing plus letters and reports received subsequently, and he recommended that the corridor referred to at the hearing as the Division-Powell Boulevard Corridor be approved. This corridor route, he said, is also recommended by the Portland and Multnomah County Planning Commissions, by the Portland City Council, and the Multnomah Board of County Commissioners. The Commission accepted his recommendation, contingent upon approval by the Bureau of Public Roads, and thereupon adopted "Highway Corridor Resolution No. 368," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A delegation representing the Estacada Chamber of Commerce and others came before the Commission concerning improvement of the Clackamas Highway between Estacada and Portland in Clackamas County. The following people were present: Robert Madison, Fred Stefani, K. A. Schmidt, Duane Day, Milt Dalby, Carrell Bennett, and Dave Horner. Mr. Madison presented a brochure to the Commission and introduced Mr. Stefani who commented on population growth. During the period from 1950 to 1960 the Estacada area has had an increase of 30 percent in population as compared with a 15 percent increase State wide. From 1960 to 1969, the population increase is up to nearly 50 percent and land values have approximately doubled in the last few years. The area contains many ideal residential locations and good sites for industrial development. He also mentioned that the highway taps a vast timber source and also serves recreation needs for a great many people. He inquired as to what plans are being considered for improvement between Eagle Creek and Portland.

Mr. Madison commented on the social and economic effects that an improved highway would produce. It is important, he said, to know as soon as possible where the highway will be located so that plans can be made for homes, businesses, and schools. He mentioned the narrow, crooked condition of the existing highway and pointed out that truck freight rates are higher than they would be on a good highway. Pertaining to log trucks, he mentioned that trucks to a given destination now make two trips per day but with a modern highway he felt that they could make three. He urged the Commission to select a route and construct it at an early date before land prices become too high.

Chairman Jackson commented that a hearing is being held in Estacada today concerning a corridor route between Eagle Creek and Estacada. The Commission is fully aware of the need for a better highway and is working to secure additional funds in the near future. It should be known within

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the next six weeks as to whether these funds will be available. If the plans for added funds do not materialize, he said, the Commission could give no definite time as to when the work might be done.

A short time later, State Senator George Eivers came before the Commission and urged them to give their best efforts in securing highway improvement in the area requested. Chairman Jackson informed him that the delegation had been advised of the plans that the Commission has for additional money, which may or may not materialize.

Mrs. Marge Kauffman came before the Commission to present as a gift approximately 2,500 feet of ocean shore frontage between Waldport and Yachats near Tillicum Beach in Lincoln County. Mrs. Kauffman said that she was making the presentation of the deed to the Commission in the hope that other people would do likewise.

Chairman Jackson stated that it is difficult to express fully the appreciation felt by the Commission and by the people of the State for this gift of beach frontage. The public, he continued, has become extremely conscious of the need for public access to the beaches for recreational use and the need to improve the environment under which the people of this State live. Major consideration has been given to the problem during the last two sessions of the Legislature and, he said, if the owners of other beach frontage would take the same attitude as has been taken by Mrs. Kauffman the problem would be solved easily. Her gift, he concluded, sets a standard of public service and is something that the people of the State will appreciate more as the years go by. He handed to Mrs. Kauffman an inscribed statement expressing the appreciation of the Commission.

Increases in project authorizations were requested by the Engineer and approved by the Commission on the following contracts:

- (1) Contract No. 7165 on Washington County FAS Road No. 630 in the amount of \$17,734.31 (9.82%). Principal cause of the overrun was in the construction of left-turn refuges at Jenkins Road. Additional expenditures were also required to control subsurface water.
- (2) Contract No. 7180 on the Woodburn-Estacada Highway in Marion County for an increase of \$56,248.39 (9.3%). The inadvertent omission of 55,000 cubic yards of embankment in the contract plans was the principal cause of the overrun.
- (3) Contract No. 6451 on the Pacific Highway in Douglas County for an increase of \$234,923.22 (5.11%). An overrun in asphaltic concrete, extraordinary ditch cleaning, and reshaping and correction of slide problems were given as the principal reasons for the increase.

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- (4) Contract No. 7251 on the Central Oregon Highway in Harney County for an increase of \$178,000 (42.9%). The need for additional asphaltic concrete for an overlay depth of three inches instead of two inches was apparent after the frost had completely left the roadbed. Widening of the surface from 28 to 30 feet also contributed to the additional cost.

Purchase of additional core storage for the Department's computer system (IBM 360) was brought up by the Engineer. By increasing the core storage, multi-programing is possible which will greatly increase the efficiency of the system. The matter was presented to and approved by the Department of Finance some time back. The additional facilities will cost \$188,501.60, requiring a down payment of \$26,772 with monthly payments of approximately \$4,400 for the first two years and about \$3,500 per month for the third year and a half. Payments are to be completed by November 1, 1972. The matter was approved verbally by the Chairman on June 12, 1969. The Commission confirmed the purchase.

The Engineer stated that Oregon has been allocated the sum of \$387,879 for landscaping and scenic enhancement for the fiscal year 1970. He presented a list of projects and stated that costs have not yet been determined for the individual projects. Following his favorable recommendation, the Commission approved the following highway beautification projects:

HIGHWAY BEAUTIFICATION ACT FUNDS

1970 Projects

	<u>Highway</u>	<u>M.P.</u>	<u>Description</u>
Division 1	Sunset	53.3	Planting Cedar Hills Interchange
Division 2	I-5	79	Butte Creek Scenic Strip
	Coast		Tillamook Bay Viewpoint
	Coast		Fogarty Creek Scenic Strip
	Coast		Seal Rock Scenic Strip
	Coast		Silver Point Scenic Strip
Division 3	Crater Lake		Planting Biddle Road Interchange

A Lane County FAS Project for a full diamond interchange at the intersection of Belt Line Road (FAS 860) and River Road (FAS 219) on the Junction City-Eugene Highway was brought up by the Engineer. As the County wishes to receive bids on August 28, 1969, telephonic approval was requested and received from the Chairman on June 5, 1969. Cost of the project is estimated at \$750,000; however, Lane County has only \$425,000 in matched FAS Funds. The State's share of matched funds is \$85,000 and the remainder of the cost above \$425,000 is to be borne by Lane County. The Commission confirmed the project and authorized the Secretary to sign the agreement.

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Consideration was given to requests from Lane, Linn, Marion and Wallowa Counties for Federal Aid Secondary Projects and the cancellation of a project in Clackamas County. These projects, the Engineer stated, have been investigated and are eligible for the use of FAS Funds and he recommended approval. The Commission approved the following projects and authorized the Secretary to sign construction agreements:

<u>County</u>	<u>FAS</u>	<u>Section & Description</u>	<u>Programmed Amount</u>	<u>FAS Funds</u>
Lane	860	River Road (Santa Clara) Interchange Section; Belt Line Road. Structure, grade, drain, base & pave. (To be supplemented with \$325,000 of 100% County funds.)	\$ 425,000	1969
Linn	217	South Santiam River (Sweet Home) Bridge Section; Pleasant Valley Road. Structure, grade, drain, curb & pave.	450,000	1969
Marion	159	Chemawa Road-Wheatland Road Section; North River Road - 1.07 mi. Grade, drain, curb & pave.	320,000	1969
Marion	741	99E-Ward Drive Section; Lancaster Drive - 0.76 mi. Grade, drain, curb & pave.	220,000	1969
Wallowa	497	Enterprise-Kooch Corner Section; Hurricane Creek Highway County Road - 1.87 mi. Grade, drain, base & surface.	220,000	1969

TOTAL NEW PROJECTS \$1,635,000

Cancellation of Previously Approved Project

Clackamas	120	Washington County Line-West Linn Section; Market Road No. 12 (Nyberg Road). Grade, drain, base & pave.	500,000
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TOTAL \$1,135,000

<u>SUMMARY BY FISCAL YEARS</u>	<u>1969</u>	<u>1970</u>	<u>TOTAL</u>
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (corrected to date)	2,988,000	--	2,988,000
Unprogrammed Balance	\$ 981,000	\$5,089,000	\$6,070,000
Projects Proposed 7-8-69	981,000	154,000	1,135,000
Unprogrammed Balance	\$ --	\$4,935,000	\$4,935,000

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Consideration was given to requests made by contractors for extensions of time within which to complete highway contracts without assessment of liquidated damages. 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 requests as follows:

- (1) W. R. Grasle Company, Contract No. 7161, on the Columbia River Highway in Morrow County, requested 71 additional calendar days. The Commission approved a 25-day extension to the date of completion, without assessment of liquidated damages. Approval was given by the Bureau of Public Roads in a letter dated May 26, 1969.
- (2) Pacific Northwest Landscaping and Sprinklers Unlimited, Contract No. 7174, on The Dalles-California Highway in Klamath County, requested an extension of the specified completion date from December 31, 1968, to May 9, 1969. The Commission approved an extension of the completion date to May 8, 1969, the date of completion, thereby eliminating all liquidated damages.
- (3) Rogers Construction Company, Contract No. 6976, on the Columbia River Highway in Multnomah and Hood River Counties, requested 150 additional calendar days to complete the contract. The Commission approved an extension of 115 calendar days to October 2, 1969, without assessment of liquidated damages. Concurrence by the Bureau of Public Roads was given by letter dated June 16, 1969.
- (4) Rogers Construction, Inc., Contract No. 7017, on the Old Oregon Trail in Umatilla County, requested an increase of 102 calendar days. The Commission approved an increase of 81 calendar days, without assessment of liquidated damages, leaving 20 calendar days on which liquidated damages are to be assessed. A letter was received from the Bureau of Public Roads dated June 26, 1969, concurring in an extension of 75 calendar days.

The Engineer reported that Contract Nos. 7099 and 7109 for highway construction have been completed as required by the contracts or modifications thereof and said contracts have been approved by letter to the Commission since the last Commission meeting. After due consideration, the Commission confirmed acceptance of the contracts by adopting "Contracts Completed Resolution No. 177," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission confirmed the next Commission meeting date on Tuesday, August 19, 1969, in the State Highway Building in Salem. A tentative date for the following meeting was set for September 30, 1969.

The Engineer reported that he had made award of contracts referred to him to be awarded when certain conditions had been met. The Commission confirmed his award of the following contracts:

- (1) Grading, paving, structures, and traffic control devices on the Harmony Road Interchange-Cascade Highway Section of the Clackamas Highway in Clackamas County. Bids received May 15, 1969. Contract No. 7261 awarded June 6, 1969, to Slate-Hall and Hamilton Construction Company, Portland, low bidder, in the amount of \$2,145,526.80.
- (2) Improvement in Sage Hen Safety Rest Area on the Central Oregon Highway in Harney County. Bids received May 15, 1969. Contract No. 7265 awarded May 28, 1969, to R. L. Coats, Bend, low bidder.
- (3) Grading, paving, and structure reconstruction on the Creswell Interchange and Hawley Road Section of the Pacific Highway in Lane County. Bids received May 15, 1969. Contract No. 7270 awarded June 10, 1969, to M. R. Holst Construction, Oakridge, low bidder.
- (4) Grading and paving on the Ward Drive-Silverton Road Section of FAS 741 (Lancaster Drive) in Marion County. Bids received June 26, 1969. Contract No. 7283 awarded July 3, 1969, to D and D Paving Co., Inc., Salem, low bidder.
- (5) Grading and paving S. River Street in the city of Newberg. Bids received June 26, 1969. Contract No. 7288 awarded July 3, 1969, to Rowell and Wickersham, McMinnville, low bidder.

The Commission confirmed telephonic approval given July 3, 1969, awarding contracts on which bids were received June 26, 1969, and authorized the Secretary to sign the contracts on the following projects:

BIDS RECEIVED IN SALEM ON JUNE 26, 1969

Contract No. 7276 for superstructure of the Fremont Bridge Section on the Stadium Freeway in Portland, Multnomah County. Federal-aid Interstate Project No. I-405-8(17)303. Two bids were received. The Commission awarded the contract to the low bidder, Murphy Pacific Corporation and Murphy Pacific Marine Salvage Company, dba Murphy Pacific Enterprises, Oakland, California, in the amount of \$21,833,293.

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Contract No. 7277 for traffic signal installation on Washington at 7th Street (Cascade Highway) in Oregon City, Clackamas County. State Project. Two bids were received. The Commission elected to accept the low bid of Sims Electric, Inc., Roseburg, in the sum of \$10,400 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Oregon City is received and the sum of \$5,954 is deposited by the City.

Contract No. 7278 for paving in Milo McIver State Park in Clackamas County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, K. F. Jacobsen and Co., Inc., Portland, in the amount of \$49,727.50.

Contract No. 7279 for grading and paving Fern Avenue in Brookings, Curry County. State Project. Two bids were received. The Commission elected to accept the low bid of DaTone Construction, Brookings, in the sum of \$34,619.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Brookings is received and the sum of \$15,695 is deposited by the City.

Contract No. 7280 for water system and access road in Cabin Creek Safety Rest Area on the Pacific Highway in Douglas County. FAP No. I-5-3(84)145. Three bids were received. The Commission awarded the contract to the low bidder, M. R. Holst, Oakridge, in the amount of \$67,585.50.

Traffic signals on 9th Street and Main Street (Cottage Grove) on the Goshen-Divide Highway in Lane County. State Project. This project was withdrawn from the bid letting.

Contract No. 7281 for grading and signing on Talbot-North Albany Interchange Section of the Pacific Highway in Linn County. FAP No. I-5-4(67)235. Three bids were received. The Commission awarded the contract to the low bidder, Slate-Hall, Portland, in the amount of \$1,087,276.50.

Contract No. 7282 for slide correction on the Foster Truck Scale Section of the Santiam Highway in Linn County. State Project. Four bids were received. The Commission elected to accept the low bid of Floyd Grahm Construction Company, Lebanon, in the amount of \$69,207.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired.

Contract No. 7283 for grading and paving Ward Drive-Silverton Road Section of FAS 741 (Lancaster Drive) in Marion County. Two bids were received. FAP No. SU-528(3). The Commission elected to accept the low bid of D and D Paving Co., Inc., Salem, in the sum of \$283,816.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Marion County is received and the sum of \$65,600 is deposited by the County.

Grading and paving 1st Street in the city of Gervais, Marion County. State Project. No bids were received for this project.

Contract No. 7284 for grading and paving North Delaware Avenue-North Woolsey Avenue (Portland) Section of FAS 940 (Columbia Boulevard) in Portland. FAP No. SU-559(2). Four bids were received. The Commission elected to accept

the low bid of Cascade Construction Co., Inc., Portland, in the sum of \$350,290.60 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Portland and Multnomah County is received and the sum of \$76,700 is deposited by the County.

Contract No. 7285 for slide correction on the Murphy Hill Section of Salmon River Highway in Polk County. State Project. Eight bids were received. The Commission elected to accept the low bid of Slate-Hall, Portland, in the sum of \$117,400 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired.

Well construction in Ladd Canyon Safety Rest Area on the Old Oregon Trail in Union County. FAP No. I-8ON-6(36)268. One bid was received. The Commission rejected the only bid as being too high.

Contract No. 7287 for grading and paving Commercial Avenue in North Plains, Washington County. State Project. Two bids were received. The Commission elected to accept the low bid of Cascade Construction Company, Inc., Portland, in the sum of \$46,850.40 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of North Plains is received and the sum of \$31,090 is deposited by the City.

Contract No. 7288 for grading and paving S. River Street in the city of Newberg 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 \$39,339 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Newberg is received and the sum of \$21,660 is deposited by the City.

Attention was given to a resolution presented by the Engineer allocating to cities the State gas tax funds apportioned to them according to law during the first half of 1969 in the amount of \$5,719,625.80. The Commission approved the allocation by adopting "City Allocation of State Highway Funds Resolution No. 49," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered and approved distribution to counties of their share of State gas tax and motor vehicle revenues allocated to them according to law for the period of April 1 through June 30, 1969, in the amount of \$5,022,428.86.

Financing of the Saddle Mountain Junction-Little North Fork Nehalem River Section on the Sunset Highway in Clatsop County under Federal-aid Program XI was brought up by the Engineer. Hearings on this section, he said, have been offered and waived and design approval has been received from the Bureau of Public Roads. The estimated cost of construction is \$1,400,000 and cost of right-of-way \$100,000, for a total estimated cost of \$1,500,000. He recommended approval of the project so that it could be advertised at the July bid opening. The Commission accepted his recommendation.

The Engineer recalled that at the May, 1969, Commission meeting, development of a viewpoint memorial honoring Lloyd J. Wentworth on the Oregon Coast Highway near Garibaldi in Tillamook County had been approved. The

Wentworth family had promised to donate \$9,000 on the memorial, which he estimated would cost a total of \$13,000. He recommended the expenditure of \$4,000 of State funds under the current State Construction Program so as to complete the memorial construction. The Commission approved the expenditure.

Financing of a stream gauging program on small watersheds under the Federal-aid Highway Planning Research Program was discussed. The Engineer commented that the work is conducted by the U.S. Geological Survey and results are published by that agency. The information provided is useful in the design of bridges and culverts. He recommended that the program be continued during the period July 1, 1969, to June 30, 1970, with an allocation of \$20,000 of HPR funds under the present matching ratio. This will amount to approximately \$17,000 in Federal funds and \$3,000 in State funds. The Commission approved continuation and funding of the program.

Abandonment resolutions were presented by the Engineer covering old sections of two State highways. New sections of highway have been completed and are open to public travel. The sections to be abandoned, he said, are no longer needed for highway purposes. The Commission accepted his recommendation for abandonment and thereupon adopted the following "Abandonment Resolutions Nos. 467 and 492," which resolution by this reference are made a part hereof and filed in the Secretary's Office:

- (1) Klamath Falls-Green Springs Interchange Section of The Dalles-California Highway in Klamath County. Portions abandoned to Klamath County and to the City of Klamath Falls. (See "Abandonment Resolution No. 467.")
- (2) Swartz Canyon Road-Rocky Canyon Section of the Crooked River Highway in Crook County. Abandoned to the abutting property owners. (See "Abandonment Resolution No. 492.")

Prohibition of parking on a section of the Cascade Highway in the City of Portland was brought up by the Engineer. The City of Portland and the State, he said, have planned a joint project for the establishment of additional left-turn lanes on N.E. and S.E. 82nd Avenues. As a part of the project, it will be necessary to prohibit shoulder parking and he recommended that parking be prohibited on the east side of the Cascade Highway between S.E. Brooklyn and S.E. Kelley Streets in Multnomah County. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 273," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to revising the stop requirements at the intersection of Main and River Streets in Enterprise on the Wallowa Lake Highway in Wallowa County. The Engineer explained that the highway makes a right-angle turn at this point and hazards are caused by the existing stop requirements. He recommended that "Through Highways and Stop Signs Resolution No. 4," dated April 27, 1943, be amended as it pertains to the Wallowa Lake Highway by adding the following exception:

EXCEPTION: At the intersection of Main and River Streets in Enterprise, all traffic entering the intersection from the west shall stop with the exception of that making the right turn to the south which shall be permitted to move without stopping.

The Commission accepted his recommendation and thereupon adopted "Through Highways and Stop Signs Resolution No. 4s," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission considered an agreement with Oregon Portland Cement Company pertaining to the use of State-owned cement in bins at Lime on the Old Oregon Trail in Baker County. The Engineer stated that the agreement provides for the use of State-owned cement at Lime (placed there for use on Contract 7185) to be used instead on the Pendleton Section of the Old Oregon Trail in Umatilla County on Contract 7097. Contract 7185, near Lime, will not be ready for paving for some time whereas paving on Contract 7097 is scheduled to begin on or near July 8, 1969. The agreement provides that the Cement Company replace the cement in the bins at Lime at the earliest practicable time, and they have posted a bond with the agreement to protect the State. Telephonic approval was given June 26, 1969, by the Chairman. The Commission confirmed the agreement and authorized the Secretary to sign it for them.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on June 5, 1969, for an agreement covering fencing on the John Day Highway in Shelton Park, Wheeler County. Mr. W. H. Steiwer, the abutting property owner, wishes to use the range for summer pasture. An agreement has been prepared in which Mr. Steiwer is to furnish the wire and the labor to fence those portions of the right-of-way adjoining his property, and the State is to furnish materials and labor to fence the area of Shelton Park. The Engineer estimated the cost to the State for 2.2 miles of fencing at \$1,535. The Commission confirmed the agreement and the authority for the Secretary to sign it in their behalf.

The Commission also considered an agreement with the Bureau of Land Management for fencing right-of-way on the Olds Ferry-Ontario Highway in Malheur County. The Engineer explained that recently stock grazing on BLM land have wandered onto the Olds Ferry-Ontario Highway and through the interchange onto I-80N. To eliminate the hazard, he recommended an agreement with the BLM by which the State would furnish posts and wire and the BLM would furnish labor for approximately one mile of fencing. He estimated cost to the State for material at \$739.25 and recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for him.

An agreement with the City of Canyonville for installation of illumination at the South Canyonville Interchange on the Pacific Highway in Douglas County was discussed. The Engineer stated that under the agreement the State is to perform the work and provide all maintenance. The City is to pay for the cost of electrical energy used. He recommended approval of the agreement as an Interstate project at an estimated cost of \$42,000. The Commission accepted his recommendation and authorized the Secretary to sign the agreement on their behalf.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on June 10, 1969, for an agreement with Clackamas County covering installation of traffic signals at four intersections on the Clackamas Highway. The agreement provides for installation of signals at Rusk Road, Lake Road, Pheasant Court and Johnson Road. The State is to perform the work at an estimated cost of \$95,450 as a Federal-aid Urban Project. After completion of the installations, the County is to maintain the signals and pay for all electrical energy used. The Commission confirmed the agreement and authority for the Secretary to sign it for them.

Consideration was given to a cooperative construction-finance agreement with the City of Oregon City concerning improvement of the Division Street-Hilda Street Section of the Cascade Highway in Clackamas County. The Engineer stated that cost of the project is estimated at \$250,000 as a part of Program XI. The cost is to be borne 75 percent by the State and 25 percent by the City. The City's portion of \$62,500 is to be paid in three installments; the first prior to award of the contract; the second prior to January 10, 1970; and the third prior to January 10, 1971. He recommended approval of the project and authority to award a contract under Program XI when right-of-way has been required and funds are available. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Commission considered a cooperative construction-finance agreement with the City of Woodburn in Marion County concerning realignment of Young Street at its intersection with Front Street (Hillsboro-Silverton Highway). The Engineer estimated the cost of the project at \$20,000, which is to be borne 50 percent by the State and 50 percent by the City. (A companion agreement with Southern Pacific Company concerning installation of crossing gates and signals at an estimated cost of \$30,000 is to follow.) Construction of this project, the Engineer said, will reduce the hazards at the intersection considerably. The Commission approved the project as a part of the current State Construction Program and authorized the Secretary to sign the agreement in their behalf.

A cooperative construction-finance agreement with Oregon City concerning reconstruction of Main Street from 6th to 16th Streets in Clackamas County was presented by the Engineer. He outlined the agreement stating that the estimated cost is approximately \$60,000 for the 10-block section. State participation however, on the basis of 75 percent State and 25 percent City, is restricted to that portion between 6th and 8th Streets which is used as a part of the Oswego Highway, and the State expenditure is limited to \$15,000. Main Street is to be reconstructed to a 40-foot curbed section following removal of the railroad tracks. The State is to furnish engineering and related assistance. The City is to obtain right-of-way, prepare plans, award contracts and supervise construction. He recommended approval of the project for construction this summer as a part of the current State Construction Program. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Attention was given to an agreement with the City of Portland for replacement of controllers at six intersections on Burnside Street and two intersections on S.W. 18th Avenue, and for revision of signals at two intersections on N.E. 82nd Avenue and one at S.E. Powell and S.E. 69th Avenue. The City is to do the work, provide all maintenance and power needs, and is to

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bill the State for one-half of the total cost estimated at \$9,200. The State's share not to exceed \$4,600, chargeable to 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 a supplemental agreement with the Service Bureau Corporation of Palo Alto, California, for computer services needed in the conduct of urban transportation studies. The existing agreement expired June 30, 1969. The supplemental agreement has been approved by the Bureau of Public Roads for use of planning and research funds. The Engineer recommended approval of the supplemental agreement limited to an expenditure of \$20,000 and expiring June 30, 1970. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

Confirmation was requested by the Engineer for verbal approval given by the Chairman and Commissioner Bruno on June 13, 1969, of an agreement with Union Pacific Railroad Company covering right-of-way across the Albina Yards on I-405 in Portland. He recalled that negotiations with the Railroad had been underway for a number of years. The agreement, however, does not cover property value and condemnation may be necessary later on the value matter only. Relocation of Railroad facilities and services covered by the agreement are estimated to cost \$336,602 and have been approved by the Bureau of Public Roads. The Commission confirmed the agreement.

A request from the City of Independence in Polk County for a consent to annexation to the City of a portion of the Independence Highway adjoining the City limits on the north was discussed. The Engineer stated that the request had been carefully investigated. It does not form an enclave and it appears to conform legally. The Commission accepted his recommendation for approval and authorized the Secretary to sign the consent form.

Emergency snow removal and road and street repair agreements with Morrow and Union Counties and the Cities of Detroit, Lake Oswego, Maupin, and Moro were presented by the Engineer. He explained that the 1969 Legislature had created a one million dollar emergency fund for cities and counties to take care of the unusual damage caused in the winter of 1968-69. The law provides that the advances are to be repaid within five years. The Commission approved payments as follows and authorized the Secretary to sign the agreements in their behalf:

Counties

Morrow	\$150,000
Union	<u>45,000</u>
	\$195,000

Cities

Detroit	\$ 5,000
Lake Oswego	25,000
Maupin	10,000
Moro	<u>8,000</u>
	<u>48,000</u>

Total to date \$243,000

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Consideration was given to Federal-Aid Program XII covering construction on State highways for fiscal years 1972 through 1975. The Commission tentatively approved the following program with the provision that each project be cleared with the Commission before advertising:

FEDERAL-AID PROGRAM XII

PROJECTS FOR CONSTRUCTION

F. A. Funds Fiscal Years 1972, 1973, 1974, and 1975

URBAN

Highway	Section	Length	Approx. Cost
Florence-Eugene	River Road - I-105	1.2	\$ 7,000,000
Northeast Portland	N.E. 60th Ave.-Cascade Hwy.	1.2	700,000
Pacific East	Reedway-S.E. Tacoma	1.4	1,500,000
Pacific East	S.E. Tacoma-Milwaukie Expressway	1.1	1,500,000
	Total		\$10,700,000

PRIMARY

Highway	Section	Length	Approx. Cost
Pacific West	Airport Road-Beltline Road	1.3	\$ 500,000
Coos Bay-Roseburg	Winston-Shady	2.7	3,250,000
Coos Bay-Roseburg	Winston Section	1.1	450,000
Oregon Coast	S. Unit, Astoria-Camp Rilea	2.1	2,500,000
Coos Bay-Roseburg	Slater Creek-Mystic Creek	5.2	3,250,000
Santiam	Sodaville Rd.-Vail Creek	1.5	550,000
Columbia River	Scappoose Section	6.1	5,300,000
Willamette	Goshen-Immigrant Road	5.5	4,700,000
Corvallis-Newport	Gellatly Summit-Wren	1.8	1,000,000
Oregon-Washington	Milton-Washington State Line	4.7	3,000,000
Lower Columbia	Tongue Point-Fern Hill	3.0	4,700,000
Central Oregon	Bend E.C.L.-Ward Road	2.5	600,000
Coos Bay-Roseburg	Grey Cr.-N. Fork Coquille R.	2.2	1,800,000
The Dalles-			
California	Gap-Tygh Grade	7.1	2,500,000
Oregon Coast	Sixes River Section	1.9	1,500,000
Florence-Eugene	99W - I-105 Section (R/W only)	2.56	3,000,000
Albany-Jct. City	Willamette R. (Harrisburg)		
	Bridge #583	-	1,000,000
Albany-Jct. City	Harrisburg-Lancaster Slough		
	Bridge #3940	-	130,000
Albany-Jct. City	Harrisburg-Lancaster Slough		
	Bridge #3941	-	70,000
Albany-Jct. City	Harrisburg-Lancaster Slough		
	Bridge #3939	-	220,000
Florence-Eugene	Knowles Creek Tunnel	-	400,000
Oregon Coast	Crystal Creek (Sixes) Bridge #928	-	100,000
	Total		\$40,520,000

July 8, 1969

(Federal-Aid Program XII Cont.)

SECONDARY

Highway	Section	Length	Approx. Cost
Beaverton-Hillsdale	Beaverton-Tigard Hwy.-		
	Jamieson Rd.	1.2	\$ 325,000
North Santiam	Airport Rd.-Silver Cr. Falls		
	Hwy. Jct.	1.3	1,500,000
Jacksonville	Oak Grove Rd.-Elm St. (Medford)	0.9	575,000
K. Falls-Lakeview	Patterson St.-K. Falls-Malin Jct.	1.5	650,000
Clackamas	I-205 - Boring Road	3.1	1,500,000
Silver Cr. Falls	State St.-N. Santiam Hwy. Jct.	1.1	400,000
Albany-Lyons	Mehama Bridge Section	0.3	600,000
Alsea	Alsea Mt.-Hide Creek	3.3	1,000,000
Lake of the Woods	Geary Ranch-Green Springs Jct.	6.7	2,000,000
Corvallis-Lebanon	Orleans Rd.-Lake Creek	2.8	2,700,000
Empire-Coos Bay	Cape Arago Hwy.-Woodland Dr.		
	(Co-op)	1.8	720,000
Cove	Grand Ronde River Bridge #4853	-	70,000
Adrian-Parma	Snake R. (Adrian) Bridge #4412	-	610,000
Shaniko-Fossil	Clarno-Porcupine Butte	2.3	800,000
	Total		\$13,450,000

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

"Consent to Annexation" to City of Independence covering portion of Independence Highway adjoining the present city limits on the north.

"Bargain and Sale Deed" to Roseburg Rural Fire Protection District re conveyance of 0.58 acre on Deady-Winchester Section of Pacific Highway in Douglas County.

"Indenture of Access" to Crown Zellerbach Corporation and Boise Cascade Corporation re Little North Fork Nehalem River-Humburg Summit Section of the Sunset Highway in Clatsop County.

"Indenture of Access" to Oak Leaf Corporation re Goble-St. Helens Section of the Columbia River Highway in Columbia County.

"Indenture of Access" to Otis E. and Rosemarie Banta re Sweet Home-Foster Section of Santiam Highway in Linn County.

"Indenture of Access" to M. Lindsay and Charlotte L. Hamilton re Blue River-Mill Creek Section of McKenzie Highway in Lane County.

"Grant of Access" to Wallowa County Grain Growers re Flora Junction-Forest Boundary Section of the Enterprise-Lewiston Highway.

July 8, 1969

"Relinquishment of Title" to City of Roseburg re certain real property on the Pacific Highway-Jackson Street Section of the North Umpqua Highway.

"Grant of Easement" to Tillamook County for a short section of right-of-way containing 2.0 acres located in Cape Lookout State Park.

"Agreement" with Oregon Portland Cement Company permitting them to use State-owned cement in sealed bins at Lime on the Pendleton Bypass job in Umatilla County.

"Agreement" with Bureau of Land Management for fencing right-of-way on the Olds Ferry-Ontario Highway.

"Agreement" with City of Canyonville re installation of illumination at the South Canyonville Interchange on the Pacific Highway in Douglas County.

"Agreement" with Oregon City re improvement of Division Street-Hilda Street Section of Cascade Highway.

"Agreement" with City of Woodburn re realignment of Young Street at its intersection with Front Street (Hillsboro-Silverton Highway).

"Agreement" with City of Oregon City re reconstruction of Main Street from 6th to 16th Streets, part of the Oswego Highway.

"Agreement" with City of Portland for replacement of existing controllers at 6 intersections on Burnside Street and 2 intersections on S.W. 18th Avenue, revision of existing pedestrian signals at 2 intersections on N.E. 82nd Avenue and 1 at S.E. Powell and S.E. 69th Avenues.

"Supplemental Agreement" with Service Bureau Corporation for computer services required in the conduct of urban transportation studies.

"Agreement" with Morrow County re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with Union County re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with City of Detroit re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with Lake Oswego re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with City of Maupin re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with City of Moro re advance payments from the \$1 million Emergency Snow Removal and Road and Street System Repair Account.

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"Lease" to Giusti Wine Co. for 7,700 square feet of land on East Bank Freeway Secondary of Pacific Highway in Multnomah County.

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

Robert Cooper
State Highway Engineer

Edmund Jackson
Chairman

John W. Hup
Commissioner

Floyd Query
Secretary

Thaddeus Brown
Commissioner

July 8, 1969

Salem, Oregon
August 19, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
G. E. Rohde, Chief Counsel
David H. Moehring, Right of Way Engineer
Floyd Query, Secretary

Assistant State Highway Engineers Lloyd P. Shaw and F. B. Klaboe were excused.

Among others present were: R. E. Simpson, Division Engineer of the U.S. Bureau of Public Roads; John Widmer acting in the place of Assistant Secretary, C. W. Head; L. H. Young, Program and Planning Engineer; V. D. Wolfe, Administrative Assistant; David G. Talbot, Park Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; Donald N. Harwell, Assistant County-City Engineer; and John J. Earley, Information Officer.

The Chairman introduced Mr. Robert G. Fitzgerald, Chairman of the Governor's Management 70's Task Force and he in turn introduced the following members of the Task Force:

Elmer R. Dubuque, General Telephone Company
Robert E. Peterson, Pacific Power & Light
L. R. Davidson, Willamette Industries
Earl Adams, Highway Division

The Commission approved the minutes of the meeting held on July 8, 1969.

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 which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 61," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from July 2 to August 10, 1969, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$36,405.31; land sales - \$34,500; timber sales - \$1,552 and rental receipts for July totaled \$26,637.49.

August 19, 1969

Authority was requested by the Right of Way Engineer to offer at public sale six parcels of property no longer needed for highway purposes. 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. 514 through 518," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 0.92 acre, File No. 3518, consisting of the Wikstrom-Hill stockpile site on the northwesterly side of the Mist-Clatskanie Highway approximately one-half mile northeast of Mist in Columbia County for not less than \$1,050. Access is to be allowed to the property by permit. 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. 514.")
- (2) 2.389 acres, Files Nos. 1849, 1850, and 1851, consisting of a depleted material source on the southeasterly side of the Pacific Highway West approximately one mile west of Newberg in Yamhill County for not less than \$1,200. A perpetual roadway easement to the material source from the Pacific Highway West is to be made a part of the sale and a junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 515.")
- (3) 0.59 acre, File No. 5712, being a former stockpile site north of the McKenzie Highway on North 54th Street and North "A" Street in the City of Springfield, Lane County, for not less than \$2,400. Prior to the sale of this property, the State is to deed to the City of Springfield 0.25 acre from this tract consisting of a 10-foot strip as an addition to North "A" Street and a 25-foot strip as an addition to North 54th Street. 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. 516.")
- (4) 9.25 acres, File No. 6081, consisting of the former Benton County Wayside along the old Alsea Highway approximately 10.5 miles west of Philomath in Benton County for not less than \$3,500. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 517.")

- (5) 1.7 acres, File No. 11381, located in the southwest quadrant of the intersection of the Klamath Falls-Malin Highway and Eberlein Avenue in Klamath Falls, Klamath County, for not less than \$5,000. No access is to be permitted 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. 518.")

- (6) 1.0 acre, File No. 12889, being a former stockpile site on the northwesterly side of the Kimberly-Long Creek Highway approximately seven miles east of Kimberly in Grant County for not less than \$100. One point of access is to be allowed to the property and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

Authority was requested by the Right of Way Engineer to make direct sales on eight parcels of property which are no longer needed for highway purposes. Public sale of these properties, he said, is not feasible because of peculiarities of location which restrict salability to a single party. Sale prices have been determined by competent appraisals. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 519 through 522," which resolutions by this reference are made a part hereof and filed in the Secretary's office.

- (1) To Luther M. Newgard, 3,900 square feet of land, File No. 5492, on the N.E. Portland Highway at 51st Avenue in Portland, Multnomah County, for \$500. (Telephonic approval was received from Chairman Jackson on July 14, 1969.)
- (2) To the City of Rufus, 3.72 acres, File No. 16067, consisting of the former Rufus Maintenance Station along the Columbia River Highway in Sherman County for \$16,250. 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. 519.")
- (3) To Lyle G. and Anna E. Truedson, 0.03 acre, File No. 20254, consisting of a portion of former Front Avenue in the City of Clatskanie along the Columbia River Highway in Columbia County for \$500. Signboard and junkyard exclusion clauses are to be included in the deed and no access is to be permitted to the Columbia River Highway.

The purchaser is to be required to perform certain fill work, to install a highway frontage sidewalk, and to relandscape the remaining State-retained land outside the right-of-way. Concurrence by the Bureau of Public Roads was requested by letter dated July 31, 1969.

- (4) To Allen Jackson, Frank O. Shorts, and LaVerne L. Stubbs, 13,000 square feet of land, File No. 15919, adjoining the Cascade Locks Maintenance Station in the City of Cascade Locks along the Columbia River Highway in Hood River County for \$225. The property is to be divided into three units and each unit is to be sold to the adjacent owner for \$75. The sale is to be subject to a sewer easement which is to be conveyed to the City of Cascade Locks. Approval by the Bureau of Public Roads is not required.
- (5) To the City of Elkton, 1.02 acres, File No. 4592, consisting of the former Elkton Maintenance Station on the Umpqua Highway in the City of Elkton, Douglas County, for \$1,750. 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. 520.")
- (6) To the City of Salem through the Regional Parks and Recreation Agency of the Willamette Valley, 2.84 acres for public use, File No. 26542, located on the westerly side of East 35th Street in Salem about 900 feet north of Livingston Avenue on the Salem Bypass Section of the Pacific Highway in Marion County for \$5,000. No access is to be allowed to the Pacific 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. 521.")
- (7) To the City of Sutherlin, 58.8 acres, File No. 18939, located west of the Pacific Highway just north of the Sutherlin Interchange in Douglas County for \$11,760. Signboard and junkyard exclusion clauses are to be included in the deed. No access is to be allowed to the Pacific Highway. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 522.")

- (8) To Hal Hinkley, 1.9 acres, File No. 18477, consisting of a haul road easement on the Quartz Creek-North Plains Section of the Sunset and Wilson River Highways in Washington County acquired by the State in 1952 to provide access to a quarry site. The quarry site, however, was not acquired by the State. The easement was purchased from Mr. Hinkley for the sum of \$100 and is to be sold to him for the same amount. Approval by the Bureau of Public Roads is not required.

Consideration was given to a Relinquishment of Title to the City of Brookings on 0.06 acre consisting of the former Brookings stockpile site on the Oregon Coast Highway in Brookings, Curry County. The Right of Way Engineer commented that the land is to be used for public street purposes only and no consideration is involved. Approval by the Bureau of Public Roads is not required. The Commission approved the relinquishment.

The Commission gave attention to a proposed five-year lease with Sites Silver Wheel Freightlines, Inc., allowing them to use 67,730 square feet of land beneath the Marquam Bridge on the Pacific Highway in Portland between S.E. Madison Street and S.E. Salmon Street. The Right of Way Engineer explained that the rental rate of \$450 per month is to be waived for the first six months of the contract in return for the lessee making improvements at an estimated cost of \$42,000. Approval was received from the Bureau of Public Roads on July 22, 1969, and he recommended that the lease be approved. The Commission accepted his recommendation.

An Indenture of Access to Edward J. and Elma R. Wildblood, File No. 33550, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Crater Lake Highway approximately four miles west of Prospect in Jackson County was brought up by the Right of Way Engineer. The Bureau of Public Roads, he said, approved the Indenture January 22, 1969, and he recommended approval. The Commission accepted his recommendation.

Attention was given to an Indenture and Grant of Access to Martin and Ethel Kincheloe, Files Nos. 31423 and 31429, on the easterly side of the Coos Bay-Roseburg Highway in Myrtle Point, Coos County. The Right of Way Engineer pointed out that a change is to be made in the location of one unrestricted point of access which will be widened to provide access to a service station, and an additional unrestricted point of access 40 feet wide is to be granted for consideration of \$400. Approval has been received by the Bureau of Public Roads. Following his favorable recommendation, the Commission approved the Indenture and Grant of Access.

Confirmation was requested by the Right of Way Engineer for telephone approval given by the Chairman on July 18, 1969, concerning award of a demolition contract on the East Portland Freeway in Portland. The low bid was received from Heard Construction Company in the amount of \$3,384. The Commission confirmed award of the contract and authority for the Secretary to sign it.

Confirmation was also requested by the Right of Way Engineer for telephone approval given by the Chairman on July 25, 1969, pertaining to award of a demolition contract on the Ross Island Bridge-Redway Street Section of the Pacific Highway East in Multnomah County. The only bid received was from Heard Construction Company in the amount of \$1,275. However, this bid was rejected as being too high and a contract in the amount of \$800 was negotiated for removal of a building, rough grading and cleaning up of debris. The Commission confirmed award of the negotiated contract to Heard Construction Company and authority for the Secretary to sign it.

The Right of Way Engineer reported that two bids had been received for removal of 19 houses, 14 garages, rough grading, and cleaning up of debris on sections of the East Portland Freeway in Multnomah County. The low bid was submitted by R.A.V. Wrecking Company in the amount of \$7,345 and he recommended that the contract be awarded to them. The Commission accepted his recommendation and authorized the Secretary to sign the contract in their behalf.

The Chairman inquired as to progress being made on wrecking of the old Journal Building in Portland. The Engineer replied that the contractor's progress has been very slow. The contractor claims that he has had difficulty with the City of Portland in securing the proper permits.

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. 2557 through 2560," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. He commented that trial cases had been slow during August as many of the courts are on vacation. Of the cases tried, the owners had demanded a total of approximately \$119,000 compared with appraisals totaling approximately \$50,000. Verdicts totaled approximately \$82,000. The Commission accepted the report which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5742	Clackamas	East	Columbia	\$21,850.00	\$75,000.00	\$64,000.00
L. A.		Portland	River-		before filing (Answer)	
Wievesiek,		Freeway	Pacific	\$37,000.00		
et al.			Highway	before trial		

August 19, 1969

(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5980	Polk	Kings	Walnut	\$11,700.00	\$40,000.00	\$16,000.00
Clarence		Valley	Avenue-			
E. Grubbs,			Washington			
et al.			St. Section			
			(Dallas)			
L-5612	Union	Old	La Grande	550.00	4,000.00	2,065.00
Charles		Oregon				
W. Peck,		Trail				
et al.						

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5616	Herrett	Lane	Property	\$35,251.06	None against
Greyhound	Trucking		damage and		State or its
Lines,	Co.		loss of use		employees
Inc.			of a bus		
L-6032	Gary Laine	Jackson	Negligent	312.62	\$ 312.62
State of	Spruill		operation of		
Oregon			motor vehicle		
			damaging bridge		
			rail		
L-6038	Jane Doe	Multnomah	Forced Entry	Defendant	Restitution
State of	Scott		and Detainer	vacate	granted
Oregon				premises	

(Defendant failed to pay rental on dwelling under rental agreement - also refused to vacate premises. Upon the judgment being filed she moved.)

(For additional details, see the Chief Counsel's letter of August 14, 1969, concerning cases tried and filed in the Salem Office, General Files.)

Cases settled out of court since the last Commission meeting were considered in a report presented by the Chief Counsel. The total of the appraisals, he said, was approximately \$29,500 and the total settlements approximately \$31,700. The Commission approved the settlements which are summarized as follows:

August 19, 1969

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-5846 Briarcliff Properties, Inc.	Columbia	Columbia River	Delena- Rainier	\$ 4,700.00	\$ 4,500.00
(Settlement based on a Land Use Permit for landscape purposes and rental basis for the unneeded portion of right-of-way. Owner will landscape in connection with proposed golf course and multiple housing development.)					
L-6040 Lena Christensen, et vir.	Coos	Bandon State Park		21,000.00	23,000.00
L-5886 George D. Jones, et al.	Marion	Woodburn- Estacada	Killin Bridge	1,050.00	1,200.00
L-6009 Dale S. Green, et al.	Josephine	Redwood	Pollard Cr.- Wilderville	2,150.00	3,000.00

REPORT OF OTHER CASES SETTLED

<u>Case</u>	<u>Defendants</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
L-5149 William Lowe	Morse Bros., Inc.	United States District Court for Oregon	Personal in- jury	\$527,574.65	(See next page)
L-5150 Lloyd Lowe	Morse Bros., Inc.	United States District Court for Oregon	Personal in- jury	215,979.00	
L-5151 Donna Lowe	Morse Bros., Inc.	United States District Court for Oregon	Personal in- jury	16,118.00	

(Continued on next page)

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(Report of Other Cases Settled Cont.)

<u>Case</u>	<u>Defendants</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demand of Plaintiff</u>	<u>Settlement</u>
L-5152 William Lowe	Morse Bros., Inc.	United States District Court for Oregon	Wrongful death	\$ 12,847.65	
L-5153 Donna Lowe	Morse Bros., Inc.	United States District Court for Oregon	Loss of Consortium	100,000.00	
L-5154 Dorothy C. Pedersen	Morse Bros., Inc.	Circuit Court State of Oregon for Douglas County	Wrongful death	25,000.00	\$10,000.00

(These six cases were filed as a result of an automobile collision on September 25, 1964 on the Winchester-South Umpqua River Section of the Pacific Highway.)

It has recently been reported to us that all six cases, with a potential liability of \$897,519.30, have been settled. The total amount of the settlement is not known in this office, however, it is reported to us that the State's insurance carrier contributed \$10,000 towards the settlement. Full releases were received and the cases have been dismissed with prejudice.)

L-5880 State of Oregon	Dale D. Bishop, et al.	Wasco	Damage to State guard- rail	333.49	275.00
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(Chief Counsel recommends settlement as the cost of rounding up witnesses preparing for trial and trial would be far in excess of the difference.)

(For additional details, see the Chief Counsel's letters dated August 14 and 19, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission on telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings, summarized as follows:

ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY

R-33090 - Gary L. Gaulke, et al. 4,670 square feet for right-of-way purposes. Offer of \$700.00 approved by Mr. Jackson July 28, 1969.

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FOSTER TRUCK SCALE SLIDE SECTION OF THE SANTIAM HIGHWAY

R-43491 - Dewey C. Gearin, et ux. 3.02 acres for right-of way purposes. Offer of \$5,250.00 approved by Mr. Jackson July 14, 1969. Revised offer of \$7,700.00 approved by Mr. Jackson July 18, 1969.

SADDLE MOUNTAIN-LITTLE NORTH FORK NEHALEM RIVER BRIDGE SECTION OF THE SUNSET HIGHWAY

R-43090 - Walter C. Huber, et al. Parcel No. 1: 2.25 acres for right-of-way purposes; Parcel No. 2: 0.1 acre for permanent easement. Offer of \$2,775.00 approved by Mr. Jackson August 8, 1969.

SQUAW CREEK BRIDGE SECTION OF THE MCKENZIE HIGHWAY

R-43504 - Rex Trowbridge, et ux. 0.12 acre for right-of-way purposes. Offer of \$300.00 approved by Mr. Jackson July 29, 1969.

WEST LINN-PACIFIC HIGHWAY UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43737 - Miller Evans, et ux. Parcel No. 1: 0.58 acre for right-of-way purposes; Parcel No. 2: 0.36 acre for right-of-way purposes. Offer of \$3,500.00 approved by Mr. Bruno August 5, 1969.

A report was submitted by the Chief Counsel on orders received from the Public Utility Commissioner regarding highway crossing matters, summarized as follows:

PUX 719 - Grande Ronde River Overcrossing on the Old Oregon Trail in Union County for a structure over the Union Pacific Railroad. The order was granted in accordance with the State's application.

PUX 733-736 - Pertaining to four grade crossing alterations on the Oregon-Washington Highway in the City of Milton-Freewater in Umatilla County. The orders of the Public Utility Commissioner were granted on the basis of the Highway Department's applications, and agreements have been worked out with the Union Pacific Railroad Company and the Walla Walla Valley Railway Company.

Legal proceedings involving the State Highway Commission and its employees were reported on by the Chief Counsel. The Commission accepted the report summarized as follows:

- (1) Pacific Navigation Company vs. State of Oregon and State of Washington, L-6035: This case involves a collision of a deep sea oil drilling platform with the bridge across the Columbia River between Portland and Vancouver in Multnomah County. Plaintiff claims damages in the sum of \$50,000.

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- (2) Edward J. Hoover vs. Dennis Edward Alley and Ross Lee Stock, L-6047: Plaintiff alleges that Mr. Stock was negligent in signaling to him on the Florence-Eugene Highway in Lane County and demands the sum of \$1,709.95 for damages sustained in a collision.
- (3) Kenneth Wills vs. Oregon State Highway, L-6048: Plaintiff alleges that in passing the defendant's truck on I-5 in Linn County, gravel was allowed to drop from the truck which damaged his vehicle. Plaintiff seeks \$398.96 damages plus \$250 attorney fees.

The Chief Counsel requested the Commission to confirm prior verbal denial of a request made by Calvert Services, Inc., a contractor, for:

- (1) Release from performance of Contract 7203 on grounds of an error made in computation of the bid.
- (2) A supplemental agreement to increase the bid price by \$37,547.20 to a total contract amount of \$105,647.20.

The Commission confirmed their denial. The Chief Counsel also requested and the Commission granted authority to tender performance of Contract No. 7203 to Reliance Insurance Company, surety under the bond on said contract. (For additional details, see the Chief Counsel's letter dated August 15, 1969, entitled Contract No. 7203 - painting Coos Bay (McCullough Bridge, Calvert Services, Inc.))

The Engineer requested confirmation of telephonic approval given by the Chairman July 22, 1969, accepting a deed from Pacific Power and Light Company for approximately 260 acres located along White River. This land, located about four miles east of Tygh Valley in Wasco County, is to be used for park and recreation purposes. The Commission confirmed acceptance of the deed and instructed the Secretary to convey by letter to Pacific Power and Light Company their appreciation for the gift.

The Commission considered an extension of the Marine Facilities Program as approved by the 1969 State Legislature. With funds provided under this program, grants are made to counties to aid in construction of marine park facilities. The Engineer recommended that \$150,000 be made available to the counties for the 1969-70 fiscal year using the same formula as in prior years. The Commission approved the allocation to the counties as follows:

MARINE FACILITIES PROGRAM
COUNTY ALLOCATIONS--AUGUST 1969

County	
Baker	\$ 1,879.80
Benton	2,554.80

(Cont. on following page)

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(Marine Facilities Program County Allocations Cont.)

County

Clackamas	\$ 10,204.80
Clatsop	4,568.55
Columbia	3,578.55
Coos	5,794.80
Crook	4,422.30
Curry	3,314.15
Deschutes	11,661.70
Douglas	8,618.55
Gilliam	1,142.90
Grant	1,193.55
Harney	1,390.40
Hood River	1,553.55
Jackson	5,693.55
Jefferson	4,433.55
Josephine	2,352.30
Klamath	6,677.90
Lake	1,789.80
Lane	10,407.30
Lincoln	10,244.15
Linn	3,083.55
Malheur	2,464.80
Marion	5,513.55
Morrow	1,216.05
Multnomah	13,579.80
Polk	2,189.15
Sherman	1,193.55
Tillamook	5,721.65
Umatilla	1,868.55
Union	1,255.40
Wallowa	1,390.40
Wasco	1,840.40
Washington	2,104.80
Wheeler	1,075.40
Yamhill	2,026.05

Total \$150,000.00

Consideration was given to an agreement with the City of Lake Oswego for purchase of 0.88 acre of Willamette riverfront land adjacent to the George Rogers Park in Clackamas County. The Engineer commented that the Willamette River Park System Committee on August 5, 1969, had approved an application from the City for purchase of this land at an estimated cost of \$25,000 to be financed with Federal funds in the amount of \$12,500, with City funds in the amount of \$6,250 and \$6,250 from Willamette River Park System funds. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission also considered an agreement with Lane County for purchase of 117 acres along the Willamette River east of Junction City as

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a part of the Willamette River Park System. This purchase, the Engineer stated, was also approved by the Willamette River Park System Committee on August 5, 1969. The tract, known as Marshall Island, is an important element in the Central Lane Comprehensive Regional Park Plan. Under the agreement financing of the purchase is to be \$23,000 from Federal funds, \$11,750 from local funds and \$11,750 from Willamette River Park System funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Polk County for acquisition of 56.6 acres in the old Eola townsite west of Salem on the Willamina-Salem Highway was brought up by the Engineer. Acquisition of this tract of land has been approved by the Willamette River Park System Committee. Financing of the agreement is to be \$40,000 from Federal funds, \$20,000 from County funds and \$20,000 from Willamette River Park System funds. He also commented that the County's share of the cost is being contributed by the owner of the property. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

Attention was also given to an agreement with the City of Portland for purchase of 5,421 square feet of riverbank property which adjoins park property now owned by the City of Portland along the Willamette River. The project was approved by the Willamette River Park System Committee on August 5, 1969, at an estimated cost of \$21,000 to be financed by Federal funds in the amount of \$10,500, City funds \$5,250 and Willamette River Park System funds \$5,250. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign it in their behalf.

The Engineer reported that it is necessary to increase project authorizations because of overruns on two contracts. Following his explanation of the causes for the overruns, the Commission approved increases as follows:

- (1) Contract 7232 on the Cascade Highway in Multnomah County in the amount of \$14,705 (18.09%). Inadvertently, funds were not included for adjustment of manholes, removal of traffic signals, adjusting traffic signal devices and striping.
- (2) Contract 7260 on the Old Oregon Trail in Baker County for an increase of \$22,895.81 (10.74%). Removal of unstable grade material was given as the principal cause of the overrun.

The Engineer requested and the Commission authorized the Engineer to hold a corridor-design combination hearing on the Divide-Anlauf Section of the Pacific Highway in Douglas County to bring this section up to present Interstate standards.

The Engineer requested confirmation of his letter of August 1, 1969, recommending Corridor 1 as the approved route on the Brookings-Winchuck River Section of the Oregon Coast Highway in Curry County. He recalled that a Corridor hearing was held May 22, 1969, and a careful study had been made of the hearing transcript. Corridor 1, in addition to superior alignment and lesser cost of construction, was favored by the local

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Chamber of Commerce, the Port of Brookings, the Curry County Board of Commissioners and the City of Brookings as well as nine out of eleven individuals who presented testimony. The Commission confirmed their previous action approving Corridor 1 as the route, contingent upon approval by the Bureau of Public Roads, and thereupon adopted "Highway Corridor Resolution No. 369," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation by the Commission for adoption of a corridor-design on the Polk Street-Hilda Street Section of the Cascade Highway in Oregon City, Clackamas County, was requested by the Engineer. He recalled that a combination corridor-design hearing had been held May 27, 1969, and the proposal had been favored by those attending the hearing. The Commission confirmed their approval of the corridor-design for this 0.63 mile section and authorized purchase of right-of-way by adopting "Highway Corridor and Design Resolution No. 370," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Engineer stated that two projects had been tentatively approved on Program XII for contracting during the next construction season. Public hearings will be required on these projects. The Commission confirmed construction and financing of the following projects on Program XII and authorized holding the necessary public hearings:

<u>Highway</u>	<u>Section</u>	<u>Amount</u>
Albany-Lyons	Mehama Bridge	\$600,000
N.E. Portland	N.E. 60th Avenue- Cascade Highway	700,000

An increase in authorization to correct a slide at Neil Creek on the Pacific Highway (I-5) in Jackson County was brought up by the Engineer. He pointed out that the project was originally authorized in the 1969 State Construction Program for \$100,000. However, investigation indicates that more elaborate measures will be necessary to correct the slide and he recommended an increase in the amount of \$100,000, and that authority be granted to contract the work at an early date. He recalled that the increase had been verbally approved by the Chairman on July 31, 1969. The Commission confirmed the increase.

Continuation of a cooperative program with the U.S. Coast and Geodetic Survey was discussed. The Engineer stated that the program had been under way for a number of years to establish horizontal geodetic control along the Federal-aid Highway System in the State. The work is valuable and he recommended that it be continued at an estimated cost of \$1,500 for the current fiscal year beginning July 1, 1969, as a part of the Highway Planning Research Program. The Commission approved the program.

Payment for damage to a grain crop in a field owned by Mr. Ernest Boehrman at the westerly end of the Wilson River Junction-North Plains Section on the Sunset Highway in Washington County was considered. The Engineer stated that it was necessary that the field survey crew work in the grain field and that damage had been caused. The Resident Engineer and Mr. Boehrman arrived at a damage figure in the amount of \$25 and the Engineer recommended that the amount be paid. The Commission accepted his recommendation.

Financing and early contract letting were recommended by the Engineer on the Geary Ranch-Green Springs Interchange Section on the Lake of the Woods Highway in Klamath County. He recalled that in July 1966 the survey had been approved and Klamath County had been delegated as the purchasing agent for the necessary right-of-way. He estimated cost of construction at \$2,000,000. The Commission confirmed financing for the project in Program XII and authorized that it be contracted as soon as possible.

Requests by contractors for extensions of time in which to complete highway contracts without assessment of liquidated damages were considered. The Engineer commented 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 requests as follows:

- (1) Ross Brothers Construction, Inc., Contract No. 7167, for construction of the Bachelor Butte Sand Shed on the Century Drive Highway in Deschutes County, requested 83 additional calendar days. The Commission approved an extension of 76 calendar days without assessment of liquidated damages.
- (2) Babler Brothers, Inc., Contract No. 7175, on The Dalles-California Highway in Klamath County, requested an increase of 44 calendar workdays. The Commission denied the request.
- (3) Babler Brothers, Inc., Contract No. 7172, on the Steens Highway in Harney County, requested an increase of 63 calendar workdays. The Commission confirmed their approval of an increase of 61 calendar workdays without assessment of liquidated damages. (Verbal approval was given by Chairman Jackson on July 31, 1969.)
- (4) Sims Electric, Inc., Contract No. 7169, for traffic signals in Myrtle Point on the Coos Bay-Roseburg Highway in Coos County, requested 50 additional calendar days. The Commission approved an extension of 50 calendar days without assessment of liquidated damages.
- (5) Wildish Construction Company, Contract 7133, on FAS Highway 859 in Lane County, requested an increase of 136 calendar workdays. The Commission confirmed their approval of an increase of six workdays on the early unit and 88 workdays on the overall project without assessment of liquidated damages. (Verbal approval was given by Chairman Jackson on August 5, 1969.)

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- (6) Morse Brothers, Inc., Contract No. 7127, on FAS 209 in Benton County, requested an increase of 18 calendar workdays. The Commission denied the request.
- (7) Babler Brothers, Inc., Contract No. 7249, on the Shaniko-Fossil Highway in Wasco County, requested an extension of the specified completion date from July 15 to August 15, 1969. The Commission denied the request.
- (8) Underwood and Richards Construction Company, Inc., Contract No. 6895, on The Dalles-California Highway in Klamath County. In the final settlement on this contract, consideration was given by the Claims Review Board to a reduction in previously assessed liquidated damages amounting to \$10,000 for 100 calendar days. It was finally determined, based on the opinion of the Chief Counsel, that no liquidated damages should be assessed after the section was opened to traffic. On this basis the Commission approved an extension of 23 days without assessment of liquidated damages. This action refunds to the contractor \$2,300 in liquidated damages previously assessed.
- (9) W. R. Grasle Company, Contract No. 7157, on the Columbia River Highway in Hood River County, requested an extension of 105 calendar days. The Commission approved an extension of 108 calendar days without assessment of liquidated damages thus waiving all liquidated damages on this contract.
- (10) Peter Kiewit Sons' Company, Contract No. 7124, on the Fremont Bridge piers on the Stadium Freeway in Multnomah County, requested an extension of 238 calendar days. The Commission approved an extension of 183 calendar days without assessment of liquidated damages. Bureau of Public Roads' approval was given by letter dated August 8, 1969.
- (11) B.S.B. Cinder Company, Contract No. 7243, on the Pacific Highway in Jackson County, requested an extension of the specified completion date from October 1 to October 20, 1969. The Commission approved an extension to October 6, 1969, the estimated date of completion, without assessment of liquidated damages.
- (12) Rogers Construction, Inc., Contract No. 7097, on the Old Oregon Trail in Umatilla County, requested an extension of 21 calendar workdays. The Commission approved an extension of 7 calendar workdays without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated August 12, 1969.

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The Engineer reported that Contract Nos. 7017, 7047, 7159, 7161, 7167, 7184, 7205, 7213, 7217 and 7237 for highway construction have been completed as required by the contracts or modifications thereof and said contracts have been approved by letter to the Commission since the last Commission meeting. After due consideration, the Commission confirmed acceptance of the contracts by adopting "Contracts Completed Resolution No. 178," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The next regular Commission meeting date was confirmed for September 30, 1969, in the State Highway Building, Salem. A tentative date for the following meeting was set for November 18, 1969.

The Commission confirmed telephonic approval given August 8, 1969, awarding contracts on which bids were received July 31, 1969, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM ON JULY 31, 1969

Contract No. 7289 for grading, paving, and structure on the Saddle Mountain Junction-Little North Fork Nehalem River Section of the Sunset Highway in Clatsop County. FAP No. F-181(23). Seven bids were received. The Commission elected to accept the low bid of Roy L. Houck Sons' Corporation, Salem, in the sum of \$1,240,903.50 and the State Highway Engineer was directed to award the contract to said bidder as soon as necessary right-of-way is acquired and approval of the Bureau of Public Roads is received.

Pavement seal 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(42)39. One bid was received. The Commission rejected the lone bid as being too high.

Contract No. 7291 for paving the Crater Lake Highway-South Fork Reese Creek Section of FAS 15-101 in Jackson County. FAP No. S-15-101(1). One bid was received. The Commission elected to accept the lone bid of Rogue River Paving Company, Inc., Medford, in the sum of \$117,040 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 \$27,600 is deposited by the County.

Grading and paving 1st Street in Gervais in Marion County. State Project. No bids were received.

Contract No. 7292 for grading, paving, and roadside improvement on the Tillamook Bay Viewpoint Section of the Oregon Coast Highway in Tillamook County. State Project. One bid was received. The Commission elected to accept the lone bid of All-City Landscape, Inc., Portland, in the amount of \$14,771.50 and the State Highway Engineer was directed to award the contract to said bidder contingent upon receipt of a contribution from a pledged donor.

Contract No. 7293 for grading and paving N.W. 4th Avenue-Broadway (Milton-Freewater) Section of the Freewater Highway in Umatilla County. State Project. One bid was received. The Commission elected to accept the

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lone bid of Braden, Nelson and Herndon Construction Company, Walla Walla, Washington, in the sum of \$59,779 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Milton-Freewater is received and the sum of \$21,362 is deposited by the City.

Ukiah Rock Production Project on Pendleton-John Day and Ukiah-Hilgard Highways in Umatilla County. State Project. One bid was received. The Commission rejected the bid as being too high.

Grading Nyberg Road Interchange on the Pacific Highway in Washington County. Federal-aid Interstate Highway Project No. I-5-5(46)291. Three bids were received. The Commission rejected all the bids as being too high.

Cleaning and painting of structural steel on approach spans of Astoria Bridge on Oregon Coast Highway in Clatsop County. State Project. One bid was received. The Commission rejected the bid as being too high.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on July 31, 1969, on a negotiated contract with Stoffel Brothers Drilling Company for drilling a well in a safety rest area on the Old Oregon Trail near Ladd Canyon in Union County. He recalled that three unsuccessful attempts had been made to secure a satisfactory bid. The latest attempt was made on June 26, 1969, when a bid of \$7,840 was received, which compared with the Engineer's estimate of \$3,490. Contact was made with the Bureau of Public Roads who approved entering into a negotiated contract which was arranged with Stoffel Brothers Drilling Company in the amount of \$4,570. The Commission confirmed the contract and authority for the Secretary to sign it.

The Engineer reported that as recommended by him the Commission on July 3, 1969, accepted the low bid of Cascade Construction Company, Inc., to rebuild Commercial Avenue in the City of North Plains in Washington County for a bid price of \$46,850.40. Award of the contract, however, was contingent upon the City of North Plains contributing \$31,090. The City now states that because the low bid was above the estimate, they are not able to contribute their share. The matter was discussed with the Chairman on July 28, 1969, and action was taken to reject all bids received on this project. The Commission confirmed the action.

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 satisfied. The Commission confirmed his award of the following highway contracts:

- (1) Traffic signal installation on Washington Street at 7th Street in the city of Oregon City (Cascade Highway) in Clackamas County. Bids received June 26, 1969. Contract No. 7277 awarded July 11, 1969, to Sims Electric, Inc., Roseburg, low bidder.

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- (2) Grading and paving Fern Avenue in the city of Brookings in Curry County. Bids received June 26, 1969. Contract No. 7279 awarded July 24, 1969, to Da-Tone Construction Company, Brookings, low bidder.
- (3) Slide correction on the Foster Truck Scale Section of the Santiam Highway in Linn County. Bids received June 26, 1969. Contract No. 7282 awarded July 25, 1969, to Floyd Grahm Construction Co., Lebanon, low bidder.
- (4) Grading and paving N. Delaware Avenue-N. Woolsey Avenue in the city of Portland on N. Columbia Boulevard (FAS 940) in Multnomah County. Bids received June 26, 1969. Contract No. 7284 awarded July 24, 1969, to Cascade Construction Company, Inc., Portland, low bidder.
- (5) Slide correction on Murphy Hill Section of the Salmon River Highway in Polk County. Bids received June 26, 1969. Contract No. 7285 awarded July 8, 1969, to Slate-Hall, Portland, low bidder.
- (6) Paving on the Crater Lake Highway-S. Fork Reese Creek Section of FAS 15-101 in Jackson County. Bids received July 31, 1969. Contract No. 7291 awarded August 12, 1969, to Rogue River Paving Company, Inc., Medford, low bidder.

The Commission considered requests from Clackamas, Washington and Umatilla Counties for Federal Aid Secondary Construction Projects, and also a request from Douglas County for cancellation of a FAS Project. The Engineer reported that these requests have been investigated and are eligible for the use of Federal Aid Secondary Funds. Following his favorable recommendation, the Commission approved the following projects, including the cancellation of the project in Douglas County, and authorized the Secretary to sign construction agreements when prepared.

County	FAS	Section & Description	Programmed Amount	FAS Funds
Clackamas	129	Hogan Road-6th Street (Boring) Section, Clackamas-Boring Road. Grade, drain, base, and pave. 2.13 miles.	\$ 350,000	1969
Umatilla	911	Hermiston-Meadow Valley Interchange Section; Westland Road. Signalize RR crossing. (An FAS-G project with 90% Federal funds and 10% RR funds.)	25,000	1969
Washington	944	S.W. Hunziker Street-Lower Boones Ferry Road Section; S.W. 72nd Ave. Structure, grade, drain, base, curb, and pave.	650,000	1969
TOTAL NEW PROJECTS			\$1,025,000	

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County	FAS	Section & Description	Programmed Amount	FAS Funds
		(TOTAL NEW PROJECTS CONT.	\$1,025,000)	

Cancellation of Previously Approved Projects

Douglas	253	Dixonville-Oak Creek Bridge Section; North Umpqua Highway County Road, approximately 5 miles. Approved by Highway Commission 10-1-68.	650,000	
		TOTAL	\$ 375,000	

Total Federal funds transferred - \$17,715.
This amount of Federal funds equals \$30,000 total FAS funds.

SUMMARY BY FISCAL YEARS	1969	1970	TOTAL
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (corrected to date)	3,969,000	216,000	4,185,000
Unprogrammed Balance	--	4,873,000	4,873,000
Projects Proposed 8-19-69	--	375,000	375,000
		4,498,000	4,498,000
Transfer Federal Funds		30,000	30,000
Unprogrammed Balance	\$ --	\$4,468,000	\$4,468,000

The Engineer stated that conditions causing accidents on the Mt. Hood Highway in the vicinity of its intersections with Clackamas-Boring and Epperson Roads in Clackamas County have been studied. As a result of these studies, he recommended rescinding "Speed Zone Resolution No. 519," dated November 22, 1966, and establishment of the following speed zones on the Mt. Hood Highway in Multnomah and Clackamas Counties:

65 miles per hour from 150 feet east of Palmquist Road (M.P. 14.72) to 0.26 mile west of Clackamas-Boring Road (M.P. 19.28)

50 miles per hour from M.P. 19.28 to 0.29 mile east of Epperson Road (M.P. 19.93)

65 miles per hour from M.P. 19.93 to 0.20 mile east of Jarl Road (M.P. 22.35)

55 miles per hour from M.P. 22.35 to the west city limits of Sandy (M.P. 23.44)

Chairman Jackson gave telephonic approval of this speed zone on July 28, 1969. The Commission confirmed this action and thereupon adopted "Speed Zone Resolution No. 548," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on July 28, 1969, for the installation of flashing beacons on the Mt. Hood Highway at intersections with the Clackamas-Boring Road and Epperson Road west of Sandy in Clackamas County. This action, the Engineer stated, was taken because of accidents at these two intersections. The cost to the State for installation is estimated at \$1,600 from Minor Betterment Funds. Arrangements have been made by letter with Clackamas County by which the county is to maintain the beacons and pay for electrical energy used. Based on the Engineer's favorable recommendation, the Commission confirmed the arrangement as presented.

An agreement with the City of Portland was discussed concerning installation of luminaire units on the Fremont Bridge and the East Fremont Bridge Interchange on the Stadium Freeway in Portland. The State is to install the luminaire units as a part of the construction of the bridge at an estimated cost of \$330,000 and provide for future maintenance. The City is to pay the cost of electrical energy consumed. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement for them.

The Commission considered a cooperative agreement with the City of Florence for improving the intersection of the Oregon Coast Highway with the Florence-Eugene Highway in Lane County. The Engineer recalled that on March 11, 1969, a delegation had appeared before the Commission requesting four-lane construction in the northerly part of Florence. The cost of the requested project, however, is greater than can be financed at this time and a project was worked out with City officials to improve the intersection at an estimated cost of \$56,000. He explained that this is not a substitute for the previous request but is a part of the overall plan. Under the agreement, the City is to pay \$19,000 and the State \$37,000. The project is divided into two portions: the first for roadway and street work at an estimated cost of \$32,000, and the second for installation of traffic lights at an estimated cost of \$24,000. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement. The Commission also approved adding this project to the current State Construction Program.

The Engineer presented a resolution redesignating a part of the old highway because of the relocation and construction of a new section of the Old Oregon Trail bypassing Pendleton in Umatilla County. The old highway section from a point near the west city limits of Pendleton through Pendleton to a point approximately 1.5 miles east of Pendleton covering 6.47 miles is to be redesignated as the Pendleton Primary Highway No. 67. The route of the Oregon-Washington Highway will be common with the proposed highway for 0.7 mile. The Commission approved the redesignation and thereupon adopted "Primary Highway Designation Resolution No. 44," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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Attention was given to an application submitted by the City of Stanfield, Umatilla County, for a loan of \$25,000 to repair damage to roads and streets caused by last winter's storms. The Engineer stated that the Legislature had authorized the loan of funds for this purpose, but that the City's application was not received in time to be presented at the July 8 meeting. The application, however, was made prior to the June 30 deadline and approved by the Chairman on July 28, 1969. Following his favorable recommendation the Commission confirmed advancing \$25,000 to the City to be repaid in five years and authority for the Secretary to sign the agreement.

The Commission also considered a request from the City of West Linn, Clackamas County, for a loan of \$50,000 because of damages to roads and streets caused by last winter's storms. The Engineer stated that the City had submitted its application prior to the June 30 deadline but the City resolution authorizing the proposal was not received in time to be considered at the July 8 meeting. The City's request was approved orally by the Chairman on July 15, 1969. The Commission confirmed the loan and authorized the Secretary to sign an agreement covering it.

Consideration was given to an agreement with Gold Hill Irrigation District providing for maintenance of an irrigation ditch on the Evans Creek-Rock Point Section and Rock Point-Seven Oaks Section of the Pacific Highway in Jackson County. The Engineer commented that subsequent to construction there have been differences of opinion as to maintenance responsibilities. The agreement defines these responsibilities between the District and the State Highway Division. He estimated the cost to the State will not exceed \$200 annually and recommended that the agreement be approved. The Commission accepted his recommendation and authorized the Secretary to sign the agreement.

The Commission also considered an agreement with Oro Dell Irrigation Ditch Company covering relocation and adjustment of their facilities on the La Grande Section of the Old Oregon Trail in Union County. The agreement defines responsibilities of the Irrigation Company and the State Highway Division. The Engineer estimated the cost to the State at \$13,600 which will be included in the highway construction contract. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

An agreement with Union Pacific Railroad Company and Roy L. Houck Sons' Corporation pertaining to construction of a haul road at grade across the railroad on the Lime Section of the Old Oregon Trail in Baker County was discussed. The Engineer stated that the Railroad is to be reimbursed by the contractor for all expenses incurred by the Railroad as the crossing is being built for the contractor's convenience. The Commission accepted his recommendation for approval.

Attention was given to an agreement with Southern Pacific Company concerning the installation and maintenance of a railroad crossing at grade across the Hillsboro-Silverton Highway at Silverton in Marion County. The Engineer observed that an order had been issued by the Public Utility Commissioner authorizing the construction at the expense of Southern Pacific Company including truck and bus stop lanes, lights, and gates. The agreement defines the responsibilities of the State and the Railroad Company. The Commission accepted his recommendation for approval.

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The Commission also considered an agreement with Southern Pacific Company for construction of a crossing at grade over the Albany-Junction City Highway to serve the American Can Company near Halsey in Linn County. The Public Utility Commissioner's order, the Engineer said, assessed all costs of construction to Southern Pacific Company and also the maintenance of the lights and gates. The agreement further delineates the responsibilities of Southern Pacific Company and the State and he recommended it be approved. The Commission accepted his recommendation.

An agreement with Southern Pacific Company for installation of a crossing of the railroad tracks, the installation of flashing light signals and automatic gates at Goose Lake State Recreation Area in Lake County was considered. The Engineer pointed out that the railroad tracks lie between the camp and day-use areas and the lake, and those wishing to launch boats must cross the railroad tracks to reach the launching ramp. The Southern Pacific Company is to perform all the work and furnish all materials and the State is to reimburse Southern Pacific Company for their costs which the Engineer estimated at \$18,815. The Commission accepted the Engineer's recommendation for approval.

Eight forms for Consent to Annexation to the City of Tigard involving the Pacific Highway West, the Beaverton-Tigard Highway, the Pacific Highway and the Beaverton-Tualatin Highway in Washington County were presented by the Engineer. He stated that the requests for annexation had been carefully investigated and the eight parcels presented do not form enclaves. He recommended that the Commission give its consent to the annexations. The Commission accepted his recommendation and authorized the Secretary to sign the annexation forms in their behalf.

Consideration was also given to a request from the City of Ontario for Consent to Annexation of a portion of highway right-of-way located in the northwest corner of the interchange between the Old Oregon Trail and the Olds Ferry-Ontario Spur in Malheur County. The Engineer stated that the area proposed for annexation conforms to legal requirements and no enclave is formed. The Commission accepted his recommendation for consent and authorized the Secretary to sign the annexation form.

Attention was given to a supplemental throughway agreement with Marion County concerning transfer of maintenance to the County on a frontage road on the Willamette River-Hayesville Section of the Pacific Highway. The Engineer recalled that the original agreement was approved by the Commission on October 12, 1953. The supplemental agreement was initiated by Marion County in order to exercise jurisdiction and maintenance over the frontage road connecting Whitney County Road and Crosby County Road, approximately one mile north of Woodburn. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A resolution was presented by the Engineer abandoning to Jackson County approximately 2½ miles of old highway right-of-way and four short segments to abutting property owners on the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway. The new section of highway has been completed, and under terms of an agreement with the County dated April 25, 1967,

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the old section of highway is to be turned over to the County, and he so recommended. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 464," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A Permit of Entry form from Union Pacific Railroad Company on the N.W. 4th Avenue-Broadway Section of the Freewater Highway in the city of Milton-Freewater in Umatilla County was discussed. The agreement as explained by the Engineer provides for alteration of three grade crossings in accordance with orders from the Public Utility Commissioner. Additional advance warning signs and pavement markings will be required. He estimated the cost to the State at approximately \$15,000 and recommended that the agreement be approved. The Commission accepted his recommendation.

For the benefit of the Governor's Task Force 70 group that were present, the Chairman explained that the Commission is able to go through its agenda as rapidly as it does as the items on the agenda have been preceded by letters to the Commission. He also mentioned that a number of matters on the agenda have been approved by the Commission by telephone and are confirmed at the regular Commission meeting. Such a method of operation, he continued, greatly expedites the business of the Commission and allows them to operate on a day-to-day basis.

The Commission considered requests to allow permits for loads in excess of 12 feet in width. After consideration and discussing the matter with the Engineer, the Commission decided to remain with the present policy of not issuing continuous permits for any load in excess of 12 feet in width.

Attention was given to a request made by the Transportation Research Institute of Oregon State University (State Board of Higher Education) for an additional 30 days to September 30, 1969, in which to complete the functional classification of existing State, County and City roads and streets. The Commission approved the request.

A delegation from Eugene and Springfield came before the Commission 10:15 a.m. concerning priorities of State Highway projects in the Eugene-Springfield area and the coordination of these projects with the County road construction program. The following people were present:

Frank Elliott, Chairman of Lane County Board of Commissioners
K. E. Omlid, Lane County Commissioner
Les Anderson, Mayor of Eugene
John McCulley, Mayor of Springfield
James Larson, President of Springfield Chamber of Commerce
Dick Olson, Eugene Chamber of Commerce
Leonard Wildish, Springfield Chamber of Commerce

Mr. Frank Elliott introduced the members of the delegation and read a letter from the Lane County Board of Commissioners and the Springfield Area Chamber of Commerce endorsing a road construction priority list for the Eugene-Springfield area as follows:

- (1) Washington-Jefferson extension to 6th and 7th Streets in Eugene.

- (2) Extension 126 Washington-Jefferson to River Road.
- (3) Interchange of I-105 and 2nd and 3rd Streets in Springfield.
- (4) River Road widening.
- (5) Extension 126 River Road to 99 North.
- (6) Jasper Road OSHD Project from Springfield Main Street to Highway 58.
- (7) Skinners Butte Freeway.

He mentioned that the list is almost the same as the list submitted in 1968 but now includes the Skinners Butte Project. Highway construction in the Eugene-Springfield area, he said, is not keeping up with traffic demands. He exhibited a large map outlining plans that the County has prepared and stated that the County plans to continue improvements as fast as funds are available.

Chairman Jackson told the group that Lane County and the Cities of Eugene and Springfield have done an outstanding job in planning for highway transportation, and he inquired if any studies had been made for the use of mass transit.

Mr. Anderson, Mayor of Eugene, stated that the City of Eugene has abandoned the pork barrel idea of securing highway improvements realizing that transportation needs must be planned on a scale larger than just city needs. The Central Lane Planning Council, he said, is studying mass transit but their report is not yet ready. He emphasized that Lane County and the Cities of Eugene and Springfield are united in their planning efforts and are agreed upon the priority of projects as presented. He did point out that the seven listed projects of highest priority had been taken from a total list of over 40.

Commissioner Bruno inquired if the main problem is to move traffic over the Interstate Highway (I-5) or intramural traffic. Mr. Anderson replied that intramural traffic is the most perplexing problem.

Mr. McCulley, Mayor of Springfield, also mentioned that the Cities and the County are making every effort to solve their problems and are in accord on the priority of projects. He thanked the Commission for hearing their requests.

The Chairman again commented on the fine planning job that has been and is being performed by the Cities and Lane County and that the Highway Commission would continue to cooperate as they are financially able to do so.

Mr. Elliott presented the letter from Lane County dated August 19, 1969, he had previously read concerning the seven priority projects; a statement of expenditures in past years up to 1970; two sheets of a traffic flow map in the City of Eugene; and a diagrammatic thoroughfare plan of the metropolitan Eugene-Springfield area showing in colors the seven priority projects.

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

"Bargain and Sale Deed" to John M. and Ann C. Burge covering the sale of 0.29 acre of land on Sheridan Section of the Willamina-Sheridan Highway in Yamhill County.

"Bargain and Sale Deed" to Nelson Investment, Inc., re 9,640 square feet of land on the Columbia Boulevard Section of the Pacific Highway West in Multnomah County.

"Roadway Agreement" with Walter and Maureen Elizabeth Skiba and a "Roadway Agreement" from Jerome Bros. re easements across the Garrison Lake Beach Access on the Oregon Coast Highway in Curry County.

"Bargain and Sale Deed" to Boise Cascade Corporation re an exchange of property on the Elgin Section of the Weston-Elgin Highway in Union County.

"Bargain and Sale Deed" to Clatsop County covering the Seaside-Hug Point Section and Tolovana Park-Arcadia Section of the Oregon Coast Highway.

"Bargain and Sale Deed" to James G. and Linda M. Parker re the sale of 2.2 acres on the Flora Junction Section of the Enterprise-Lewiston Highway in Wallowa County.

"Lease and Sale of Road Materials" with Allied Properties covering the Frenchglen-Roaring Springs Ranch Section of the Frenchglen Highway in Harney County.

"Indenture of Access" to Edward J. and Elma R. Wildblood covering the Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Indenture and Grant of Access" to Martin and Ethel Kincheloe covering the Myrtle Point-Powers Junction Section of the Coos Bay-Roseburg Highway in Coos County.

"Agreement" with Lake Oswego for purchase of 0.88 acre of riverfront land adjacent to developed George Rogers Park as a part of Willamette River Park System.

"Agreement" with Lane County for purchase of 117 acres along the riverbank about due east of Junction City as a part of the Willamette River Park System.

"Agreement" with Polk County for acquisition of 56.6 acres in the old Eola townsite west of Salem on Highway 22 as a part of the Willamette River Park System.

"Agreement" with City of Portland for purchase of 5,421 square foot piece of riverfront property as a part of the Willamette River Park System.

"Agreement" with City of Portland for installation of luminaire units on the Fremont Bridge and East Fremont Interchange.

"Agreement" with City of Stanfield covering an advance payment of \$25,000 from the Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with City of West Linn covering an advance payment of \$50,000 from the Emergency Snow Removal and Road and Street System Repair Account.

"Agreement" with Gold Hill Irrigation District providing for maintenance of an irrigation ditch required by the construction of the Evans Creek-Rock Point Section and Rock Point-Seven Oaks Section of the Pacific Highway in Jackson County.

"Agreement" with Oro Dell Irrigation Ditch Company covering the relocation and adjustment of their facilities on the La Grande Section of I-80N in Union County.

"Agreement" with Union Pacific Railroad Company and Roy L. Houck Sons' Corporation covering construction of a haul road across the railroad at grade on the Lime Section of the Old Oregon Trail in Baker County.

"Agreement" with Southern Pacific Company covering installation and maintenance of a crossing across the Hillsboro-Silverton Highway at Silverton in Marion County.

"Agreement" with Southern Pacific Company for construction of a grade crossing of the Albany-Junction City Highway with tracks serving the American Can Company near Halsey.

"Agreement" with Southern Pacific Company for installation of a crossing of the railroad tracks, flashing light signals, and automatic gates at Goose Lake State Recreation Area in Lake County.

Eight "Consents to Annexation" to the City of Tigard involving portions of right-of-way on the Pacific Highway West, Beaverton-Tigard Highway, Pacific Highway and Beaverton-Tualatin Highway in Washington County.

"Consent to Annexation" to City of Ontario for a portion of highway right-of-way which lies in the northwest corner of the interchange between the Old Oregon Trail and the Olds Ferry-Ontario Spur.

"Supplemental Throughway Agreement" with Marion County covering transfer of maintenance to the County of a frontage road on the Willamette River-Gervais Unit, Willamette River-Hayesville Section of the Pacific Highway.

"Permit of Entry" from Union Pacific Railroad Company for the N.W. 4th Avenue-Broadway (Milton-Freewater) Section of the Freewater Highway.

"Demolition Contract" to Heard Construction Company for sections of East Portland Freeway in the City of Portland.

"Negotiated Demolition Contract" to Heard Construction Company on the Ross Island Bridge-Reedway Street Section of the Pacific Highway East in Multnomah County.

There being no further business to consider, the Chairman adjourned the meeting at 10:35 p.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

Victor D. Wolfe
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

August 19, 1969

Salem, Oregon
September 30, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
L. 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

Among others present were: R. E. Simpson, Division Engineer, U.S. Bureau of Public Roads; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; John J. Earley, Information Officer; John Oakes, Assistant Right of Way Engineer; and Donald N. Harwell, Assistant County-City Engineer.

The Commission approved the minutes of the meeting held on August 19, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 38, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are based on competent appraisals which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 62," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from August 11 to September 22, 1969, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$39,696.50: land sales - \$33,335.00; and rental receipts for the month of August, 1969, were \$28,562.94.

The Right of Way Engineer requested authority to offer at public sale three parcels of property no longer needed for highway purposes. Minimum values have been determined by competent appraisals and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 523 and 524," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

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- (1) 8.6 acres, File 39878, located in the northwest quadrant of the Stanfield Junction Interchange on the Old Oregon Trail in Umatilla County for not less than \$500. Signboard and junkyard exclusion clauses are to be included in the deed and no access is to be permitted to the Old Oregon Trail or to the Umatilla-Stanfield Highway. Approval by the Bureau of Public Roads is not required.
- (2) 2.0 acres, File 18928, located along a County road west of the Scoville Junction on the Necanicum Highway in Tillamook County for not less than \$1,200. Signboard and junkyard exclusion clauses are to be included in the deed and approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 523.")
- (3) 20.20 acres plus 1.65 acres, Files 27223 and 27224, located on the northerly side of the Pacific Highway approximately five miles east of Grants Pass in Jackson County for not less than \$2,850. Signboard and junkyard exclusion clauses are to be included in the deed and no access is to be allowed to the Pacific Highway. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 524.")

Authority was also requested by the Right of Way Engineer to make direct sales on five parcels of property which are no longer needed for highway purposes. He pointed out that public sale of these properties is not feasible because of peculiarities of location which restrict salability to a single party. The sale prices have been determined by competent appraisals. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 525 and 526," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) To Wheeler County, 1.67 acres, File 15662, being the former Fossil maintenance site on the southerly side of the John Day Highway in the town of Fossil, for \$10,500. The County is to pay \$5,000 upon conveyance or possession and \$5,500 is to be paid during the 1970-71 County budget year with interest at 6½ percent per annum. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 525.")
- (2) To Linn County, 2.9 acres, File 28103, which is the former Halsey maintenance station on the Pacific Highway East for \$39,400. The sale is

to be subject to power line easements, a junkyard exclusion clause, and subject to the proposed sewer assessment by the City of Halsey. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 526.")

- (3) To George A. Edwards, 1,025 square feet of land, File 23672, located in the northeast quadrant of the intersection of the Pacific Highway with Spring Garden Road in Multnomah County for \$500. Access is to be permitted only to Spring Garden Road. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads was given March 21, 1969.
- (4) To the State Board of Aeronautics, approximately 77 acres, File 10657, of fee title land used for the Aurora Flight Strip in Marion County without monetary consideration. This transaction includes release of the State's interest in approximately 310 acres of height control easements. The Commission approved the transfer of property and rights subject to approval by the Bureau of Public Roads.
- (5) To the City of Roseburg, 8,750 square feet of land, File 11459, on the North Umpqua County Road in Douglas County, without monetary consideration. The property is to be used by the City for trading purposes in realignment of the North Umpqua Road.

Consideration was given to a request from the City of Portland to relinquish to the City 7,117 square feet of land, Files 22715 and 22717, located between Barbur Boulevard and the Pacific Highway on an extension of Lucille Street in Multnomah County. The Right of Way Engineer explained that the City plans to use the parcels for public street purposes and no monetary consideration is involved. Approval by the Bureau of Public Roads was given September 15, 1969. The Commission approved the relinquishment.

The Commission also considered Relinquishment of Title to the City of Springfield on a parcel of land containing 0.37 acre between 18th Street and Mohawk Road along the Eugene-Springfield Highway in Lane County. The Right of Way Engineer stated that the land is to be used for a new connection between 18th Street and Mohawk Road and the City is to assume all of the State's interest and control in the property. The Commission approved the relinquishment, subject to approval by the Bureau of Public Roads.

The Right of Way Engineer stated that in 1963 the City of Medford had acquired from the State a parcel of land located on the easterly side of the Pacific Highway at the northeast corner of Biddle Road and McAndrews Road in Jackson County. Sale of the property to the City included a public use clause in the deed. The City wishes to trade the property for other property needed in the improvement of Biddle Road and has agreed to pay \$684 for

removal of the public use clause. This is the same amount as was paid by the State. Approval by the Bureau of Public Roads is not required. Following the Right of Way Engineer's favorable recommendation, the Commission approved removal of the public use clause upon payment of \$684.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the public record to cause the locations to show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Yell property, File 33546, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Crater Lake Highway approximately five miles west of Prospect in Jackson County. Approval by the Bureau of Public Roads was received January 22, 1969.
- (2) T and G Enterprises, Inc., property, File 20820, for a change in location of one unrestricted point of access from Station 462+70 to Station 466+00 to be widened to 35 feet on the Blackwell Hill-Seven Oaks Section of the Rogue Valley Highway in Jackson County. Approval by the Bureau of Public Roads was received July 22, 1969.
- (3) Willey property, File 31233, to show in the public record the constructed location of one unrestricted point of access 35 feet wide at Engineer's Station 1358+85 on the Parkdale Section of the Mt. Hood Highway in Hood River County. Approval by the Bureau of Public Roads was given August 5, 1969.
- (4) Brunner and Lowder property, File 35647, to show in the public record the constructed location of one unrestricted point of access 35 feet wide at Engineer's Station 91+68 on the Blue River-Mill Creek Section of the McKenzie Highway in Lane County. The Bureau of Public Roads approved this action on June 9, 1967.
- (5) Fill-Up Stations, Inc., property, Files 3490-1, 2, and 3, to show in the public record the constructed location two points of access 35 feet wide at Engineer's Stations 1616+29 and 1617+09 on the North Roseburg Section of the Oakland-Shady Highway (Old Pacific Highway) in Douglas County.

Confirmation was requested by the Right of Way Engineer for telephonic approval given by Commissioner Bruno September 3, 1969, for the award of a demolition contract on the East Portland Freeway and the Fremont Interchange Section of the Stadium Freeway in Portland, Multnomah County. Two bids were received. The low bid was from R.A.V. Wrecking Co. for \$3,440

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for removal of buildings, debris, and rough grading. The Commission confirmed award of the contract and authority for 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 Resolutions Nos. 2561 and 2562," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. 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-5597 Frank Gindroz, et ux.	Clatsop	Nehalem	Olney-Jewell	\$ 3,375.00	\$30,000.00	None (Case dismissed)
L-5919 Cornelia Y. Welch, et al.	Multnomah	East Portland Freeway	Columbia River-Pacific Highway	7,500.00	10,925.00 (Answer)	\$ 6,800.00
L-5844 George L. Zellner, et al.	Multnomah	Columbia River	Kittredge Avenue Channelization	6,900.00 (taking later reduced)	15,000.00	3,218.00
L-5742 L. A. Wievesiek, et al.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	21,850.00 (before filing) 37,000.00 (before trial)	75,000.00 (Answer)	64,000.00

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-6020 State of Oregon	Theodore H. Davis	Lane	Negligent operation of motor vehicle by defendant resulting in damage to highway bridge.	\$ 689.70	\$689.70

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(Report of Trial of Other Cases Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-6066 State of Oregon	Porfirio O. Bravo	Lane	Negligent operation of motor vehicle by defendant resulting in damage to Harrisburg Bridge	\$ 192.24	None (Case dismissed)
L-5945 State of Oregon	Donald Lesh	Marion	Negligent operation of motor vehicle by defendant resulted in damage to guard-rail.	112.99	\$112.99 (Paid in full)
L-6057 State of Oregon	Harold Blaine Christopher	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	965.76	965.76 (Paid in full)
L-6062 State of Oregon	Allan Paul Widlets	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guard-rail.	124.36	124.36 (Paid in full)
L-6069 State of Oregon	Andrew M. Lindemann	Clatsop	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	111.53	None (Case dismissed)
L-5821 State of Oregon	Emily Carol Carlow	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	137.70	137.70 (Paid in full)
L-6071 State of Oregon	Gail Joyce Dile	Umatilla	Negligent operation of motor vehicle by defendant resulting in damages to State vehicle.	55.00	None (Case dismissed)
L-5852 State of Oregon	Sally Finley	Tillamook	Negligent operation of motor vehicle by defendant resulting in damages to State vehicle (sanding truck).	472.48	25.00

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(Report of Trial of Other Cases Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-5849 Lillie C. Murphy	State of Oregon	Josephine	Recover possession of 30,000 cubic yards of crushed rock or sum of \$90,000.	\$90,000.00	Voluntary Nonsuit
L-5768 Roy L. Houck Sons' Corp.	State of Oregon	Marion	Action to recover additional compensation for work done under construction contract.	59,848.95	Voluntary Nonsuit
L-5685 Charles Walta, et ux.	Florence Shepard, et al., and State Highway Commission	Washington	Suit to partition real property including proceeds of sale of portion of the real property to State for highway purposes.	Portion of property and proceeds of purchase price.	Case dismissed as to State Highway Commission
L-5889 Phyllis Cross, Administratrix of the Estate of Susan Cross, Deceased.	R. L. Porter, Fred Klaboe, and other Highway Division Engineers	Marion	Alleged negligence in construction and maintenance of highway intersection resulting in death of Susan Cross.	25,000.00	None Settled without trial.

(For additional details, see the Chief Counsel's letter of September 24, 1969, concerning cases tried and filed in the Salem Office, General Files.)

The Chief Counsel also presented a report on cases which have been settled out of court since the last Commission meeting. The Commission approved the settlements, which are summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

<u>Case</u>	<u>County</u>	<u>Highway</u>	<u>Section</u>	<u>State's Offer</u>	<u>Amount of Settlement</u>
L-6009 Dale S. Green, et al.	Josephine	Redwood	Pollard Creek-Wilderville	\$ 2,150.00	\$ 3,000.00

(Approved NOA at the August 19, 1969, Commission meeting.)

September 30, 1969

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5962 Pauline Jorant, et al.	Baker	Old Oregon Trail	Oxman-Benson Creek	\$ 50.00	\$ 1,000.00

(The land is located in Burnt River Canyon in an area which has a rich history of placer gold production. The owner's claim is that the taking will deprive him of many thousand cubic yards of gold bearing soil.)

The settlement at \$1,000 is recommended as representing a saving over the cost of expert witnesses, costs of trial, attorneys fees, and experience in prior trials.)

L-5783 Duane Allen Manwiller, et al.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	7,875.00	10,800.00
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(Original appraisals in 1967 at \$7,875. Appraisals updated to date of taking are spread from \$9,650 to \$11,675.)

L-6025 W. E. Martin, et ux.	Lincoln	Beverly Beach State Park		20,700.00	29,000.00
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(Property has an ocean view and is all suitable for subdivision purposes. There is a considerable stand of merchantable timber on land taken.)

L-5753 John B. Dimick	Clackamas	East Portland Freeway (I-205)	Columbia River-Pacific Highway	18,500.00	55,000.00
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(Original appraisals made prior to knowledge of the true aspects of the taking from the standpoint of design and actual construction failed to recognize the elements of damage that came into being.)

Although an easement for a roadway was provided to serve as an access to one of severed parcels, there would be problems pertaining to the construction of the roadway. A very steep access would result without a fill across a gully. When this and other factors were considered, an appraisal of \$47,000 became appropriate.)

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5956 Robert A. Naglee, et al.	Multnomah	East Portland Freeway	Columbia River-Pacific Highway	\$25,000.00	\$27,500.00

(One of the appraisers had submitted an appraisal at \$30,000, but later revised to \$23,340.)

L-5902 Ben D. Andrews, et ux.	Washington	Pacific Highway (I-5)	N. Tigard Intersection-Hubbard Intersection	4,750.00	6,750.00
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(Original appraisals made in 1967. Review appraisal \$6,625.00.)

REPORT OF OTHER CASES SETTLED

Case	Defendants	County	Cause of Action	Demand of Plaintiff	Settlement
L-5340 Louis Adler and Dorothy Adler, dba Adler & Son	C. H. Savage Co.; Peter Kiewit Sons' Co.; John Howard	Multnomah	To recover damages caused by depositing sand and paint on plaintiff's premises during sand-blasting steel and painting on West Marquam Interchange	\$54,500.00 per Amended Complaint. (Original complaint was \$75,000.00)	

(It is understood that Kiewit and Savage have arranged a settlement, in an undisclosed amount, and that John Howard was released of liability in the same settlement. It is believed that the State's insurance carrier was not required to pay anything on this settlement.)

L-6022 State of Oregon	Franklin L. James and Ernest Malone	Marion	Negligent operation of motor vehicle by defendant resulting in damage to sign.	900.00	\$ 425.00
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(Defendants both live out of State. Anticipating recovery of a judgment in full, it would still be necessary to obtain services of an attorney in another state to execute on the judgment. Costs of collection could easily be 50% of the judgment.)

(Report of Other Cases Settled Cont.)

Case	Defendants	County	Cause of Action	Demand Plaintiff	Settlement
State of Oregon (Plaintiff)	U.S. Plywood Corp.	Marion	No action filed. Claim based on failure to reflectorized Scotchlite sheeting as warranted.	Not fully determined	\$3,000.00

(Maintenance Department purchased 1,750 square feet of plywood from U.S. Plywood Corp. with reflectorized sheeting to be used to make roadside signs in 1968. To date failure has been experienced as to approximately 905 square feet. Computation by Sign Department is that cost of fabrication to replace these signs was \$2,700.)

Karen Gilliam (Claimant)	State Highway Commission	Marion	Damages to Claimant's Vehicle from operating of snowplow.	\$100.00	100.00
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(On January 31, 1969, the claimant reported both to the Highway Department and Department of Motor Vehicles a collision between her car and a snowplow alleging that the snowplow had pulled out in front of her during a snow storm.

The State's insurance carrier has denied payment of the claim inasmuch as the claimant could not specifically identify the vehicle by license number or driver.

The matter has been the subject of much correspondence with various officials including the Governor. Under ORS 30.290 may, subject to any contract of liability insurance, adjust and settle any tort claim for damages.)

(For additional details, see the Chief Counsel's letters dated September 24 and 29, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission on telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings summarized as follows:

CAPE KIWANDA-NESKOWIN SECTION OF THE OREGON COAST HIGHWAY

R-43411 - Harold R. Schlieting, et ux. Parcel No. 2: 0.4 acre for park purposes. Offer of \$15,000.00 approved by Mr. Jackson July 10, 1969.

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CASCADE LOCKS-VIENTO SECTION OF THE COLUMBIA RIVER HIGHWAY

R-43502 - Francis Wholesale, Inc. 2.1 acres for right-of-way purposes. Offer of \$325.00 approved by Mr. Bruno September 15, 1969.

CLACKAMAS RIVER-WEST LINN UNIT, COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-36193 (L-5857) - Jack W. Parker and Rolph B. Fuhrman. Parcel No. 1: 10.9 acres for right-of-way purposes; Parcel No. 2: 2.53 acres for right-of-way purposes; Parcel No. 3: 3.1 acres for right-of-way purposes; Parcel No. 4: 10.7 acres for right-of-way purposes; Parcel No. 5: 0.17 acre for right-of-way purposes; Parcel No. 6: 0.6 acre for right-of-way purposes; Parcel No. 7: 0.63 acre for right-of-way purposes; Parcel No. 8: 1.25 acres for permanent easement. Offer of \$175,000.00 approved by Mr. Jackson August 22, 1969.

R-41454 - Jack W. Parker and Rolph B. Fuhrman. Parcel No. 1: 3.0 acres for right-of-way purposes; Parcel No. 2: 0.33 acre for temporary easement. Offer of \$31,000.00 approved by Mr. Jackson August 21, 1969.

ELK CREEK-BLUE RIVER SECTION OF THE MCKENZIE HIGHWAY

R-43215 - Merle B. Kern, et ux. 3,210 square feet for right-of-way purposes. Offer of \$500.00 approved by Mr. Jackson September 5, 1969.

LaGRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL

R-41813 - John W. Boothman, et ux. Parcel No. 1: 3.0 acres for right-of-way purposes; Parcel No. 2: 11.7 acres for right-of-way purposes; Parcel No. 3: 11.3 acres for right-of-way purposes; Parcel No. 4: 6.4 acres for right-of-way purposes; Parcel No. 5: 3.6 acres for right-of-way purposes; Parcel No. 6: 0.03 acre for permanent easement; Parcel No. 7: 0.1 acre for permanent easement; Parcel No. 8: 0.95 acre for permanent easement; Parcel No. 9: 0.11 acre for permanent easement; Parcel No. 10: 0.24 acre for permanent easement. Offer of \$2,850.00 approved by Mr. Jackson September 22, 1969.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-40826 - Herman Hellhake, et ux. 0.48 acre for right-of-way purposes. Offer of \$13,500.00 approved by Mr. Jackson September 9, 1969.

MYRTLE CREEK-CANYONVILLE SECTION OF THE PACIFIC HIGHWAY

R-37814 - Clyde Marriott, et ux. Acquisition of access. Offer of \$100.00 approved by Mr. Jackson August 29, 1969.

NESKOWIN BEACH STATE WAYSIDE

R-43151 - Gladys Pierce. 11,980 square feet for park purposes. Offer of \$8,250.00 approved by Mr. Jackson August 22, 1969.

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NORTH PLAINS INTERCHANGE-CORNELIUS PASS ROAD INTERCHANGE SECTION OF THE SUNSET HIGHWAY

R-41355 - Charles H. Olson, Jr., et al. 0.15 acre for right-of-way purposes. Offer of \$1,400.00 approved by Mr. Jackson September 9, 1969.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRIAL

R-41067 - Charles C. Ebell, et ux. Parcel No. 1: 56.3 acres for right-of-way purposes; Parcel No. 2: 29.0 acres for right-of-way purposes; Parcel No. 3: 3.7 acres for right-of-way purposes. Offer of \$10,500.00 approved by Mr. Hill September 17, 1969.

R-42402 - Walter R. Wellman, et ux. Parcel No. 1: 11.6 acres for right-of-way purposes; Parcel No. 2: 0.7 acre for right-of-way purposes; Parcel No. 3: 0.23 acre for permanent easement. Offer of \$15,050.00 approved by Mr. Jackson August 22, 1969.

R-42404 - Roy C. Scarbrough, et ux. Parcel No. 1: 7.5 acres for right-of-way; Parcel No. 2: 0.25 acre for permanent easement. Offer of \$7,750.00 approved by Mr. Jackson August 22, 1969.

SOUTHWEST CAPITOL HIGHWAY-TIGARD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-43131 - Hi-Hat, Inc. 39,060 square feet for right-of-way purposes. Offer of \$44,225.00 approved by Mr. Jackson July 10, 1969.

SUNSET BAY STATE PARK

R-42136 - Big Creek Valley, Inc. 120 acres for park purposes. Offer of \$102,000.00 approved by Mr. Jackson September 17, 1969.

WEST LINN-PACIFIC HIGHWAY UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43703 - Gertrude Yunker Plant. 3.3 acres for right-of-way purposes. Offer of \$33,000.00 approved by Mr. Jackson August 21, 1969.

A report on an order received from the Public Utility Commissioner regarding highway crossing matters was presented by the Chief Counsel and accepted by the Commission as follows:

PUX 720, SXF 480 - Order No. 46165 has been received authorizing the Vadis Overcrossing Project over the tracks of the Spokane, Portland and Seattle Railway on the Wilson River Highway Junction-North Plains Section of the Sunset Highway in Washington County.

A resolution setting up procedures for holding public hearings concerning restriction of motor vehicles and aircraft on the ocean shore was presented by the Chief Counsel. He pointed out that Chapter 601 of Oregon Laws 1969 requires entirely different procedures than were in effect previously. The new law requires the Commission to hold a public hearing

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when a beach closure is requested by 20 or more land owners or residents of the area, or by the local government, or if the Commission desires to establish a restricted zone on its own motion. The resolution authorizes the State Highway Engineer or his representative to arrange and hold such hearings and provides directions for the recording and conduct of the hearings. Commissioner Bruno inquired as to where the hearings are to be held. The Chief Counsel replied that the law states that the hearing must be held in the vicinity of the requested beach closure. Following the Chief Counsel's favorable recommendation, the Commission adopted the resolution identified as "Ocean Shore Resolution No. 7," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A request was made by the Chief Counsel for authority to cancel delinquent rental accounts totaling \$1,152.23. He pointed out that from 1964 through August 1968, only nine claims have been abandoned totaling \$1,861.37. During the latter part of 1968 and in 1969 eight accounts were not collectible. These delinquent claims have been investigated carefully and it is not feasible to attempt further collection procedures. The Commission approved abandonment of the following claims:

<u>File No.</u>	<u>Renter</u>	<u>Amount</u>	<u>Reason</u>
40905	Audrey B. Wright	\$140.00	On welfare. No assets
41179	Paul A. Scott	429.00	Husband gone. Unable to locate. Wife pregnant and on welfare. No assets.
40904	Jerry Liston John Liston	132.50	Divorced. Unable to locate husband. Wife has no assets.
40287	Marlene E. Myers	36.00	Won't pay. Amount too small to sue to recover.
41225	Mike McClannhan	220.00	Left town. Unable to locate.
41207	Gerald LaFlamme	30.00	Unable to locate.
41214	Kevin P. McLane	99.73	No job. No assets.
40927	Leroy H. Jones	65.00	Unable to locate.

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

- (1) Frank R. Fanno and Myrtle V. Fanno vs. State Highway Commission, L-6053. Plaintiffs claim damages in the amount of \$25,000 because of alleged construction of a facility creating a basin in which water, oil, gravel, mud and

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debris accumulated. A permanent injunction restricting the Highway Division from permitting such substances from again accumulating on their property in Washington County was also requested. The Defense will be handled by the Highway Attorneys.

- (2) White Bros. Construction Company, Inc. vs. State Highway Commission, L-6054. The plaintiff, contractor on Contract No. 6942 on the Toledo-Siletz Highway in Lincoln County, seeks \$199,785.46 additional compensation on the contract. The facts and circumstances are being investigated by the State.
- (3) David H. Pfenning vs. State, L-6065. Plaintiff seeks to recover \$199 plus attorney fees, for damage to his vehicle incurred about February 12, 1969, on the Willamina-Salem Highway east of Rickreall in Polk County. Plaintiff alleges that a Highway Division truck sprayed gravel on his vehicle damaging the windshield, paint, and headlights. The claim is being handled by the State insurance carrier.
- (4) Lawrence Willard Downing vs. State, L-6055. Plaintiff seeks to recover \$190.90 for alleged damage to his vehicle because of a collision with a State Highway Division snowplow truck at the intersection of 82nd Street and Sandy Boulevard in Portland, Multnomah County. The State insurance carrier has satisfied the claim thus terminating the legal proceedings.
- (5) Sally Finley vs. State, L-6056. Plaintiff seeks to recover the sum of \$22,060.95 for injuries and property damages incurred in an accident on the Oregon Coast Highway near Neskowin in Tillamook County on December 17, 1967. Plaintiff's vehicle ran into the rear end of a State Highway Division sanding truck. The State made a claim against the plaintiff for damages to the State vehicle which was upheld in a trial in Tillamook County, September 16, 1969. The State insurance carrier is handling Miss Finley's claim.

A quarterly report of damage claims collected from July 1 through September 30, 1969, was presented. The Chief Counsel pointed out that during this time \$40,194.06 had been collected on 120 claims. Twelve claims totaling \$4,121.35 were abandoned during this period as not being feasible to collect. The Commission accepted the report and approved abandonment of the following claims:

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CAO No.	Name	DOA	Amount
68-311	Forrest Dale Milich	8-10-68	\$181.03
68-425	Norman Duane Sasser	10-28-68	255.02
69-26	Nathan Karl Rush	11-17-68	191.90
69-47	William Albert Closner	1-26-69	380.75
69-99	Carlos Mendenhall	2-23-69	184.35
69-145	Harriet Tubbs	12-22-68	581.92
68-423	Gee Logging Co. and Leslie Correll Powers	10-28-68	648.03
69-45	Raymond Wilfred Whiting and Gary Wilfred Whiting	1-12-69	696.92
69-132	Ralph Woody	2-9-69	257.18
69-81	L. M. Marv Johnson	2-24-69	372.60
69-205	Richard Henry Brewer	5-3-69	217.28
69-131	Roy Landen Lee	2-12-69	154.87

(For additional details concerning the claims to be abandoned, see the Chief Counsel's letter to the Highway Commission dated September 26, 1969, concerning collection of claims and abandonment filed in the Salem Office, General Files.)

Purchase of two parcels of land from Clatsop County as an addition to Fort Stevens State Park was brought up by the Engineer. He commented that one of these parcels containing 112 acres is located between the westerly boundary of Fort Stevens Park and the beach, and abutting the southerly boundary of the Peter Iredale strip. Ten acres of this parcel consists of beach sand area leaving approximately 102 acres east of the beach zone line. Another parcel of approximately 5 acres lies at the extreme southerly end of the park and its acquisition would help straighten the irregular park boundary and would add approximately 2,000 feet of new beach frontage. He recommended acquisition of these two parcels at a cost of \$80,250. The Commission approved the purchase.

Increases on project authorizations were requested by the Engineer. He explained briefly the causes for the overruns. The Commission approved increases as follows:

- (1) Contract No. 7251 on the Central Oregon Highway in Harney County for an increase of \$71,123 (12%). An overrun in asphalt caused by the

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nature of the aggregate, and the addition of sight posts throughout the project were given as the principal reasons for the overrun.

- (2) Contract No. 7211 on the Warm Springs Highway in Wasco County for an increase of \$3,630 (18.25%). This was a small isolated contract with no engineering crew in the vicinity and the overrun was caused by engineering expense.
- (3) Contract No. 7167 on the Century Drive in Deschutes County for an increase of \$7,525 (21.7%). Omission from the original authorization of site clearing and grading by State forces was given as the cause of the overrun.

Transportation plans prepared for the Portland, Salem and Eugene metropolitan areas were presented by the Engineer. He explained that Federal law requires continuing planning in areas having a population in excess of 50,000. Work by the three local planning agencies has been under way for several years and tentative surface transportation needs have been agreed upon by the counties and cities involved. He recommended that the Commission accept the transportation plans for each of the three areas. Chairman Jackson inquired if approval of the transportation plans obligated the State for adoption of highway routes or expenditure of funds, and he mentioned that the CRAG delegation would appear later in the day concerning the Multnomah Boulevard-Johnson Creek Route. The Engineer replied that acceptance of the plans does not mean that the routes shown become state highways or state projects. A separate action by the Commission would be necessary to do that. The Commission accepted the plans as presented.

Construction on the Wilson River Junction-North Plains Section of the Sunseri Highway in Washington County was discussed. The Engineer explained that the project had been listed on Program XI at an estimated construction cost of \$2,200,000. However, the project has been selected for financing through the issuance of bonds and he recommended that the project be removed from Program XI and contracted as soon after July 1, 1970, as possible with bond financing. The Commission accepted his recommendation.

Payment of Oregon's allocated share in support of AASHO Materials Reference Laboratory in the amount of \$4,400 was recommended by the Engineer. The laboratory is supported by AASHO and by the National Bureau of Standards and provides checking service on bituminous materials, aggregates, soils, portland cement, and portland cement concrete. The Commission approved the payment for the fiscal year 1970.

Confirmation was requested by the Engineer for verbal approval given by the Chairman for replacement of the Kernville Bridge on new alignment of the Oregon Coast Highway in Lincoln County. The old bridge was constructed in 1926 and is only 19 feet 6 inches wide. He estimated the cost of construction at \$3,800,000 and the cost of right-of-way at \$200,000. The Commission confirmed approval of the project using Federal-aid funds and authorized the Engineer to hold the public hearings that are necessary to obtain approval by the Bureau of Public Roads.

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Continuation of design work in anticipation of future construction on the Elk River-Port Orford Section of the Oregon Coast Highway in Curry County was recommended by the Engineer. Construction and right-of-way were estimated to cost \$1,300,000. He recalled that the survey and public hearings were in process prior to the effective date of the Bureau of Public Road's Procedure Memorandum 20-8. He recommended continuation of the design work. Authority was also requested to conduct such public hearings as are necessary to obtain location and design approval from the Bureau of Public Roads. The Commission accepted his recommendation and granted the authority.

The Commission approved reappointment of Floyd A. Query as Secretary to the Commission for a four-year term beginning November 1, 1969, and thereupon adopted "Appointment Resolution No. 20c," which resolution by this reference is made a part hereof and filed in the Secretary's Office. The Secretary stated that if present plans materialize, he expects to retire in the spring of 1972.

Requests from contractors for extensions of time in which to complete highway contracts without assessment of liquidated damages were considered. The Engineer stated 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 as follows:

- (1) R. J. Strasser Drilling Company, Contract No. 7197 for well exploration in Deadmans Pass Rest Area on the Old Oregon Trail in Umatilla County, requested an increase of 30 days. The Commission approved 30 additional days without assessment of liquidated damages. This action confirmed telephonic approval given by the Chairman on August 29, 1969. The Bureau of Public Roads concurred in this extension.
- (2) E. W. Eldridge, Inc., Contract No. 7260 on the Old Oregon Trail in Baker County, requested a 26 day extension of time. The Commission approved an extension of 26 calendar days without assessment of liquidated damages. Bureau of Public Roads' approval was given by letter dated September 5, 1969.
- (3) Steeck Electric Company, Contract No. 7200 for traffic signal installation on East 3rd Street at Revere Street in Bend, Deschutes County, requested 10 additional calendar days. The Commission denied the request.
- (4) Slate-Hall and Hamilton Construction Company, Contract No. 7101 on The Dalles-California Highway in Klamath County, requested an extension of 45 calendar workdays. The Commission approved an extension of 17 calendar workdays without assessment of liquidated

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damages, thereby eliminating all liquidated damages. Approval by the Bureau of Public Roads was given by letter dated September 18, 1969.

The Engineer reported that Contract Nos. 7157, 7187, 7189, 7196, 7206, 7218, 7221, 7222, 7229, 7233, 7249, 7269, and 7271 for highway construction have been completed as required by 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 confirmed acceptance of the contracts by adopting "Contracts Completed Resolution No. 179," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The date for the next Highway Commission meeting was confirmed for Tuesday, November 18, 1969, in the State Highway Building in Salem. A tentative date for the following meeting was set for December 30, 1969.

The Commission confirmed telephonic approval given September 2, 1969, awarding contracts on which bids were received August 28, 1969, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM ON AUGUST 28, 1969

Structure on the East Fremont Interchange Section, Unit A, of the Stadium Freeway in Portland, Multnomah County, Federal-Aid Interstate Highway Project No. I-405-8(22)304. This project was withdrawn from the bid letting.

Grading, paving, structure and traffic control devices on the East Fremont Interchange Section, Unit B, of the Stadium Freeway in Portland, Multnomah County. Federal-Aid Interstate Highway Project No. I-405-8(23)304. This project was withdrawn from the bid letting.

Grading, paving, structures and traffic control devices on the East Fremont Interchange Section, Unit C, of the Stadium Freeway in Portland, Multnomah County. Federal-Aid Interstate Highway Project No. I-405-8(24)304. This project was withdrawn from the bid letting.

Contract No. 7298 for buildings on the East Fremont Interchange Section of the Stadium Freeway in Portland in Multnomah County. Federal-Aid Interstate Highway Project No. I-405-8(22)304. One bid was received. The Commission awarded the contract to the lone bidder, E. Carl Schiewe, Portland, with the Railroad to decide on Alternate "A" at \$119,976.00 or "B" at \$127,172.00 and the Railroad to pay the extra cost if Alternate "B" is chosen.

Contract No. 7299 for grading and stone base on the Powder River Section (McDougal Lane) of FAS-506 in Baker County. FAP No. SU-128(6). Two bids were received. The Commission elected to accept the low bid of E. W. Eldridge, Inc., Sandy, in the sum of \$97,278.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Baker County is received and the sum of \$22,400.00 is deposited by the County.

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Contract No. 7300 for signals at the King Road Section on 82nd Avenue (Cascade Highway) in Clackamas County. State Project. Two bids were received. The Commission awarded the contract to the low bidder, W. R. Grasle Co., Portland, in the amount of \$22,450.

Contract No. 7301 for grading and paving on 2nd Street in Cannon Beach in Clatsop County. State Project. Three bids were received. The Commission elected to accept the low bid of Palmberg Paving Company, Inc., Seaside, in the sum of \$22,408.50 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Cannon Beach is received and the sum of \$2,910.00 is deposited by the City.

Contract No. 7302 for roadside improvement on the North and South Canyonville and West Fork Interchanges on the Pacific Highway in Douglas County. FAP No. I-5-2(62)97. Five bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$59,184.50.

Contract No. 7303 for stone base and oiling on the Miller Ranch-Wickiup Forest Camp Section of FAS-12-104 in Grant County. FAP No. S-12-104(1). Four bids were received. The Commission elected to accept the low bid of F. H. McEwen Construction Company, Eugene, in the sum of \$470,217 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Grant County is received and the sum of \$107,000 is deposited by the County.

Contract No. 7304 for slide correction on the Neil Creek Section of the Pacific Highway in Jackson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, Hughes and Dodd Company, Medford, in the amount of \$229,605.70.

Contract No. 7305 for a toilet building in the Peter Skene Ogden State Wayside on The Dalles-California Highway in Jefferson County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$25,050.

Contract No. 7306 for roadside improvement on the Speaker Road, Wolf Creek and Sunny Valley Interchanges on the Pacific Highway in Josephine County. FAP No. I-5-2(63)73. Four bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$46,940.

Contract No. 7307 for a toilet building in Collier Memorial State Park on The Dalles-California Highway in Klamath County. State Project. Three bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$26,662.

Contract No. 7308 for a toilet building in the Goose Lake State Recreation Area in Lake County. State Project. Four bids were received. The Commission awarded the contract to the low bidder, Aichele Landscaping, Inc., Portland, in the amount of \$26,165.

Contract No. 7309 for an irrigation system on the N.W. 4th Avenue-Arcata Way Section of FAS-23-103 at west city limits of Ontario in Malheur County. FAP No. SU-23-103(1). Three bids were received. The Commission elected to accept the low bid of Galey Construction Company, Inc., Boise,

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Idaho, in the sum of \$97,458 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Malheur County is received and the sum of \$23,000 is deposited by the County.

Retaining wall in the Mary S. Young State Park in Clackamas County. State Project. This project was withdrawn from the bid letting.

The Commission confirmed telephonic approval given on September 11, and 17, 1969, awarding contracts on which bids were received September 11, 1969, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM ON SEPTEMBER 11, 1969

Awards Made September 11, 1969

Contract No. 7310 for structure on the East Fremont Interchange Section, Unit A, of the Stadium Freeway in Portland, Multnomah County. Federal-Aid Interstate Project No. I-405-8(22)304. Six bids were received. The Commission awarded the contract to the low combination bidder, Willamette River Constructors, Portland, in the amount of \$13,745,369.

Contract No. 7311 for grading, paving, structures and traffic control devices on the East Fremont Interchange Section, Unit B, of the Stadium Freeway in Portland, Multnomah County. Federal-Aid Interstate Project No. I-405-8(23)304. Six bids were received. The Commission awarded the contract to Willamette River Constructors, the low combination bidder, Portland, in the amount of \$9,501,562.

Contract No. 7312 for grading, paving, structures and traffic control devices on the East Fremont Interchange Section, Unit C, of the Stadium Freeway in Portland, Multnomah County. Federal-Aid Interstate Project No. I-405-8(24)304. Eight bids were received. The Commission awarded the contract to Willamette River Constructors, Portland, the low combination bidder, in the amount of \$2,123,261.

BIDS RECEIVED IN SALEM ON SEPTEMBER 11, 1969

Awards Made September 17, 1969

Contract No. 7313 for a utility building in Humbug Mountain State Park on the Oregon Coast Highway in Curry County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, in the amount of \$46,840.

Contract No. 7314 for a bathhouse in Jessie M. Honeyman State Park on the Oregon Coast Highway in Lane County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, E. W. Eldridge, Inc., Sandy, in the amount of \$36,828.50.

Contract No. 7315 for a toilet building in South Newport State Park on the Oregon Coast Highway in Lincoln County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, in the amount of \$25,470.

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Contract No. 7316 for construction of the Silver Creek (Silverton) Bridge on FAS-130 in Marion County. FAP No. S-569(1). Four bids were received. The Commission elected to accept the low bid of Ross Bros. Construction, Inc., Salem, in the sum of \$81,313 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 \$19,300 is deposited by the County.

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

- (1) Grading, paving, and structure on the Saddle Mountain Junction-Little North Fork Nehalem River Section of the Sunset Highway in Clatsop County. Bids received July 31, 1969. Contract No. 7289 awarded August 21, 1969, to Roy L. Houck Sons' Corporation, Salem, low bidder.
- (2) Grading, paving and roadside improvement on the Tillamook Bay Viewpoint Section of the Oregon Coast Highway in Tillamook County. Bids received July 31, 1969. Contract No. 7292 awarded August 20, 1969, to All-City Landscape, Inc., Portland, low bidder.
- (3) Grading and paving on N.W. 4th Avenue-Broadway Section in the city of Milton-Freewater of the Freewater Highway in Umatilla County. Bids received July 31, 1969. Contract No. 7293 awarded August 26, 1969, to Braden, Nelson and Herndon Construction Company, Walla Walla, Washington, low bidder.
- (4) Buildings on the East Fremont Interchange Section of the Stadium Freeway in Multnomah County. Bids received August 28, 1969. Contract No. 7298 awarded September 9, 1969, to E. Carl Schiewe, Portland, low bidder.
- (5) Grading and stone base on the Powder River Section (McDougal Lane) of FAS 506 in Baker County. Bids received August 28, 1969. Contract No. 7299 awarded September 5, 1969, to E. W. Eldridge, Inc., Sandy, low bidder.
- (6) Grading and paving on 2nd Street in the city of Cannon Beach in Clatsop County. Bids received August 28, 1969. Contract No. 7301 awarded September 15, 1969, to Palmberg Paving Co., Inc., Seaside, low bidder.
- (7) Stone base and oiling in the Miller Ranch-Wickiup Forest Camp on FAS 12-104 in Grant County. Bids received August 28, 1969. Contract No. 7303 awarded September 10, 1969, to F. H. McEwen Construction Company, Eugene, low bidder.

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- (8) Irrigation system on the N.W. 4th Avenue-Arcata Way Section of FAS 23-103 in Malheur County. Bids received August 28, 1969. Contract No. 7309 awarded September 8, 1969, to Galey Construction Co., Inc., Boise, Idaho, low bidder.
- (9) Construction of Silver Creek Bridge in the city of Silverton on FAS 130 in Marion County. Bids received September 11, 1969. Contract No. 7316 awarded September 23, 1969, to Ross Bros. Construction, Inc., Salem, low bidder.

The Engineer reported that as previously instructed a new Engineering Aide Trainee Program for minority groups had been implemented in the Portland area. Ten minority senior students are being selected by the Jefferson High School Principal to take part in the program and Multnomah County is taking five students from Washington High. The students are to be paid \$1.75 per hour on a regular schedule of one-day per week to enable the student to learn engineering fundamentals in preparation for the engineering aide examination. The Commission confirmed Chairman Jackson's prior approval of the program as presented and the Chairman instructed that it be so organized that it could be expanded in the future. Commissioner Bruno indicated that he would like to see reports on the progress of the program.

The Commission considered requests from Clackamas, Lake, Tillamook, and Wallowa Counties for Federal-Aid Secondary Highway Projects. The Engineer stated that the projects have been investigated and are eligible for Federal-aid and he recommended approval. The Commission approved the following projects and authorized the Secretary to sign routine construction agreements:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Clackamas	133	Intersection of King Road and Linwood Avenue Section, King Road, 1.82 miles. Traffic control signal.	\$ 15,000	1969
Clackamas	681	Harvey Way-Country Club Road Section, Boones Ferry Road, 1.82 miles. Grade, drain, base, curb, and pave.	400,000	1969
Clackamas	943	South Tigard Interchange-Boones Ferry Road Section, 1.4 miles. Grade, drain, base, curb, and pave.	625,000	1969
Lake	902	Twenty Mile Creek (Twenty Mile) Bridge Section, Twenty Mile Road. Structure.	25,000	1969
Tillamook	613	Nestucca River (Ollie Woods) Bridge Section, Blain Road. Structure.	200,000	1969

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County	FAS	Section & Description	Programmed Amount	FAS Funds
Wallowa	468	Bear Creek Bridge Section, Bear Creek Road. Structure.	\$ 60,000	1969
Wallowa	491	Bear Creek Bridge Section, Diamond Prairie Road, Structure.	45,000	1969

Total . . . \$1,370,000

SUMMARY BY FISCAL YEARS

	1969	1970	TOTAL
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Funds (Corrected to date)	3,969,000	864,000	4,833,000
Unprogrammed Balance	\$ --	\$4,225,000	\$4,225,000
Projects Proposed 9-30-69	--	1,370,000	1,370,000
Unprogrammed Balance	\$ --	\$2,855,000	\$2,855,000

A resolution was presented by the Engineer abandoning to abutting property owners a portion of the old right-of-way on the Nestucca Bay-Neskowin Section of the Oregon Coast Highway in Tillamook County. He explained that the 0.18 acre parcel is no longer needed for highway purposes and is to be abandoned in order to comply with a real estate option. Following his favorable recommendation, the Commission approved the abandonment and thereupon adopted "Abandonment Resolution No. 495," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was also given to a resolution abandoning to the City of Rainier portions of the old Delena-Rainier Section of the Columbia River Highway in Columbia County. The Engineer commented that abandonment is in compliance with an agreement entered into with the City on April 21, 1966, and he recommended approval. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 451," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement was considered with Jackson County concerning abandonment to the County of the old Crater Lake Highway between Cascade Gorge and Prospect. The agreement also provides that the State is to perform snow removal and sanding operations on the section to be abandoned for a period of ten years, or until the County has its own equipment within this time. If the County does not have its own equipment for snow removal and sanding at the end of the ten-year period, the State will continue snow removal and sanding at County expense. Other maintenance expenditures are to be borne by the County. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

A resolution was also presented by the Engineer concerning the abandonment of a portion of the old Crater Lake Highway between Cascade Gorge and Prospect. Under the terms of the agreement with Jackson County concerning

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this section, it was stipulated that the Commission by resolution should formally abandon to the County portions of the old right-of-way. The resolution as presented accomplishes that purpose and the Engineer recommended its adoption. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 493," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with the Cities of Hammond and Warrenton concerning abandonment of small segments of the Fort Stevens Highway in Clatsop County was brought up by the Engineer. He explained that there is an encroachment problem on private property at M.P. 1.2 on the Fort Stevens Highway. Plans for elimination of sharp curves in this area involve the boundary limits between the two cities; therefore, it was necessary that an agreement be entered into with them abandoning small sections of the present highway to each City. Clatsop County has provided right-of-way for the highway realignment. Cost of the project is estimated at \$60,000, and he recommended approval of the agreement and the addition of the project to the current State Construction Program. The Commission accepted the Engineer's recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with Howard, Needles, Tammen & Bergendoff to provide engineering studies in determining the proper geometric layout for the East Portland Freeway (I-205) between Sunnyside Road and the Washington State Line in Multnomah County was discussed. The Engineer said that the actual design work is to be performed by Highway Department forces after the results of the study have been received. Cost of the agreement is on a cost plus fixed fee basis at an estimated total of \$57,390. The Commission accepted his recommendation for approval, contingent upon approval by the Bureau of Public Roads to finance the study with Interstate Funds, and authorized the Secretary to sign the agreement for them.

Consideration was given to a Letter of Understanding from Curry County concerning financial participation in construction of the Brookings-Winchuck Section of the Oregon Coast Highway and the Pistol River Bridge Section on the Pistol River Loop, a part of the old Oregon Coast Highway. In the letter, the County agrees to turn over to the State, Federal-aid Secondary Funds through the fiscal year 1971 in the amount of \$379,060 and to provide an additional \$185,000 in future Federal-aid Secondary Funds. The letter also stipulates that Curry County will, upon completion of the Pistol River Bridge, accept complete jurisdiction of the Pistol River Loop, approximately 2.3 miles, including the new bridge. The Engineer recommended that the County's offer be accepted. The Commission accepted the offer and authorized the Secretary to sign the agreement in their behalf.

A request from the Bureau of Land Management for access across the H. B. Van Duzer Corridor Wayside in order to reach their holdings on the south side of the Salmon River Highway in Tillamook County was considered. The Engineer stated that the proposed easement is located approximately nine miles west of Grand Ronde and utilizes an existing access roadway licensed to Longview Fibre Company. The easement contains provisions for providing liability insurance and maintenance without cost to the State and may be canceled if the area is needed by the State for park or highway purposes. The Longview Fibre Company has approved the easement and the Engineer recommended that it be approved by the Commission. The Commission accepted his recommendation.

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Consideration was given to extending to March 1, 1970, the date for completing the highway classification study being conducted by the Transportation Research Institute of Oregon State University. The Engineer recalled that at the August 19, 1969, meeting the Commission had extended the completion date to September 30, 1969. Subsequently Representative Roger Martin, Chairman of the Interim Committee on Urban Affairs to whom the Research Institute reports, requested the second extension so that his committee and the cities and counties will have an opportunity to review the classification procedures prior to completion of the work. The Commission approved the extension as requested.

A throughway agreement with Baker County concerning construction of the North Powder-South Baker Interchange Section of the Old Oregon Trail was discussed. The Engineer observed that the agreement contains the usual provisions concerning right-of-way acquisition, construction, maintenance, closure of certain County roads, and relocation of utilities. He also pointed out that upon completion of the project, short sections of the Medical Springs, Baker-Copperfield, and La Grande-North Powder Highways are to be abandoned to the County, along with newly constructed frontage roads. Construction of the North Unit on this section he said is tentatively scheduled for contracting in the spring of 1970. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Engineer presented an agreement with the State of Washington concerning construction of the proposed East Portland Freeway (I-205) Bridge across the Columbia River between the States of Oregon and Washington. The agreement provides that Oregon will design and contract construction of the bridge and perform all maintenance work. The State of Washington is to pay for the cost of construction of the bridge within that State and a pro rata share of routine maintenance. Each State is to pay the full amount of any structural repairs within its jurisdiction. Based on the Engineer's favorable recommendation, the Commission approved the agreement.

A letter-form supplemental throughway agreement with Tillamook County concerning closure of Summit Road near Neskowin on the Oregon Coast Highway was considered. Closure of the road, the Engineer said, is necessary because of the need to purchase additional right-of-way due to slides. The Bureau of Public Roads has agreed to construct an alternate route. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a throughway agreement with Baker County pertaining to construction of the Bubbs Ranch-Weatherby Section of the Old Oregon Trail. The Engineer mentioned that the agreement provides for right-of-way acquisition, construction, closure of certain County roads, relocation of utilities and other matters. Portions of the Gales Public Road are to be reconstructed and dedicated to the public with the State having no obligation for maintenance. It is planned to call bids for the contract early in 1970. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

Also considered was a throughway agreement with Klamath County concerning construction of the Geary Ranch-Green Springs Interchange Section of the Lake of the Woods Highway. The Engineer recalled that a prior agreement, which referred to this section as the Orindale Draw Section, is to

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remain in full effect. The prior agreement requires that the County take over the existing highway between the north end of the project and The Dalles-California Highway in Klamath Falls when the new highway is completed. The agreement presented at this meeting provides for construction and maintenance of the project, the closure of certain County roads, relocation of utilities and other matters. It is planned to receive bids for the project in December, 1969. Following the Engineer's 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 Spokane, Portland and Seattle Railway Company concerning construction of the Vadis Overcrossing on the Wilson River Junction-North Plains Section of the Sunset Highway in Washington County. The agreement provides that the State reimburse the Railroad for all its expenses, which the Engineer estimated at \$1,433. The Railroad is to maintain its facilities and the State is to maintain the overcrossing structure when completed. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign it in their behalf.

The Commission also give attention to an easement by which Southern Pacific Company grants the State the right to use a strip of land 10 feet wide across the Company's right-of-way at Goose Lake State Recreation Area in Lake County. The Engineer recalled that at the August 19, 1969, meeting an agreement had been approved with Southern Pacific Company to install a vehicular grade crossing at this location. The easement presented at this meeting allows the State to use a strip of land for a pedestrian underpass beneath the railroad. There is no cost to the State. Based on the Engineer's favorable recommendation, the Commission approved the agreement.

An agreement with the City of West Linn pertaining to installation of a fire warning signal at the intersection of Portland Avenue (Oswego Highway) and Failing Street in Clackamas County was brought up by the Engineer. Under the agreement, the State and City are to share equally in the cost of installation and the City is to provide for all future maintenance and power needs. The estimated cost of the installation is \$2,500 and the State's share of \$1,250 is to be taken from Minor Betterment Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission considered an agreement with the City of Rufus for installation of illumination at the Rufus Interchange on the Columbia River Highway (I-80N) in Sherman County. Under the agreement, the Engineer said that the State is to prepare the plans and award a contract for the illumination of the interchange ramp and provide for all maintenance after installation. The City is to install lineal illumination from the northerly ramp terminal intersection to the center of Rufus. The City also is to pay for all electrical energy used in both the State and City installations. The Engineer estimated the cost of the project at \$40,000 and recommended that it be approved as an Interstate Project. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

The Engineer presented an agreement with the City of Astoria for installation of traffic signals at the intersection of West Marine Drive

(Oregon Coast Highway) and Portway Avenue in Astoria, Clatsop County. Under terms of the agreement, the State is to perform the installation and the City is to pay one-half the cost of the installation and provide all of the maintenance and power needs. The Engineer estimated the total cost of the project at \$16,000 with the State's share of \$8,000 to be taken from Minor Betterment Funds. Based on his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

Renewal of seven snow removal agreements as requested by ski resort operators was presented by the Engineer. He recalled that during the past winter season, such agreements had been in effect with eleven ski resorts under which the State removes snow from parking areas as required by public use. He recommended renewal of the agreements to July 1, 1970, under the same terms as contained in the prior agreements. The agreements with Timberline Lodge, Tomahawk, Warner Canyon and Willamette, he said, will be presented later. The Commission approved the renewal of the agreements, granted authority for the Secretary to sign them, and approved expenditure of funds as follows:

Name	Site	Anticipated Cost
Mt. Ashland Corp.	Mt. Ashland	\$36,000
Mt. Bachelor, Inc.	Bachelor Butte	40,000
Hoodoo Ski Bowl Developers, Inc.	Hoodoo	6,000
Mt. Hood Meadows and Mt. Hood Meadows Development Corp.	Mt. Hood Meadows	19,000
Multorpor, Inc.	Mt. Hood	4,000
Snow Bunny Lodge	Mt. Hood	2,000
Douglas Co. Board of Commissioners	Taft Mt.	3,000

Attention was given to an agreement with Pittsburgh Testing Laboratory to perform inspection of the structural steel and fabrication required on Contract No. 7214 for the West Fremont Interchange Section of the Stadium Freeway in Multnomah County. The Engineer stated that State personnel are not available to perform the work and he recommended approval of the agreement to perform this service at a unit price of \$13.50 per ton and a total not to exceed \$112,000. The Bureau of Public Roads has concurred in this agreement. The Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission considered a request from the City of Fairview, Multnomah County, for consent by the Commission for annexation to the City of a portion of the Columbia River Highway adjacent to the northwesterly city limits. The Engineer stated that the request has been investigated, that it does not form an enclave, and he recommended that consent be given. The Commission accepted his recommendation and authorized the Secretary to sign a consent form in their behalf.

The Commission also considered two letter-form agreements with Washington County covering survey and design work on a bridge crossing the Tualatin River and on a proposed extension of Murray Boulevard (FAS 630) to a connection with the Pacific Highway West near King City. The Engineer explained that the County has requested the placement of these routes on the Federal-aid Secondary System and intends to apply for FAS-C projects.

He recommended approval of the agreements, the work to be performed by State personnel when available, with the understanding that if the County requests for FAS routing and project approval are rejected, that the County will pay for the costs of the survey. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Confirmation of verbal approval given by the Chairman September 17, 1969, on agreements with the City of Klamath Falls concerning one-way traffic and traffic signals and signing on Main Street and Klamath Avenue was requested by the Engineer. The Engineer stated that the City is to prepare plans, obtain right-of-way, award contracts and supervise the construction. When the project is completed, the State is to designate Center Street between Main Street and Klamath Avenue and that portion of Klamath Avenue between Center and 5th Streets as a portion of the Klamath Falls-Lakeview Highway. Also the State is to designate 12th Street between Klamath Avenue and Main Street and that portion of Klamath Avenue between 5th and 12th Streets as a portion of the Klamath Falls-Malin Highway. Provision is also made that the State advance to the City \$15,000 without interest, to be repaid within two years. In the future if it becomes necessary to overlay or reconstruct portions of the project, the work is to be covered by an agreement on the basis that 75 percent of the cost be borne by the State and 25 percent by the City. The agreement for traffic signals and signing is estimated to cost the state \$6,500. The Commission confirmed the agreements and authority for the Secretary to sign them.

An agreement with the Nehalem Telephone & Telegraph Company to provide phone service in Oswald West State Park, Tillamook County, was presented by the Engineer. He stated that there has been an increasing amount of vandalism, thievery, and other undesirable activities in the park. Installation of a phone would aid the park attendant in keeping order. The agreement covers a period of five years beginning on the date of the first delivery of telephone service. The telephone company is to provide all materials and labor for construction of approximately two miles of line for \$2,091 or the actual cost, whichever is less. The phone company also is to provide for all maintenance. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

The Commission instructed that an extension to the end of the current fiscal year be made on the Oregon Welcome agreement which provides tourist services. The agreement is to be extended on the same terms as the previous agreement. The Secretary was authorized to sign the agreement for the Commission.

The Commission authorized purchase of right-of-way on the Mt. Hood Freeway in Portland in cases of extreme hardship or emergency.

The Commission considered a request from the Clackamas County Historical Society to name the West Linn-Oregon City Bridge on the East Portland Freeway (I-205) in commemoration of Governor George Abernethy. The Commission took no official action on the request but stated that if the Clackamas County Historical Society wishes to unofficially apply such a name, it would not disapprove the action.

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The matter of issuing permits for the movement of 12 foot wide prefabricated houses was considered. The Commission instructed the Engineer to check on the regulations that are in force in California, Idaho and Washington and that the matter would be considered later.

The Engineer recommended and the Commission approved the presentation of signed scrolls of appreciation to Mrs. Helen Batchelder who donated beach frontage at Lincoln City, and to the Rosenberg family who donated property at Maxwell Point.

A delegation representing the Columbia Region Association of Governments (CRAG) appeared before the Commission concerning establishment of the Multnomah Boulevard-Johnson Creek Route in Multnomah, Washington and Clackamas Counties. The following people were present: Mel Gordon; Eldon Hout; Fred Stefani; Robert Nordlander; Robert Weil; Homer Chandler; and Lloyd Keefe.

Mr. Mel Gordon gave the Commission a map showing the proposed route and urged that it be considered for adoption. Mr. Fred Stefani stated that the project is number one in priority for Clackamas County. Construction of this highway, he said, is too big for the County to undertake and he asked that a corridor route be designated to forestall industrial development. It was his opinion that considerable money could be saved by this action in the acquiring of right-of-way.

Mr. Eldon Hout stated that this route is also very important to Washington County, and he too requested that a corridor be designated to preclude industrial development.

Mr. Lloyd Keefe stated that recently a warehouse firm had asked for a zone change along the proposed route and a considerable number of proposed developments are being delayed simply because of the high interest rates. It was his opinion that the Commission should designate a route.

Mr. Robert Nordlander commented on the need for this east-west highway, pointing out that it would carry approximately 65,000 vehicles per day in serving approximately 850,000 people. Construction of the route, he said, is too expensive for the Counties to undertake. Washington County, he continued, needs this route; particularly because of its population increase. He did not ask for immediate construction of the route, but stated that it should be part of the long-range plan.

Mr. Robert Weil requested that a corridor route be designated so that the Counties can zone land use accordingly. He also pointed out that the Counties and the Cities are agreed that designation of this route is urgent. Mel Gordon emphasized the importance of the route and requested that it be put on the State highway system.

Chairman Jackson mentioned that earlier in the day the Commission had approved the CRAG report. He pointed out that cost of constructing this route is estimated at 75 million dollars and if it is placed on the State Highway system such a placement would amount to a commitment for construction. The Commission, he continued, has not had time to fully look

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into the CRAG report; but it was his feeling that before any commitment is made, the Commission should have some idea as to when the money would be available. The Commission, he said, appreciates the problem but as there is no known source of funds, no answer can be made at this time.

Mr. Gordon inquired as to how many projects have a higher priority rating. The Chairman replied that there could be a dozen or more which other interests would feel were more important. The Commission, he said, will not turn its back on their request.

A delegation from the City of Coos Bay came before the Commission regarding further improvement on Ocean Boulevard in Coos Bay, Coos County. The following people were present: William Morin, Mayor of Coos Bay; Jack Peters, Assistant Superintendent of Schools, Coos Bay; Don Beckham, Chairman, School Board, Coos Bay; Lura Morgan, Bandon; Grace Thill; Lonnie VanElsberg, James Johnson, Paul Rudy; Ray Becker, Clair Jones, John Hargrave, Clair Terry, Jack Ripper, John Topits, Mr. & Mrs. Harvey Durksen, M. J. Stragey, Lynn Akerman, Walt Cover, S. McSwain, Jack Fitzpatrick, Mr. & Mrs. B. McMillen, all of Coos Bay; and M. W. Ball, Port of Coos Bay.

Mayor Morin of Coos Bay recalled that this project had been agreed upon in 1966 and that the City had put up \$90,000 and later held an election to acquire an additional \$271,000 to finance the City's share of the cost. He pointed out that the delay in getting the work started puts the City Officials in a bad light. Recently a hearing was held for improvement on Newmark Avenue and he commented that residents of Coos Bay would be much upset if the money previously secured for Ocean Boulevard was used on Newmark.

Mr. Jack Peters, Assistant Superintendent of Schools in Coos Bay, called attention to the fact that 21 school buses per day use Ocean Boulevard; and in its present crowded condition, driving on it is dangerous. He asked that construction start at an early date.

Mr. Don Beckham, Chairman of the School Board, mentioned plans for a new high school which will increase traffic on Ocean Boulevard. State Representative Jack Ripper urged early completion of the project.

The Chairman pointed out that acquisition of right-of-way is under-way but is proceeding slowly because of difficulty in dealing with the owners. He also pointed out that President Nixon's recent request for a cutback in Government expenditures is slowing down State highway work. It is the Commission's intention to provide relief on this project as soon as possible, but it was his opinion that the necessary facts would not be known for several weeks. The Commission, he added, is also very anxious to complete the agreement previously entered into.

A delegation from Roseburg and the City of Coos Bay came before the Commission to request improvement of the Coos Bay-Roseburg Highway

(Route 42), particularly between Winston and Slater Creek. Present were: Al Flegel, Commissioner, Douglas County Board of Commissioners; Ervin Wilberger, Myrtle Point; Clair Jones, John Hargrave, Coos Bay; Charles Adams, Roseburg; and M. W. Ball, Port of Coos Bay.

Commissioner Flegel expressed appreciation for projects which have been constructed on Highway 42; however, the section of about 29 miles from Winston to Slater Creek is badly in need of improvement as there are over 50 trips made per day by trucks hauling wood chips to the coast. It was his opinion that the volume of chip hauling would triple in about three years time. Appreciation was also expressed for work that has been done on the Umpqua Highway and the Elkton-Sutherlin Highway. He suggested to the Commission that priorities on highway construction be examined to see if construction on Highway 42 could not be hastened.

The Chairman remarked that the Commission has so far spent about 18 million dollars on Highway 42 and about 14 million will be required to complete it. The Commission, he said, cannot make any commitment at this time.

A delegation from the City of Sandy came before the Commission to request installation of traffic signals on the Mt. Hood Highway at its intersections with Bluff Road and with Ten Eyeck Road in Clackamas County. The following persons were present: T. O. Thompson, Carl Copper, Dell Warren, and Dan Romey.

Mr. T. O. Thompson, who acted as spokesman, recalled that he had previously presented a petition signed by approximately 1,100 people requesting the installation of traffic signals at these two locations. He commented on the difficulty in crossing the highway when traffic is heavy, and stated that at times it has been necessary to wait nearly half an hour to find a break in the traffic. Mr. Carl Copper mentioned the problem that school buses have in entering the highway, and that control of the traffic for safety is a greater problem than the City can handle alone. He pointed out that the City of Gresham has three traffic signals along the Mt. Hood Highway while Sandy has none.

Chairman Jackson stated that a study will be made to see what can be done.

Mr. Norman Savinar of Portland appeared before the Commission to request that a hearing be held in the city of Portland concerning closure of Cannon Beach to vehicular traffic. He pointed out that recent legislation emphasizes that the beaches belong to all the people of the State, and people in Fendleton with children are also concerned about the safety of their children when on the beach. It was his opinion that a more representative hearing could be obtained if it was held in the city of Portland. The Chairman asked him if the hearing is held in Cannon Beach would there be, in his opinion, more resistance to beach closure. Mr. Savinar replied that in the past business interests along the beach have generally opposed closure of the beach to vehicles.

The Chairman mentioned that earlier in the day the Commission had adopted a resolution setting up procedures for holding hearings as required by law. Under these provisions, persons may submit written statements within ten days following the hearing, which statements will be included in the transcript of the hearing, the same as though they had been made at the hearing.

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

"Grant of Easement" to City of Cascade Locks re Cascade Locks-Viento Section of the Columbia River Highway in Hood River County.

"Bargain and Sale Deed" to Frank O. and Jeanette Shorts re Cascade Locks-Viento Section of the Columbia River Highway in Hood River County.

"Bargain and Sale Deed" to La Verne and Marjorie Stubbs re Cascade Locks-Viento Section of the Columbia River Highway in Hood River County.

"Bargain and Sale Deed" to Allen E. and Cleoda M. Jackson re Cascade Locks-Viento Section of the Columbia River Highway in Hood River County.

"Release of Roadway Easement" to Harold J. and Claudine B. Hinckley re Quartz Creek-North Plains Section of the Sunset Highway in Washington County.

"Relinquishment of Title" to Curry County re right-of-way on the Brookings-California State Line Section of the Oregon Coast Highway.

"Bargain and Sale Deed" to Capital Manor re sale of 5.08 acres and 0.6 acre parcel of land on the Bonneville Station-Patterson Avenue Section of the Willamina-Salem Highway in Polk County.

"Indenture and Deed" to Mary S. Hunt re Gap-Tygh Grade Summit and Dufur Gap Sections of The Dalles-California Highway.

"Bargain and Sale Deed" to Edwin G. and Kiyoko Tacke re the Elk Creek-Blue River Section of the McKenzie Highway in Lane County.

"Indenture of Access" to George A. and Ruby J. Yell covering Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Indenture of Access" to T and G Enterprises, Inc., covering Blackwell Hill-Seven Oaks Section of the Rogue Valley Highway in Jackson County.

"Indenture of Access" to James H. and Margaret Willey covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Walter H. and Esther L. Brunner and Quinda L. Lowder covering the Blue River-Mill Creek Section of the McKenzie Highway in Lane County.

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"Indenture of Access" to Fill-Up Stations, Inc., re North Roseburg Section of the old Pacific Highway.

"Agreement" with Jackson County abandoning the old Crater Lake Highway between Cascade Gorge and Prospect to the County.

"Agreement" with the Cities of Hammond and Warrenton abandoning to the Cities small segments of the Fort Stevens Highway in Clatsop County.

"Agreement" with Howard, Needles, Tammen and Bergendoff covering engineering studies to determine the proper geometric layout for the East Portland Freeway (I-205) between Sunnyside Road and the Washington State Line.

"Agreement" with Curry County (letter of understanding) covering financial participation in construction of the Brookings-Winchuck Section of US 101 and the Pistol River Bridge Section on the Pistol River Loop.

"Timber Access Road Easement" to the Bureau of Land Management re access to its holdings on the south side of the Salmon River Highway crossing the H. B. Van Duzer Corridor Wayside and over an existing access roadway licensed to Longview Fibre Co.

"Agreement" with Baker County concerning construction of North Powder-South Baker Interchange Section of the Old Oregon Trail.

"Agreement" with State of Washington covering construction of the proposed East Portland Freeway Bridge across the Columbia River.

"Letter-form Supplemental Agreement" with Tillamook County concerning closure of Summit Road within the limits of Cape Kiwanda-Neskowin Section of the Oregon Coast Highway.

"Agreement" with Baker County concerning construction of Bubbs Ranch-Weatherby Section of the Old Oregon Trail.

"Agreement" with Klamath County concerning construction of the Geary Ranch-Green Springs Interchange Section of the Lake of the Woods Highway.

"Agreement" with Spokane, Portland and Seattle Railway Company providing for construction of the Vadis Overcrossing on the Wilson River Junction-North Plains Section of the Sunset Highway in Washington County.

"Street or Highway Easement" with Southern Pacific Company granting the State the right to use a strip of land 10 feet in width across the SP Company's right-of-way at Goose Lake State Recreation Area in Lake County to construct a pedestrian crossing.

"Agreement" with City of West Linn for installation of a fire warning signal at the intersection of Portland Avenue (Oswego Highway) and Failing Street.

"Agreement" with City of Rufus for installation of illumination at the Rufus Interchange on the Columbia River Highway.

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"Agreement" with City of Astoria for installation of traffic signals at the intersection of West Marine Drive and Portway Avenue in that city.

"Agreements" with Mt. Ashland Corp., Mt. Bachelor, Inc., Hoodoo Ski Bowl Developers, Inc., Mt. Hood Meadows & Mt. Hood Meadows Development Corp., Multorpor, Inc., Snow Bunny Lodge, Douglas County Board of Commissioners re removal of snow.

"Agreement" with Pittsburgh Testing Laboratory for steel inspection on the West Fremont Interchange Section of the Stadium Freeway in Multnomah County.

"Agreement" with Washington County covering survey and design work on the bridge crossing the Tualatin River and an extension of Murray Boulevard, FAS 630, southeasterly to a connection with the Pacific Highway West near King City.

"Agreement" with Nehalem Telephone and Telegraph Company for phone service in Oswald West State Park.

As there was no further business to conduct, the meeting was adjourned by the Chairman at 11:10 a.m.

Forrest Cooper
State Highway Engineer

Glenn L. Jackson
Chairman

Fred W. Hill
Commissioner

Floyd Query
Secretary

Thaddeus B. Bruno
Commissioner

September 30, 1969

Salem, Oregon
November 18, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
L. 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

Among others present were: R. E. Simpson, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; H. S. Cox, County-City Engineer; and John J. Earley, Information Officer.

The Commission approved the minutes of the meeting held on September 30, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 43, secured for acquisition of real property needed for State Highway use or for other purposes. He mentioned that the amounts offered are based on competent appraisals which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 63," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from September 23 to November 11, 1969, was presented by the Right of Way Engineer and accepted by the Commission. During this period miscellaneous sales totaled \$1,115, land sales \$36,825, and timber sales \$180. Rental receipts for September were \$26,341.06 and for October \$28,008.61.

Authority was requested by the Right of Way Engineer to offer at public sale four parcels of property no longer needed for highway purposes. Minimum values have been determined by competent appraisals and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 527 through 530," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

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- (1) 6,120 square feet of land, File 4458, located in the southwest corner at the intersection of N. W. 11th Avenue and the Oregon Coast Highway in the city of Newport, Lincoln County, for not less than \$3,750. The purchaser will be required to fill the front of the property to highway elevation, to extend a concrete drain pipe across the property and arrange for construction of a manhole to serve the drain pipe. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 527.")
- (2) 5.50 acres, File 8925 (Q771), located along the Scofield County Road approximately 2½ miles north of Buxton on the Sunset Highway in Washington County for not less than \$3,000. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 528.")
- (3) 1,962 square feet of land, Files 5038 and 26350, located in the southwest quadrant of the Spring Garden Interchange on the Harbor Drive-Barbur Boulevard Section of the Pacific Highway West in Multnomah County for not less than \$1,000. No access is to be allowed to the Pacific Highway or to Barbur Boulevard. Multnomah County is to be paid \$120 for release of a restriction to use the property for highway purposes. Bureau of Public Roads' approval was given October 20, 1969. (See "Real Property Resolution No. 529.")
- (4) 0.6 acre, File 15200, located in the southeast quadrant of the Sylvan Interchange on the Sunset Highway in Multnomah County for not less than \$7,300. No access is to be permitted to the Sunset 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. 530.")

The Right of Way Engineer also requested authority to make direct sales on four parcels of property no longer needed for highway purposes. Public sale of these properties, he said, is not feasible because of peculiarities of location which restrict salability to a single party. Sale prices have been determined by competent appraisals. The Commission approved direct sale of the following properties:

- (1) To Colahan Enterprises, Inc., Files 7789 and 5995, two parcels of land, one consisting of 0.5 acre east of the Fremont Highway at Summer Lake and the other consisting of 2.546 acres west of the Fremont Highway at Summer Lake in Lake County, for \$300. The purchaser is to fence the new right-of-way line and no irrigation is allowed. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

- (2) To Errol's Construction, the adjacent owner, File 20052, 0.08 acre, located on the northerly side of the John Day Highway approximately two miles west of John Day in Grant County for \$100. No access is to be permitted to the John Day 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) To Harold Warkentin, et ux., File 33465, 15 square feet located in Lot 6, Block 15, College Subdivision No. 4, adjacent to Turnage Street in West Salem along the Willamina-Salem Highway in Polk County for \$15. A junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (4) To Betty Ahern, the adjoining property owner, File 4507, 1.9 acres on the southeasterly side of The Dalles-California Highway approximately 7 miles north of Gilchrist in Klamath County for \$200. No access is to be allowed to The Dalles-California Highway and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

Consideration was given to a Relinquishment of Title to Klamath County for 1.23 acres and 0.37 acre along the back side of the Midland Information Center on The Dalles-California Highway in Klamath County. The Right of Way Engineer explained that these are a portion of a roadway replacement for a County road which has been constructed to County standards. Following his favorable recommendation, the Commission approved the relinquishment.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the public record so that the locations would show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Georgia-Pacific property, File 24050, for a change in location of one unrestricted point of access widened to 40 feet on the westerly side of the relocated Coos Bay-Roseburg Highway at the south edge of the city of Coquille in Coos County. Approval by the Bureau of Public Roads was received June 5, 1969.
- (2) Hatfield property, File 32880, for a change in location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Coos Bay-Roseburg Highway approximately 9 miles east of Myrtle Point in Coos County. Approval was received from the Bureau of Public Roads on June 5, 1969.

- (3) Cunningham property, File 31231, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately one-half mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received August 5, 1969.
- (4) Lee property, File 31237, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway just south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received August 5, 1969.
- (5) Poole property, File 31224, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was given on August 5, 1969.
- (6) Sharkey property, Files 28200 and 31225, to show in the public record the constructed location of two unrestricted points of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was given on August 5, 1969.
- (7) Guthrie property, File 31234, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Mt. Hood Highway approximately one-half mile south of the Mt. Hood Post Office in Hood River County. Approval was given by the Bureau of Public Roads on August 5, 1969.
- (8) Hanel property, File 31223, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was given August 5, 1969.
- (9) Mowry property, File 28198, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the easterly side of the Mt. Hood Highway approximately one mile south of the Mt. Hood Post Office in Hood River County. Approval by the Bureau of Public Roads was received August 5, 1969.
- (10) Bibb property, File 28196, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Mt. Hood Highway approximately two miles south of the Mt. Hood Post Office in Hood River County. Approval was received from the Bureau of Public Roads on August 5, 1969.

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- (11) Adams property, File 28195, to show in the public record the constructed location and widening to 35 feet of two points of unrestricted access, one on the easterly side and one on the westerly side of the relocated Mt. Hood Highway approximately two miles south of the Mt. Hood Post Office, Hood River County. Approval by the Bureau of Public Roads was received August 5, 1969.
- (12) Bakke property, File 34589, for a change in location of one point of unrestricted access 35 feet wide on the northerly side of the relocated Mt. Hood Highway just west of Sandy, Clackamas County. Approval from the Bureau of Public Roads was received June 30, 1969.
- (13) Cline, Harbison and Stovall property, File 37234, for a change in location of one unrestricted point of access 35 feet wide on the westerly side of the relocated Oregon Coast Highway approximately 11 miles north of Port Orford in Curry County. Approval by the Bureau of Public Roads is not required.
- (14) Hendricks property, File 34628, for a change in location of two points of access on the easterly and westerly sides of the Tygh Grade Summit-Butler Canyon Section of The Dalles-California Highway in Wasco County. One of these is 35 feet in width and unrestricted as to use. The other is an access 50 feet in width restricted to farm use only.
- (15) Angstrom property, File 42034, for a change in location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Columbia River Highway approximately four miles east of Astoria in Clatsop County. Approval was received from the Bureau of Public Roads on September 23, 1969.
- (16) Ogle property, File 40452, for a change in location of one unrestricted point of access 35 feet wide on the easterly side of the relocated Oregon Coast Highway approximately one mile north of Neskowin in Tillamook County. Approval by the Bureau of Public Roads was given on June 4, 1969.

A Grant of Access to Howard Trout, File 22846, for the widening of one unrestricted point of access from 25 to 35 feet on the northerly side of the Tualatin Valley Highway opposite Highway Engineer's Station 161+20 in Washington County was discussed. Following the Right of Way Engineer's favorable recommendation, the Commission approved the access.

Confirmation was requested by the Right of Way Engineer for oral approval given by the Commission for the award of demolition contracts as follows:

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- (1) A negotiated contract with Heard Construction Company on the St. Helens Road-N. W. 21st Avenue Section of the Columbia River Highway in Multnomah County for \$1,375. Prior approval was given by the Commission on October 15, 1969.
- (2) Award of a contract to Heard Construction Company, the low bidder at \$5,872.80, on the East Portland Freeway and Fremont Interchange-Stadium Freeway in Multnomah County. Three bids were received. Prior approval was given by the Commission on November 5, 1969.
- (3) Award of a contract to D.S.L., Inc., the low bidder at \$1,843 on the 7th Avenue-Willamette River Section of the Eugene-Springfield Highway in Lane County. Four bids were received. Prior approval was given by the Commission on November 5, 1969.

The Commission confirmed the award of all three contracts and authority for the Secretary to sign them.

The Right of Way Engineer recommended a 15-day extension of time, without assessment of liquidated damages, on a demolition contract with R.A.V. Wrecking Co. on the East Portland Freeway and Fremont Interchange-Stadium Freeway in Multnomah County. The 15-day extension was granted by the Commission.

The Right of Way Engineer also recommended a 15-day extension of time, without assessment of liquidated damages, on a demolition contract with R.A.V. Wrecking Co. on the East Portland Freeway in Multnomah County. The Commission approved the extension.

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. 2563 and 2564," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. The Commission accepted the report, which is summarized as follows:

REPORT OF CONDEMNATION CASES TRIED

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-6007 Marie Frutiger, et vir.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	\$11,950.00	\$20,000.00	\$23,000.00

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(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5791 Ben Metz, Inc., et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	\$ 3,300.00	\$ 68,728.00 (Answer) Amended to: 31,042.00	\$ 5,700.00
L-5923 Homer Peterson, et al.	Coos	Coos Bay- Roseburg	Gray Creek- Myrtle Point	15,500.00	35,000.00 (Answer)	25,000.00
L-5918 Juanita Duty, et vir.	Lane	Florence- Eugene	Oakhill- Interstate IO5	22,000.00	60,000.00 (Answer)	34,000.00
L-5522 Ernest Zurcher, et al.	Washington	Sunset	North Plains Interchange- Cornelius Pass Interchange	12,000.00	38,750.00 (Answer)	21,000.00
L-5876 Elmer T. Miller, et al.	Union	Old Oregon Trail	La Grande	11,255.00	40,000.00	30,625.00
L-5921 La Grande Livestock Commission	Union	Old Oregon Trail	La Grande	20,800.00	110,000.00	95,000.00
L-5943 Wing Hoi Auckland	Multnomah	Columbia River	Burlington- Columbia County Line	53,000.00	96,000.00 Amended to: 108,000.00 during trial	70,877.00

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-6055 Lawrence Willard Downing	State of Oregon	Marion	Negligent operation of motor vehicle by defendant resulting in damage to car.	\$ 202.40	\$ 202.40 paid in full

(This case arose out of an accident on December 31, 1968, in which the plaintiff's vehicle was damaged by a State Highway Division truck. The State snowplow was following the plaintiff's vehicle and the State driver was unable to stop and collided with the plaintiff. The amount sued for has been paid by our insurance carrier.)

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(Report of Trial of Other Cases Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-6013 Stan Terry	City of Portland, et al. (State Highway Commission)	Multnomah	Suit for an Injunction	Permanent Injunction	Dismissed
(Plaintiff Terry, as a taxpayer, endeavored to secure an injunction to prevent the City and State from demolishing the old Public Market Building (Journal Building) adjacent to Harbor Drive in Portland. Presiding Judge dismissed the suit on November 3, 1969, on its own motion for want of prosecution.)					
L-6083 Jesse C. Owre	Crown Zellerbach Corp., et al.	Clackamas	Tort	\$150,000.00 general damages 1,500.00 special damages	Service of summons and first amended complaint against State of Oregon quashed
(This case involved a truck-auto accident, resulting in the death of the wife of the plaintiff, and included the State of Oregon, by and through the Highway Commission, as a defendant.)					
L-5838 Michael E. Malloy	W. R. Rogers, Forrest Cooper and Glenn Starkey	Multnomah	Personal Injury	620,200.00	None
(Plaintiff was involved in an accident on the Columbia River Highway in Hood River County during a construction project. Plaintiff claimed the contractor and the State employees were negligent in not properly signing the construction area. After a four-day trial the jury returned a verdict against the plaintiff and for the defendants.)					
L-6031 State of Oregon	Arthur L. Reichmond	Coos	Negligent operation of motor vehicle by defendant resulting in damage to State vehicle.	536.35	\$536.35

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(Report of Trial of Other Cases Cont.)

<u>Case</u>	<u>Defendant</u>	<u>County</u>	<u>Cause of Action</u>	<u>Demands of Plaintiff</u>	<u>Verdict</u>
L-6019 State of Oregon	Jose Carmen Ruiz and Ricardo Ruiz	Washington	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	\$ 138.16	\$ 138.16
L-6060 State of Oregon	Joseph Kostiner	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to asphalt kettle equipment.	463.20	463.20 paid
L-6061 State of Oregon	Colleen Lorene Miller	Multnomah	Negligent operation of motor vehicle by defendant resulting in damage to guardrail.	277.42	None (case dismissed)
L-5854 State of Oregon	George Shroyer and James Goodwin	Benton	Tort	189.64	Held for defendant
L-5163 State of Oregon	Tug "Go-Getter"	U. S. District Court	Damages to Bullards Bridge	196,713.42 plus interest	122,743.03 including pre-judgment interest of 10,527.13

(For additional details, see the Chief Counsel's letters dated November 12 and 14, 1969, concerning cases tried and filed in the Salem Office, General Files.)

Concerning the damage to Bullards Bridge caused when the Tug "Go-Getter" ran into it, the Chief Counsel commented that the verdict in favor of the State in the amount of \$122,743 had allowed approximately 40 percent for depreciation on the bridge. The Chairman commented that if the principles on which the suit was instituted were upheld, it appeared that there would be no reason to appeal the verdict. The Chief Counsel replied that there is still some doubt as to propriety of allowing 40 percent depreciation on the bridge.

A report was also presented by the Chief Counsel and accepted by the Commission concerning cases, which have been settled out of court since the last Commission meeting, summarized as follows:

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REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
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L-6001 Milton J. Wershow Co.	Clackamas	Pacific	East Portland Freeway-Wilson- ville Interchange	\$ 350.00	\$ 1,000.00
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(A well landscaped strip 10' x 170' is taken resulting in an impairment of 4 trailer sites. The Boekman Road overpass structure will be raised and lengthened creating a change in grade of Boekman Road. Appraisals were revised to give consideration to these factors after they became known.)

L-5970 Clinton L. English, et al.	Clackamas	East Portland Freeway	S.E. Hinkley Avenue-Lake Road Unit	13,750.00	17,000.00
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(This settlement and that on L-5971, reported herein, are to be considered together, each to be conditioned upon approval of the other.)

Although appearing in different names, the property is in fact held under the same beneficial ownership. Review Appraisal \$15,625.00.)

L-5971 Henry O. Geisler, et al.	Clackamas	East Portland Freeway	S.E. Hinkley Avenue-Lake Road Unit	270.00	500.00
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L-6005 Kenneth E. McKay, et al.	Coos	Empire- Coos Bay	14th Street- Bayshore Blvd.	1,700.00	2,250.00
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(Taking is a portion of supermarket parking lot. It will result in a loss of several parking spaces and will require parking plan to be redesigned in order to restore parking.)

Revised appraisals up to \$2,000 to give consideration to these factors were received following original offer.

Recommended by Adm. Rev. Bd.)

L-6076 Charles H. Olson, Jr., et al.	Washington	Sunset	North Plains Interchange- Cornelius Pass Road Interchange	1,400.00	1,850.00
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(Taking from adjoining property was tried last spring resulting in a verdict of \$5,650 where State's evidence was \$3,400 and attorney's fees of \$1,500. L-5515, State vs. Burger.)

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(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
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R-33084 Dorothy L. White, et al.	Clackamas	Mt. Hood	Alder Creek- Wildwood	\$ 1,250.00	\$ 1,350.00
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R-40677 Wayne E. and Isolee Wakefield, et al.	Jackson	Lake of the Woods	Brownsboro- Hanley Ranch	3,250.00	3,698.35
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(An option was secured on subject property in November, 1967.)

The matter over frontage road provision and width of access was finally resolved. Meanwhile time went by and owner demanded interest since State had possession during past two years. No way exists to resolve the claim short of condemnation or other legal proceeding.)

L-5942 C. R. Moe, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	18,150.00	25,750.00
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(Review Appraisal \$25,150.00.)

(For additional details, see the Chief Counsel's letter dated November 12, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission on telephonic approval previously given by the Commissioners on offers made to owners for acquisition of real property prior to the start of condemnation proceedings summarized as follows:

ALLEGANY-MARLOW CREEK SECTION OF THE COOS RIVER HIGHWAY

R-42458 - Oscar Lundberg, et ux. Parcel No. 1: 1.42 acres for right-of-way purposes; Parcel No. 2: 0.15 acre for permanent easement. Offer of \$3,550.00 approved by Mr. Jackson October 21, 1969.

LaGRANDE-NORTH POWDER SECTION OF THE OLD OREGON TRAIL

R-41041 - Marvin J. Fager. Parcel No. 1: 18.8 acres for right-of-way purposes; Parcel No. 2: 3.3 acres for permanent easement; Parcel No. 3: 0.55 acre for permanent easement; Parcel No. 4: 4.7 acres for permanent easement. Offer of \$7,350.00 approved by Mr. Jackson September 25, 1969.

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ORO DELL-LAGRANDE SECTION OF THE OLD OREGON TRAIL

R-34178 - Arch R. Hiatt, et al. 3,900 square feet for right-of-way purposes. Offer of \$150.00 approved by Mr. Jackson October 30, 1969.

PENDLETON SECTION OF THE OLD OREGON TRAIL

R-39192 - Lulu Estes Zimmerman, et al. 15,475 square feet for right-of-way purposes. Offer of \$150.00 approved by Mr. Jackson October 16, 1969.

S.E. FOSTER ROAD-S.E. HINKLEY AVENUE UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42227 - James C. Butler, et ux. 9,992 square feet for right-of-way purposes. Offer of \$16,250.00 approved by Mr. Jackson October 16, 1969.

The Commission considered and accepted a report made by the Chief Counsel concerning legal proceedings involving the State Highway Commission and its employees as follows:

- (1) Howard M. Beasley vs. Forrest Cooper, L. C. Smitton and A. F. Parson; and Clarence Hubert Wiseman vs. Forrest Cooper, L. C. Smitton and A. F. Parson. Beasley seeks damages for personal injuries in the amount of \$66,125 plus costs. Wiseman seeks \$283,153 damages. Both cases arise out of an accident at the junction of the Heppner Highway with the Columbia River Highway in Gilliam County. Plaintiffs allege negligence in design, construction and signing of interchange.
- (2) Clifford E. Samuels and Emily K. Samuels vs. Abner Springer Roberts. Plaintiffs seek \$282.88 to recover cost of repairs to plaintiffs' vehicle arising out of an accident involving a State truck on the Corvallis-Newport Highway in Benton County.
- (3) Dorothy Bradford vs. Michael Malloy, W. R. Rogers and Donald C. Rogers, dba Rogers Construction Co., Forrest Cooper and Glenn Starkey. Plaintiff seeks \$12,000 for personal injuries arising out of a traffic accident during construction of the Columbia River Highway east of Cascade Locks in Hood River County. Plaintiff alleges negligence.
- (4) Jesse C. Owre vs. Crown Zellerbach Corporation, Weyerhaeuser Timber Co., Samuel J. Rice, State of Oregon, by and through its State Highway Commission, Ron Failmezger, Frederick John Hagemann, Frederick B. Crandall, and G. Webb Ross. Plaintiff seeks \$151,000 damages for wrongful death of his wife killed in an accident at a private logging road crossing of the Molalla-Silverton Highway in Clackamas County. Plaintiff alleges negligence.

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- (5) Bertha Murdock vs. City of Klamath Falls, State Highway Commission, (its members individually), Forrest Cooper, John L. Gunter, James F. Van Wormer, Raymond L. Hughes, James F. Putnam and E. S. Huntley. Plaintiff seeks to recover \$15,429.33 for personal injuries suffered when she allegedly stumbled over a steel pipe extending above the level of the sidewalk, formerly the base of a traffic sign on South Sixth Street in Klamath Falls.
- (6) Aaron E. Matthews and Mary L. Matthews vs. State Highway Commission; Guthrie Matthews, Inc., vs. State Highway Commission; and John Bahr and Betty G. Bahr vs. State Highway Commission. All three are inverse condemnation cases. Plaintiffs seek \$20,000, \$30,000 and \$10,000 respectively, and allege the State constructed a drainage system in Winston and caused water to be concentrated in a natural drainage course that would not have naturally drained therein.
- (7) Wilma K. Raymond, Administratrix of Estate of Mike Scott Raymond, deceased, vs. State of Oregon, by and through its State Highway Commission. Plaintiff seeks \$75,500 for wrongful death of a young boy, who crawled beneath a fence by way of a catwalk to an abutment to a pier of the highway bridge across the South Umpqua River and fell onto the rocks below. Allege negligence in that State allowed a hole to develop and remain in the fence permitting the child to reach the place of danger.
- (8) Rowland S. Girt vs. State Highway Commission, Mr. Query and Peter Kiewit Son's Co. Plaintiff seeks \$60,000 damages for personal injury and \$1,565.10 for medical services and hospitalization as his car drove into White River as a result of bridge being washed out by a sudden flood.
- (9) Stanley L. Girt vs. State Highway Commission, Mr. Query and Peter Kiewit and Sons. Plaintiff seeks \$25,000 general damages and \$233.25 costs, suffered in the same accident reported above in the Rowland Girt case.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on October 31, 1969, on an agreement with Yamhill County for the purchase of 40.15 acres of land along the Willamette River at the mouth of Chehalem Creek for park purposes under the Willamette River Park System. He commented that the project had been approved August 5, 1969, by the Willamette River Park System Committee based on an estimated \$80,000 purchase price. However, subsequent appraisals indicated a value from

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\$57,000 to \$75,000. Yamhill County has negotiated with the owner and secured a compromise price of \$70,000. The owner's asking price was \$80,000. The Commission confirmed the purchase at \$70,000, with \$35,000 to be secured from Federal funds, \$17,500 from the local government, and \$17,500 from the Willamette River Park System Fund. Authority was also confirmed for the Secretary to sign the agreement.

The Engineer requested increases in project authorizations on three contracts. He explained briefly the reasons for the overruns. The Commission approved the increases as follows:

- (1) Contract No. 7285 for slide correction on Murphy Hill of the Salmon River Highway in Polk County for an increase of \$26,067.50 (18.3%). Removal and replacement of 168 feet of culvert pipe and the addition of a rock blanket on an unstable fill slope were given as the primary reasons for the overrun.
- (2) Contract No. 7226 on the I.O.N. Highway in Malheur County for an overrun of \$48,076.60 (5.39%). Additional asphalt was required in the plant mix bituminous base because of the porous nature of the aggregate, and additional widening to utilize excess excavation were given as the principal reasons for the overrun.
- (3) Contract No. 7262 on the Columbia River Highway in Clatsop County for an increase of \$302,883.35 (16.4%). Reasons for the overrun were given as the need for additional embankment foundation excavation, additional rock embankment foundation material, and slide correction work.

Following the favorable recommendation of the Engineer, the Commission authorized Mr. C. T. Keasey, Division Engineer at Roseburg, to attend the Highway Management Institute at the University of Mississippi in January and March, 1970. The Engineer explained that the program is sponsored by the American Association of State Highway Officials and the National Highway Users Conference to acquaint Highway personnel with modern business management procedures. He estimated the cost of attending the sessions at approximately \$1,800 including tuition, travel and subsistence.

Transfer of 55 acres of land in Section 25, Township 17 South, Range 44 East, Malheur County was discussed. The Engineer recalled that in 1931 the County had deeded the land to the State for \$1 for use as a source of gravel or borrow material. However, in 1941 the property was inadvertently included in a sale by the County to a private party, thus clouding the title. The property is not valuable as a gravel source and as the State was not charged for the land, the Engineer recommended that 55 acres be transferred without charge to Malheur County in order to clear the title. The Commission approved the transfer.

Consideration was given to a request made by the Association of Oregon Counties to establish the Federal allocation of County FAS funds

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as a revolving fund. The Engineer explained that if this procedure is approved, it will permit the counties to secure an advance for three years or less on anticipated Federal allocations. The current apportionment formula for the Federal allocations will be maintained. He also pointed out that the counties understand that no funds can be advanced until all existing allocations for that county have been utilized and until all former encumbrances have been satisfied. The Commission approved the change in procedure. Commissioner Hill inquired if this change might cause any county to lose a portion of its regular allocation. The Engineer replied that it would not.

The Commission confirmed telephonic approval given by the Chairman on October 16, 1969, for release to the Counties of 20 percent of the highway user taxes collected during the period of July 1 through September 30, 1969. The Engineer explained that the distribution to the Counties of \$5,717,396.75 is pursuant to ORS 366.535.

Requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages were considered. The Engineer commented 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 as follows:

- (1) Rowell and Wickersham, Contract No. 7288 for work on South River Street in the city of Newberg, Yamhill County, requested an extension of six days. The Commission approved the request thereby eliminating all liquidated damages.
- (2) Valley Equipment Company, Contract No. 7225 on the Santiam Highway in Jefferson and Linn Counties, requested an extension of six calendar workdays. The Commission approved the request.
- (3) Acme Construction Company, Contract No. 7230 on The Dalles-California Highway in Klamath County, requested an extension of 35 calendar workdays. The Commission denied the request.
- (4) Da-Tone Construction Company, Contract No. 7279 for work on Fern Avenue in the city of Brookings in Curry County, requested an extension of 17 days. The Commission approved a 16-day extension of time, thereby eliminating all liquidated damages.
- (5) Peter Kiewit Sons' Company, Contract No. 7186 on the Sunset Highway in Multnomah County, requested a 42-day time extension on the early phase completion portion of the contract. The Commission approved an extension of time to November 11, 1969, thereby eliminating all liquidated damages on the early-phase portion.

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- (6) Laam, Irving and Company, Contract No. 7196 on the Old Oregon Trail in Umatilla County, requested an extension of 12 calendar days. The Commission denied the request.
- (7) Ross Bros. Construction, Inc., Contract No. 7191 on FAS 341 in Hood River County, requested an extension of 23 calendar days. The Commission denied the request.
- (8) Steeck Electric Company, Contract No. 7199 on the Willamina-Sheridan Highway in Yamhill County, requested an extension of four calendar days. The Commission denied the request.
- (9) Larson Construction Company, Contract No. 7187 on the Oregon Coast Highway in Lane County, requested an extension of 36 calendar days. The Commission granted an extension of 25 calendar days without assessment of liquidated damages.
- (10) Rogers Construction, Inc., Contract No. 7087 on the Old Oregon Trail in Umatilla County, requested an extension of 87 calendar days on Unit B and 188 calendar days on Unit C. The Commission granted an extension of 25 calendar days on Unit B and 65 calendar days on Unit C without assessment of liquidated damages. Approval by the Bureau of Public Roads was given by letter dated October 20, 1969.
- (11) Slate-Hall, Contract No. 7285 on the Salmon River Highway in Polk County, requested an indefinite extension of time. The Commission approved a four-day extension of time thereby eliminating all liquidated damages.
- (12) N. A. Toole Construction Company, Contract No. 7266 on the Frenchglen Highway in Harney County, requested an extension of 50 days. The Commission granted an extension of five calendar days without assessment of liquidated damages.
- (13) Floyd Grahm Construction Company, Contract No. 7282 on the Santiam Highway in Linn County, requested an extension of 10 days. The Commission granted a seven-day extension of time thereby eliminating all liquidated damages.
- (14) J. C. Compton Company, Contract No. 7227 on FAS 911 in Umatilla County, requested an extension of nine calendar days. The Commission approved the request without assessment of liquidated damages.

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- (15) North Santiam Sand and Gravel, Inc., Contract No. 7253 on the North Santiam Highway in Marion County, requested an extension of 17 calendar workdays on Phase "A". The Commission granted an extension of one calendar workday on Phase "A" without assessment of liquidated damages.
- (16) Hansen Electric Company, Contract No. 7256 on the Oregon Coast Highway in Coos County, requested an extension of 10 calendar days. The Commission approved the request without assessment of liquidated damages.
- (17) Atlas Building Wreckers and Terminal Transfer, Inc., Contract No. 7247 for demolition of the Journal Building on Harbor Drive (Pacific Highway West) in Portland, Multnomah County, requested an extension of 60 days. The Commission granted an extension of 54 days, thereby extending the specified completion date to December 3, 1969.
- (18) Page Paving Company, Contract No. 7207 on the Redwood Highway in Josephine County, requested an extension of 11 days. The Commission denied the request.
- (19) E. S. Schnell and Company, Contract No. 7228 on the Old Oregon Trail in Umatilla and Union Counties, requested an extension of 45 days. The Commission approved the extension of 45 days without assessment of liquidated damages, thereby extending the specified completion date to November 15, 1969.
- (20) R. J. Strasser Drilling Company, Contract No. 7197 on the Old Oregon Trail in Umatilla County, requested an extension of three days. The Commission approved the three-day extension without assessment of liquidated damages. Approval has been received from the Bureau of Public Roads.
- (21) Cascade Construction Company, Inc., Contract No. 7165 on FAS 630 in Washington County, requested an extension of 21 days. The Commission approved a 21-day extension without assessment of liquidated damages.

The Engineer reported that Contract Nos. 7101, 7116, 7148, 7165, 7169, 7174, 7191, 7198, 7199, 7200, 7201, 7204, 7208, 7209, 7211, 7220, 7225, 7234, 7244, 7246, 7252, 7256, 7257, 7260, 7267, 7278, 7279 and 7288 for highway construction have been completed as required by 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 confirmed acceptance of the contracts by adopting "Contracts Completed Resolution No. 180," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The Commission set the date for the next regular meeting on Tuesday, December 23, 1969, in the State Highway Building in Salem and set a tentative date of February 3, 1970, for the following meeting.

The Commission took action on the award of contracts on which bids were received November 13, 1969, and authorized the Secretary to sign contracts on the following projects:

BIDS RECEIVED IN SALEM ON NOVEMBER 13, 1969

Contract No. 7317 for traffic signals on Marine Drive at Portway on the Oregon Coast Highway in Astoria, Clatsop County. State Project. Three bids were received. The Commission elected to accept the low bid of Steeck Electric Company, Medford, in the sum of \$10,475 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Astoria is received and the sum of \$6,050 is deposited by the City.

Contract No. 7318 for structure of the Pistol River (Fr. Rd.) Bridge on the Oregon Coast Highway about 11 miles south of Gold Beach, Curry County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, Hamilton Construction Company, Eugene, in the amount of \$165,994.

Contract No. 7319 for grading and paving on the Fountain Slide Section of the Columbia River Highway in Hood River County. FAP No. I-80N-2(48)48. Ten bids were received. The Commission deferred award pending clarification of claimed error by the low bidder, S. S. Mullen Construction, a division of Mullen Corporation in the amount of \$1,675,210.

Contract No. 7320 for structure on the Esplanade Street-Fort Klamath Road Section of Klamath Falls-Malin Highway (FAS-415) in Klamath Falls, Klamath County. FAP No. SU-476(3). Four bids were received. The Commission elected to accept the low bid of Hamilton Construction Company, Eugene, in the sum of \$117,640 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of Klamath County is received and the sum of \$26,700 is deposited by the County.

Contract No. 7321 for traffic signals on the Oregon Coast Highway - Florence-Eugene Highway Section in the City of Florence, Lane County. State Project. Four bids were received. The Commission elected to accept the low bid of Hamilton Electric, Inc., Eugene, in the sum of \$23,010 and directed the State Highway Engineer to award the contract to said bidder as soon as approval of the City of Florence is received and the sum of \$13,170 is deposited by the City.

Contract No. 7322 on the South Yamhill River Bridge on FAS-915 at Grande Ronde, Polk County. FAP No. S-571(1). Four bids were received. The Commission awarded the contract to the low bidder, John B. Gilliland Construction Company, Dexter, in the amount of \$71,498.

Contract No. 7323 for 1.91 miles grading, paving, structure and signing on the Sunset Highway-Beaverton Section of the Beaverton-Tigard Highway near Beaverton, Washington County. FAP No. SU-466(8). Six bids were received. The Commission awarded the contract for Alternate "A" to the low bidder, Donald M. Drake Company & S. S. Mullen Construction, a division of Mullen Corporation, Portland, in the amount of \$4,394,667.05.

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Attention was given to a claim made by Gibbons and Reed Company, Contractor, on Contract No. 6832 for work on the N.W. Johnson-S.W. Montgomery Section of the Stadium Freeway in Portland, Multnomah County. The Engineer stated that the contractor claims additional compensation for placing of excavation material in the Canyon Road area of the Sunset Highway. A change in plans caused the contractor to haul approximately 147,000 cubic yards over a greater distance than had been originally contemplated. Originally the contractor had claimed additional compensation in the amount of \$248,000; however, after negotiations and a searching analysis of cost, the contractor has agreed to accept the sum of \$85,953.10 as a complete and final settlement of all contract claims on this project. Following the Engineer's favorable recommendation, the Commission approved the settlement.

Requests were considered from Clackamas, Harney, Jackson and Washington Counties for Federal-Aid Secondary Projects and also a request for cancellation of a project in Wallowa County. These requests, the Engineer said, have been investigated and he recommended that they be approved. The Commission approved projects as follows and authorized the Secretary to sign routine construction agreements:

County	FAS	Section & Description	Programmed Amount	FAS Funds
Clackamas	117	Airstrip Road-Pudding River Bridge Section of Arndt Road, 1.25 miles. Grade, drain, base, & pave.	\$ 200,000	1970
Harney	824	Frenchglen Hwy.-Malheur Wildlife Refuge Headquarters Section of Sod House Road, 5.8 miles. Grade, drain, base, & pave.	350,000	1970
Jackson	15-100	West 3rd Street (Rogue River)-Maple Creek Section of East Evans Creek Road, 2 miles. Location survey & design.	15,000	1970
Washington	630	Intersections of Jenkins Road and Walker Road with Murray Blvd. Install traffic-control signals at these two intersections.	50,000	1970
Total New Projects			\$ 615,000	
<u>Cancellation of Previously Approved Project</u>				
Wallowa	497	Enterprise-Kooch Corner Section of Hurricane Creek Road, 1.87 miles. Grade, drain, base, & pave. (Approved by Hwy. Comm. 7-8-69.)	220,000	
TOTAL			\$ 395,000	

(Tabulation Cont. on next page)

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(Tabulation Cont.)

<u>SUMMARY BY FISCAL YEARS</u>	<u>1969</u>	<u>1970</u>	<u>Total</u>
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (Corrected to date)	3,969,000	2,299,000	6,268,000
Unprogrammed Balance	\$	\$2,790,000	\$2,790,000
Projects Proposed 11-18-69		395,000	395,000
Unprogrammed Balance	\$ --	\$2,395,000	\$2,395,000

Improvement of the Otter Rock Highway in Lincoln County was brought up by the Engineer. He pointed out that this highway, less than one-half mile in length, serves as an access to the ocean beach. The highway at present is 16 feet wide and accommodates an average of approximately 500 vehicles per day plus considerable pedestrian traffic. He recommended that it be widened to a 32-foot paved section where possible at an estimated cost of \$70,000 including right-of-way, and that the project be added to the current State Construction Program. The Commission approved the project.

Improvement of the Park Street-Tolman Creek Road (Ashland) Section of the Green Springs Highway in Jackson County was discussed. The Engineer commented that the section of 0.4 mile is planned to be improved on existing alignment which involves construction of a railroad grade separation and approaches. He estimated cost of the project at \$1,500,000 including right-of-way. The Commission confirmed the project using Federal-aid Funds under Program XII and also authorized the Engineer to hold such public hearings as may be required by Bureau of Public Roads' regulations.

Resolutions establishing speed zones and rescinding existing speed zones were presented by the Engineer. He pointed out that these are necessary because of changes in roadside culture, traffic, and pedestrian volume. The Commission accepted his favorable recommendation and thereupon adopted "Speed Zone Resolutions Nos. 549 through 552," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

- (1) Establishment of reduced speed zones of 50 and 40 miles per hour on the Rogue Valley Highway in Jackson County (on Rogue Valley Boulevard and northbound on Rogue Valley Boulevard) at the south city limits of Medford and at the city limits of Phoenix. (See "Speed Zone Resolution No. 549.") "Speed Zone Resolutions Nos. 191" and "No. 314" are hereby rescinded.

- (2) Establishment of a 40 mile-per-hour speed zone on the Mt. Hood Highway through the community of Rhododendron in Clackamas County. (See "Speed Zone Resolution No. 550.") "Speed Zone Resolution No. 375" is hereby rescinded.
- (3) Establishment of 35, 45, and 55 miles-per-hour speed zones on the Warm Springs Highway in the Warm Springs Agency Area in Jefferson County. (See "Speed Zone Resolution No. 551.") "Speed Zone Resolution No. 477" is hereby rescinded.
- (4) Establishment of a 50 mile-per-hour speed zone through the community of Cushman on the Florence-Eugene Highway in Lane County. (See "Speed Zone Resolution No. 552.") "Speed Zone Resolution No. 278" is hereby rescinded.

Consideration was given to amending "Through Highways and Stop Signs Resolution No. 14" pertaining to the intersection of Tangent and Second Streets in Lebanon on the Corvallis-Lebanon Highway in Linn County. The Engineer stated that at present vehicles on the highway are allowed to move without stopping which sets up conflicting movements with resulting hazards. He recommended that the following amendment be approved:

"At the intersection of Tangent and Second Streets in Lebanon all traffic shall stop with the exception of that entering from the south and that making the right turn from west to south."

The Commission accepted the recommendation and thereupon adopted "Through Highways and Stop Signs Resolution No. 14d," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A request from the Klamath County Board of Commissioners that left-turn lanes be painted on the Klamath Falls-Lakeview Highway at intersections with Wiard Street, Homedale Road, and Madison Street east of Klamath Falls was discussed. The Engineer stated that the requested improvement will require prohibition of parking in order to provide adequate street width. He recommended that parking be prohibited on both sides of the Klamath Falls-Lakeview Highway between M.P. 3.34 at Engineer's Station 80+00 and M.P. 4.38 at Ogden Street. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 274," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered establishment of a no parking zone at the intersection of N.E. Portland Highway and N.E. 162nd Avenue east of Portland in Multnomah County. Parking in this area, the Engineer said, restricts sight distance and makes it hazardous to enter the intersection. He recommended that parking be prohibited on the southerly side of the N.E. Portland Highway from the east property line of N.E. 162nd Avenue to a point 300 feet easterly thereof. The Commission accepted his recommendation and thereupon adopted "No Parking Resolution No. 275."

A resolution was presented by the Engineer abandoning a small segment of the old Hermiston Highway to Umatilla County. The transfer, he

said, complies with an agreement with the County dated November 19, 1965, pertaining to the Morrow County Line-Umatilla River Section of the Old Oregon Trail. The property is no longer needed for highway purposes, and he recommended that it be abandoned. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 450," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An agreement with Gilliam County pertaining to transfer of a portion of the old Heppner Highway to Gilliam County was brought up by the Engineer. The agreement, he said, provides that the County accept approximately 1½ miles of the old highway southerly from the U. S. Army Engineers' taking line on Willow Creek to a junction with the new line of the Heppner Highway. The agreement also provides that the County accept the State's responsibility for a railroad encroachment covered in an agreement dated October 24, 1922. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

The Engineer also presented a resolution effecting the transfer of this 1½ mile section of the old Heppner Highway to Gilliam County. The Commission approved the transfer and thereupon adopted "Abandonment Resolution No. 497," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

An amendatory letter agreement with Jackson County to clarify earlier documents pertaining to abandonment of right-of-way on the old section of the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway was discussed. The Engineer pointed out that a portion of the right-of-way abandoned to the County contained some deeded right-of-way and this should have been conveyed by deed of relinquishment rather than by abandonment. The amendatory letter will serve to clarify this matter and he recommended its approval. The Commission approved the letter and authorized the Secretary to sign it in their behalf.

The Commission considered an agreement with Jacobson Irrigation Ditch pertaining to reconstruction of their irrigation facilities in the construction of the North Powder-Baker Section of the Old Oregon Trail in Baker County. The agreement provides that the State perform construction necessary to accommodate the irrigation facilities and perform all structural maintenance of the culverts. Jacobson Irrigation Ditch is to perform all operational maintenance which is to be performed outside the existing access control lines. The Engineer estimated the cost of the project at \$16,000 and recommended approval. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement was considered with Conam Inspection, Inc., to provide for inspection of steel to be used in Contract No. 7275 on the East Portland Freeway-Wilsonville Interchange Section of the Pacific Highway in Washington and Clackamas Counties. The Engineer stated that State personnel in the Portland area will not have time to perform the necessary inspection. The cost of the inspection service, he said, is based on a unit price of \$4.12 per ton of steel and not to exceed a total of \$2,500. The Bureau of Public Roads has concurred in this agreement. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement for them.

An agreement with the City of Portland to perform a multiple-use study on the Industrial Freeway (I-405 and I-505) in the City of Portland was brought up by the Engineer. He recalled that the last two spans of the West Fremont Interchange to the west were deleted from the contract so that the entire 1.4 miles could be studied as a unit. The Bureau of Public Roads has offered to participate in the study which he estimated would cost \$27,700 to be shared on the basis of 92 percent Federal and 8 percent State participation. His favorable recommendation was accepted by the Commission and authority was given the Secretary to sign the agreement in their behalf. This action confirmed telephonic approval given by the Chairman on October 27, 1969.

Agreements with five ski resort areas for removal of snow during the winter season were presented by the Engineer. He pointed out that these agreements are similar in context to agreements previously approved by the Commission in which the State agrees to remove snow from certain designated areas for the convenience of the general public. Following his favorable recommendation, the Commission approved the following agreements and authorized the Secretary to sign the agreements in their behalf:

- (1) Fish Lake Resort located on the south side of the Lake of the Woods Highway near Lake of the Woods in Klamath County. The agreement expires July 1, 1970. Cost of snow removal is estimated at \$900.
- (2) Fremont Highlanders Ski Club in the Warner Canyon Ski area approximately eight miles northeasterly of Lakeview on the Warner Highway in Lake County. This agreement is an extension of a previous agreement and expires July 1, 1970. Cost of snow removal is estimated at \$600.
- (3) R.L.K. and Company at Timberline Lodge on Mt. Hood in Clackamas County. This is an extension of a previous agreement and expires July 1, 1970. Cost of snow removal was estimated at \$119,000. (Confirms prior Commission approval of October 17, 1969.)
- (4) Tomahawk Ski Bowl, Inc., on the Lake of the Woods Highway near Rocky Point in Klamath County. This agreement is an extension of a previous agreement and expires July 1, 1970. Cost of snow removal was estimated at \$700. (Confirms prior Commission approval of October 17, 1969.)
- (5) Willamette Pass Recreation, Inc., in the Willamette Ski area located approximately 62 miles southeasterly from Eugene on the Willamette Highway in Lane County. Cost of snow removal was estimated at \$2,300. The agreement expires July 1, 1970.

A throughway agreement with Washington County pertaining to construction of the Wilson River Highway Jct.-North Plains Section of the Sunset Highway was considered. The Engineer commented that the agreement provides

for construction of the project by the State including right-of-way acquisition, grading, paving and structures. It also provides for the closure of certain County roads and for the adjustment of utility facilities. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Commission also considered a supplemental cooperative construction-finance agreement with the City of Woodburn concerning construction and realignment of Young Street at its intersection with Front Street on the Hillsboro-Silverton Highway in Marion County. The Engineer explained that the supplemental agreement provides for the installation of railroad crossing protective devices at a total estimated cost of \$30,000. The Railroad is to pay 50 percent of the cost and 50 percent is to be split equally between the City of Woodburn and the State Highway Division. The State in the first instance will pay the City's share of the cost to be reimbursed by the City on the basis of \$2,500 on September 1, 1970; \$2,500 on September 1, 1971; and the balance on September 1, 1972. Based on the Engineer's favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

A permit allowing the U. S. Weather Bureau to continue to use their rain gauge in the Tygh Valley State Wayside area in Wasco County was considered. The Engineer commented that when the property was obtained from Pacific Power and Light Company, the Weather Bureau was operating the rain gauge and wishes to continue that operation. No cost to the State is expected. The permit may be terminated by either party upon six months' notice in writing. The Commission approved the permit and authorized the Secretary to sign it for them.

An agreement with Oregon Welcome, Inc., for the operation of travel information offices in San Francisco and Los Angeles, California, was brought up by the Engineer. He recalled that a similar agreement has been in effect since November 1, 1964. He recommended extension of the agreement through October 31, 1970, at a cost not to exceed \$15,600 for the year. The Commission accepted his recommendation and authorized the Secretary to sign the agreement in their behalf.

Consideration was given to an agreement with Clackamas County for the installation of traffic signals at the intersection of 82nd Drive with the Clackamas Highway. Under terms of the agreement, the State is to perform the work with the County to pay one-half the cost of installation and all of the maintenance and electrical energy costs. The Engineer recommended approval of the project at an estimated total cost of \$25,000, with the State's share of \$12,500 to be taken from State Construction Funds. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with Washington County for installation of traffic signals at two intersections on the Beaverton-Tigard Highway was also considered. The Engineer stated that installation of the signals is to be a part of the overall construction project. The County is to pay for all power and maintenance costs for the Walker Road installation. The State is to pay for the installation costs at both intersections and provide the maintenance and operating costs for the Tualatin Valley Highway intersection. He estimated the cost of the installation at \$53,000 as a Federal-aid Secondary Project. The Commission accepted his recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Engineer brought up for consideration a construction agreement and a haul road agreement with Union Pacific Railroad Company pertaining to road construction and disposal of slide material on the Fountain Slide Section of the Columbia River Highway in Hood River County. These agreements, he said, are the standard type prepared by the Railroad Company and require the State to reimburse the Railroad for all expenses incurred by the Railroad in the project. The construction agreement grants to the State an easement across Railroad property over which slide material may be hauled. The State is to pay the Railroad the sum of \$7,650 for the temporary easement and for a 6.2 acre parcel of property. Railroad expenses were estimated at \$14,935 including the installation of two culverts. The haul road agreement covers the use of a private grade crossing and all of its provisions are to be passed on to the contractor and should not cause additional cost to the State. Following the Engineer's favorable recommendation, the Commission approved the agreements.

The Commission gave attention to a throughway agreement with Baker County pertaining to construction of the Weatherby-Lime Section of the Old Oregon Trail (I-80N). The Engineer stated that the agreement contains the usual provisions for construction and maintenance of the project, interchanges, disposition of reconstructed frontage roads, county road connections and other matters. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement for them.

The Commission considered an agreement with Cole and Weber, Inc., to operate as an advertising agency handling travel information matters. The Engineer recalled that at the May 28, 1969, meeting, the Highway Commission had adopted a report made by the Travel Advisory Committee recommending continuance of the services of Cole and Weber, Inc., for a period of four years. He recommended approval of the agreement to be effective from July 1, 1969, through June 30, 1973. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was also given to a wire line agreement and a pipe line crossing agreement with Union Pacific Railroad pertaining to installation of an electric power line and a water pipe line to serve Memaloose State Park in Wasco County. Under the pipe line agreement, the Engineer commented that the State is to bear all cost of installation and reimburse the Railroad for any expenses it may incur. The wire line agreement covers a power line that was constructed as a part of Contract No. 7212 which also included construction of campground facilities at Memaloose State Park. The Commission accepted the Engineer's recommendation for approval of both agreements.

A delegation representing the Fossil Community Club in Wheeler County came before the Commission to request an increase in tourist advertising for their section of the State. The following people were present: H. C. Wright; County Judge, Clarence Asher; Jack Steiwer; Ernest Fatland and Olie Rende.

Mr. Wright introduced the members of the delegation. He commented that there had been considerable publicity during the past tourist season

that tourist accommodations along the coast and in the Willamette Valley had been overcrowded. He urged the Commission to take advertising steps which would divert some of the tourist traffic to Central and Eastern Oregon. Highways in this area, he added, are not too good, but they do provide some wonderful scenic values.

Mr. Steiwer stated that the Wheeler Planning Commission has endorsed the suggestion made by Mr. Wright. Mr. Fatland commented on the bad condition of the Wasco-Heppner Highway and on the section of the John Day Highway between Arlington and Condon. Wheeler County, he pointed out, provides excellent scenic opportunities including the Painted Hills, Picture Gorge, and many others. He also urged that tourist advertising be slanted towards Eastern Oregon.

Wheeler County Judge Asher stated that Eastern Oregon has much to offer tourists including unpolluted air and open spaces, and tourist traffic would be of benefit to the country economically. Mr. Wright mentioned a number of parks in Eastern Oregon which offer tourist facilities and reemphasized the need for advertising the advantages of Eastern Oregon to the tourists.

Commissioner Bruno suggested that the Counties and Cities get together and present their data to the Travel Information Division. The Chairman stated that the Commission does have hopes of getting better distribution of tourists over the State and that plans have been made to advise tourists when they enter the State of areas which are uncrowded; however, approaches of several types should be made in order to make the plan effective.

A delegation from Canby came before the Commission to request a traffic light at the intersection of Elm Street with the Pacific Highway East and additional safety provisions at the new school about a mile south of Canby on the Canby-Marquam Highway, Clackamas County. The following people were present: State Senator John J. Inskeep; Larry Housen, Mayor of Canby; Paul Akerman, Superintendent of Schools; John Whiteside, City Superintendent; Earl Oliver, President of the Chamber of Commerce; and Bill Stephens.

State Senator John J. Inskeep introduced the members of the delegation. Mayor Housen commented on the heavy traffic at the new school and the need for a traffic light at Elm Street and 99E. He also mentioned the need for improving the Canby-Marquam Highway in and near Canby. Mr. Akerman stated that there are two schools on the westerly side of the Pacific Highway East and a new junior high is being constructed on the easterly side, scheduled to open in January, 1970. He estimated that 150 children daily cross the highway at Elm Street and he urged the installation of a traffic signal. Mr. Oliver commented on the proposed improvement of Ivy Street - its location and other details.

The Chairman inquired if the City is prepared to participate in the cost of installing the traffic signal. Mayor Housen replied that the

City does not have the money for the signal in this year's budget. He then asked if the 50-50 split on signal installation costs is a general practice. The Chairman replied affirmatively. The State will study their request, the Chairman said, and consideration will be given.

State Senator Anthony Yturri and State Representative Robert F. Smith came before the Commission concerning the Succor Creek Section of the road from Malloy Ranch to Adrian in Malheur County. Senator Yturri commented that the Highway Commission's financial problems are recognized but it was his feeling that improvement of the Succor Creek Route is justified economically. He recalled that in 1932 the route had been abandoned as a State highway, and as a result of the highway being constructed into Idaho, north Malheur County is effectively separated from the southern part. He pointed out that only 22 percent of the land in Malheur County is privately owned and that these public lands do generate a certain amount of Federal funds. Many people in Eastern Oregon, he continued, feel that they have been shortchanged in highway construction. It was his opinion that cost of construction on the Succor Creek Road would be reasonable and the cost of right-of-way would be very light as most of the land is owned by the Federal Government. He asked the Commission to place the road on the State Secondary Highway System or to do some construction on the road.

Senator Smith urged the Commission to make a survey of the route and to designate it as a State Secondary Highway. He, too, felt that construction is economically feasible. By using the Succor Creek Route in lieu of the existing road into Idaho will effect a travel saving of approximately 19 miles. Approximately 200,000 vehicles use the existing road annually and he estimated that truck fees would provide approximately \$50,000 revenue per year if they travel the Succor Creek Road. Also, the route offers many scenic attractions for tourists. Construction, he said, could be entirely financed from Federal Land funds and such construction would add a great deal to the economy of Eastern Oregon and to the entire State.

Chairman Jackson recalled that some time back a delegation had requested a route utilizing the Succor Creek Section which was proposed to run northerly to the State of Washington. They were advised that the cost of such a highway at the present time is prohibitive. Since that time, the Commission has looked over the Succor Creek and other Eastern Oregon areas and the Commission feels that the Succor Creek Section is justified. It is proposed to make a survey which will provide cost construction figures and other information. The problem then will be to determine how the construction can be financed. The Commission, he continued, is concerned about the need to develop the economy of Eastern Oregon.

The Engineer stated that his term as Highway Engineer expires December 8, 1969, and that he would be willing to continue in the position for an indefinite length of time at the pleasure of the Commission. The Commission extended his term as Highway Engineer for an indefinite length of time and thereupon adopted "Appointment Resolution No. 22b," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Chairman stated that residents of La Grande have petitioned the Commission to name the La Grande Bypass Section of the Old Oregon Trail, Union County, in honor of Charles H. Reynolds, a resident of La Grande, and a former member of the Highway Commission for nine years. It was his suggestion that this section be known in the Highway Division records as the Charles H. Reynolds Section of the Old Oregon Trail. The Commission approved his suggestion and thereupon adopted "Commemorative Resolution No. 20," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Consideration was given to a snow removal request from LAWORE, Inc., at Lake of the Woods Resort on the Lake of the Woods Highway in Klamath County. The Engineer commented that this resort is used principally for ice fishing in Lake of the Woods and for snow mobiling. This is a departure from previous agreements providing for snow removal in ski areas. Plowing approximately one mile of access road from the highway to the resort, plus the clearing of some parking area he estimated would cost \$3,000 per season. The Commission approved the request and authorized the Secretary to sign a snow removal agreement.

The Commission also considered a request from Herbert C. Hardy, a Portland attorney, that the Commission contribute \$3,000 toward the cost of a motion picture film on environmental quality. As outlined by Mr. Hardy, the State Board of Health and the Department of Environmental Quality would each contribute \$3,000. Action on this request was deferred.

The Engineer explained that the chances are not good of getting under contract this year a section of the Old Oregon Trail (I-80N) between Nelson Point and Lime in Baker County. Difficulties in securing a railroad agreement have not been resolved. He suggested that in lieu of the work between Nelson Point and Lime that the La Grande Bypass Section of the Old Oregon Trail be advertised for contracting in December. The Commission granted authority to call for bids on the La Grande Bypass Section.

A request was considered from the Mayor of Medford for improvement at Biddle Road Interchange on the Pacific Highway (I-5) in Medford, Jackson County. The City of Medford will receive bids for landscaping a section immediately adjacent to the interchange. The Commission directed that this project be advertised for contracting in December, 1969.

The Commission also approved acquisition of approximately nine acres of the Clyde Holliday property west of and adjacent to the Holliday Rest Area on the John Day Highway in Grant County for development of overnight camping park facilities.

The matter of paying for the adjustment of several (at least eleven) private water systems during construction of the Alder Creek-Wildwood Section of the Mt. Hood Highway in Clackamas County was discussed. The Engineer estimated cost of the adjustments at \$7,475 and recommended that this work be performed at State expense and no assessments made against the owners. The Commission accepted his recommendation.

Consideration was given to an "Offer to Sell Property" and a Quitclaim Deed to the Department of the Army involving 80 acres in McLeod State Park and 40 acres in Rogue River Forest Wayside in Jackson County for the sum of \$18,500 plus some other considerations. The Engineer explained

that in the Army Engineer's construction of the Lost Creek Reservoir an access road must be constructed around the northerly end of the dam, which road will pass through McLeod State Park and the Rogue Forest Wayside. The Right of Way Division has made a review of the offer which is considered satisfactory and he recommended approval. The Commission accepted his recommendation.

The reappointment of Frank C. McKinney as Assistant Counsel was considered. It was pointed out that Mr. McKinney has served in this position since 1964. He is very knowledgeable in highway matters and has an excellent grasp of Highway law and Federal regulations. Mr. McKinney has also done excellent work in the highly technical work of beach rights and related matters. The Commission reappointed Mr. McKinney for a term of four years beginning December 14, 1969, and thereupon adopted "Appointment Resolution No. 29b," 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, indentures and other papers:

"Relinquishment of Title" to City of Springfield covering 0.37 acre of land on the Mohawk Road Interchange Section of the Eugene-Springfield Highway in Lane County.

"Relinquishment of Title" to Josephine County covering land on the Grave Creek Section of the Pacific Highway.

"Relinquishment of Title" to Josephine County covering land on the Provolt-Williams Section of the Williams Highway.

"Grant of Easement" to Lloyd and Lena Freeman covering the Clackamas River-West Linn Section of the East Portland Freeway.

"Bargain and Sale Deed" to Linn County covering 2.9 acres of former Halsey Maintenance Station on the Halsey-Harrisburg Section of the Pacific Highway in Linn County.

"Bargain and Sale Deed" to Gordon and Adelle Erlandson and George and Audrey Brosterhous covering the Pelican City-South Sixth Street Section of the Klamath Falls-Malin Highway in Klamath County.

"Bargain and Sale Deed" to Barney C. Bybee covering the sale of 2.20 acres on the 92nd Avenue-Fairview Section of the Columbia River Highway in Multnomah County.

"Relinquishment of Title" to Klamath County covering 1.23 and 0.37 acres as a portion of the roadway replacement along the back side of the Midland Information Center on The Dalles-California Highway.

"Indenture of Access" to Georgia-Pacific Corporation covering Coquille-Rink Creek Section of Coos Bay-Roseburg Highway in Coos County.

"Indenture of Access" to David E., Phyllis E., Lyman L., Sharon, and Harry Hatfield covering McMullen Creek Bridge Section of the Coos Bay-Roseburg Highway in Coos County.

"Indenture of Access" to Russell and Idabelle Cunningham covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Izetta L. Lee covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Rex M. and Betty Poole covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Leo E. and Juanita M. Sharkey covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Lester A. and Gladys I. Guthrie covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to George and Irene Hanel covering Parkdale Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Edward C. and Alice R. Mowry covering Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Arthur M. and Dorothy Bibb covering Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Keith Wilcox Adams and Victoria A. Adams covering Polallie Creek-Parkdale Road Section of the Mt. Hood Highway in Hood River County.

"Indenture of Access" to Alvin N. and Beulah B. Bakke covering Duncan Road-Sandy Section of the Mt. Hood Highway in Clackamas County.

"Indenture of Access" to Cline, Harbison and Stovall covering Floras Creek Section of the Oregon Coast Highway in Curry County.

"Indenture of Access" to Leland E., Wilbur J. and Dorothy L. Hendricks covering Tygh Grade Summit-Butler Canyon Section of The Dalles-California Highway in Wasco County.

"Indenture of Access" to A. Louise and Marie E. Angstrom covering Fern Hill-Burnside Section of the Columbia River Highway in Clatsop County.

"Indenture of Access" to Mabry and Beth Ogle covering Nestucca Bay-Neskowin Section of the Oregon Coast Highway in Tillamook County.

"Grant of Access" to Howard Trout covering Beaverton-Forest Grove Section of the Tualatin Valley Highway.

"Agreement" with Gilliam County pertaining to transfer of a portion of the old Heppner Highway.

"Amendatory letter" with Jackson County to clarify earlier documents and to provide for the conveyance of the deeded right-of-way to the County on the Brownsboro-Hanley Ranch Section of the Lake of the Woods Highway.

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"Agreement" with Jacobson Irrigation Ditch covering reconstruction of their irrigation facilities in conflict with North Powder-Baker Section of I-80N in Baker County.

"Agreement" with Conam Inspection, Inc., for inspection of steel to be used in the East Portland Freeway-Wilsonville Interchange Section of the Pacific Highway in Washington and Clackamas Counties, Contract #7275.

"Agreement" with Fish Lake Resort for removal of snow on the access road to Fish Lake Resort.

"Agreement" with Fremont Highlanders Ski Club for snow removal at Warner Canyon Ski Area.

"Agreement" with Willamette Pass Recreation, Inc., for snow removal at the Willamette Ski Area.

"Throughway Agreement" with Washington County concerning construction of the Wilson River Highway Junction-North Plains Section of the Sunset Highway.

"Supplemental Cooperative Construction-Finance Agreement" with the City of Woodburn concerning construction and realignment of Young Street at its intersection with Front Street on the Hillsboro-Silverton Highway.

"Permit" with U. S. Weather Bureau to continue to use and maintain their existing rain gauge in Tygh Valley State Wayside in Wasco County.

"Agreement" with Oregon Welcome, Inc., for staffing and operating travel information offices in San Francisco and Los Angeles.

"Agreement" with Clackamas County for installation of traffic signals at the intersection of the Clackamas Highway and 82nd Drive.

"Agreement" with Washington County for installation of traffic signals at 2 intersections on the Sunset Highway-Beaverton Section of the Beaverton-Tigard Highway.

"Supplemental Agreement" with Union Pacific Railroad Company covering slide correction work at M.P. 47.8 conveyance of 6.2 acre parcel of property and temporary easement for a haul road providing for Fountain Slide Section of Columbia River Highway in Hood River County.

"Agreement" with Union Pacific Railroad Company covering use of private road grade crossing near Cascade Locks, Oregon, M.P. 45.96 main line, providing for construction of Fountain Slide Section of the Columbia River Highway in Hood River County.

"Agreement" with Baker County concerning construction of the Weatherby-Lime Section of the Old Oregon Trail.


"Agreement" with Cole and Weber, Inc., as an advertising agency for a period of 4 years.

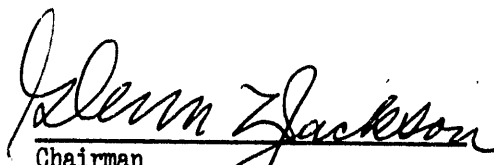
November 18, 1969

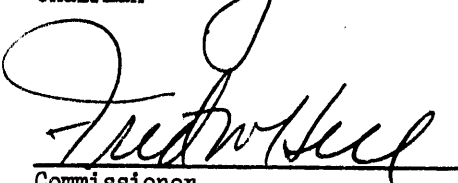
"Wire Line Agreement" with Union Pacific Railroad Company covering installation of an electric service line which will serve Memaloose State Park at or near Mosier.

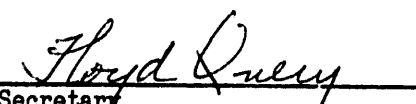
"Pipe Line Crossing Agreement" with Union Pacific Railroad Company for a water pipe which will serve Memaloose State Park in Wasco County at or near Mosier.

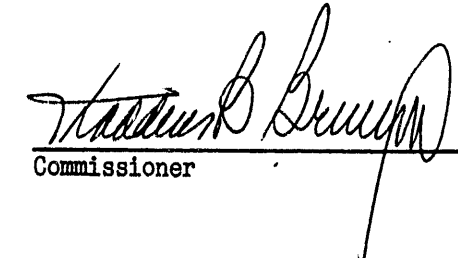
As there was no further business to conduct, the meeting was adjourned by the Chairman at 11:10 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

Salem, Oregon
December 23, 1969

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
Fred W. Hill, Commissioner
Thaddeus B. Bruno, Commissioner
Forrest Cooper, State Highway Engineer
R. L. Porter, Deputy State Highway Engineer
Tom Edwards, Assistant State Highway Engineer
L. 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

Among others present: R. E. Simpson, Division Engineer, U. S. Bureau of Public Roads; C. W. Head, Assistant Secretary; Victor D. Wolfe, Administrative Assistant; L. H. Young, Program and Planning Engineer; David G. Talbot, State Parks Superintendent; V. E. Skoog, Controller; Frank C. McKinney, Assistant Counsel; Leonard I. Lindas, Staff Attorney; R. B. Sipprell, Liaison Engineer; John Oakes, Assistant Right of Way Engineer; Kenneth A. Chatwood, Administrative Right of Way Agent; and Harrison Brown, Assistant Information Officer.

The Commission approved the minutes of the meeting held on November 18, 1969.

The Right of Way Engineer presented a list of options, Pages 1 through 41, secured for acquisition of real property needed for State highway use or for other purposes. He mentioned that the amounts offered are based on competent appraisals which are on or near the appraised amounts and are in order for Federal-aid. After due consideration, the Commission approved closing the options, including those sent to them by mail since the last Commission meeting, and thereupon adopted "Right of Way Resolution No. 64," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Property Manager's report showing sales of miscellaneous properties and rental receipts from November 11, 1969, to December 15, 1969, was presented by the Right of Way Engineer and accepted by the Commission. During this period, miscellaneous sales totaled \$9,730; land sales \$58,884; and timber sales \$2,837.62. Rental receipts for November 1969 were \$25,546.06.

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 competent appraisals and access and other conditions of sale are consistent with those afforded to other properties in the vicinity. The Commission authorized public sale of the following properties and thereupon adopted "Real Property Resolutions Nos. 531 and 532," which resolutions by this reference are made a part hereof and filed in the Secretary's Office:

- (1) 3.8 acres of land, File No. 37498, located approximately two miles south of Coquille on the Coos Bay-Roseburg Highway in Coos County, for not less than \$2,650. The sale is subject to the easements of record. Signboard and junkyard exclusion clauses are to be included in the deed. One dual approach is to be allowed to the Coos Bay-Roseburg Highway. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 531.")
- (2) 1.07 acres of land, File No. 3496-7-8-9, located on the west side of the Oakland-Shady Highway north of Shambrook Avenue in the city of Roseburg, Douglas County, for not less than \$14,000. Signboard and junkyard exclusion clauses are to be included in the deed and two points of access 35 feet wide are to be allowed. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 532.")
- (3) Two parcels of land, one containing 3,300 square feet and the other 0.4 acre, File No. 27075, located near the junction of the old and new Ochoco Highway at the west edge of the town of Mitchell in Wheeler County for not less than \$250. No access is to be permitted to the present highway and the State is to be held free from liability for future flooding. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

The Right of Way Engineer also requested authority to make direct sales on five parcels of property no longer required for highway purposes. Public sale of these properties is not feasible because of peculiarities of location which restrict salability to a single party. Sale prices have been determined by competent appraisals. The Commission approved direct sale of the following properties and thereupon adopted "Real Property Resolution No. 533," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

- (1) To Coos County, File No. 28794, 2.07 acres of waste land located on the southeasterly side of the relocated Oregon Coast Highway approximately 3.5 miles south of Davis Slough in Coos County for \$210. One point of access is to be permitted to the Oregon Coast Highway and a junkyard exclusion clause is to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (2) To the Oregon State Game Commission, File No. 4339, 5.86 acres consisting of a water-filled quarry on a County road approximately 2.8 miles from the Echo Interchange on the Old Oregon Trail in Umatilla County for \$250. The sale is subject to a public use clause and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

- (3) To the City of Klamath Falls, File No. 23084, 0.24 acre of land located in the Buena Vista Addition to Klamath Falls on the West Side Bypass Section of The Dalles-California Highway in Klamath County for \$100. The sale is to be subject to a public use clause and signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.
- (4) To Deschutes County, File No. 10100, 0.79 acre consisting of the former Redmond Maintenance Station site located in the southwest corner of the intersection of 9th Street and the McKenzie Highway in Redmond in Deschutes County for \$23,000. The sale is to be on a land sale contract at 6 1/2% interest. The County is to pay \$8,000 down and the balance over a five-year period. Signboard and junkyard exclusion clauses are to be included in the deed. The sale is subject to an easement for a stock driveway and vehicular and pedestrian purposes granted to the City of Redmond. Approval by the Bureau of Public Roads is not required. (See "Real Property Resolution No. 533.")
- (5) To Clatsop County, File No. 6416, 0.9 acre of land located on the westerly side of the Nehalem Highway approximately four miles west of the town of Jewell in Clatsop County for \$750. Signboard and junkyard exclusion clauses are to be included in the deed. Approval by the Bureau of Public Roads is not required.

Relinquishment of Title to Wasco County on a parcel of right-of-way for a connection to the Dufur-Gap Market Road at its intersection with The Dalles-California Highway in Wasco County was considered. The Right of Way Engineer stated that an agreement between the State and Wasco County dated January 31, 1963, did not provide for relinquishment of this area and he recommended that it be done. Approval has been received from the Bureau of Public Roads. The Commission approved the Relinquishment.

The Commission also considered a Relinquishment of Title to Douglas County consisting of 46.7 acres to be used for public road purposes on the Roseburg-Oak Street Section of the North Umpqua Highway in Douglas County. The Right of Way Engineer stated that the relinquishment covers intermittent portions of right-of-way from Engineer's Station 84+38 to Idleyld Park approximately four miles east of Glide. He explained that the North Umpqua Highway is not a State highway but when the right-of-way was acquired it was State policy to acquire right-of-way for Federal-aid Secondary Projects on County Roads. Approval by the Bureau of Public Roads is not required. Following his favorable recommendation the Commission approved the Relinquishment.

Recommendations were made by the Right of Way Engineer for approval of Indentures of Access to cover changes in location of access or to correct the public record so that the locations would show as actually constructed. The Commission approved the following Indentures of Access:

- (1) Hellhake property, File No. 30872, for a change in location of one point of unrestricted access to be widened to 35 feet on the easterly side of the Pacific Highway East near the north city limits of Canby in Clackamas County. Approval by the Bureau of Public Roads was given on June 30, 1969.
- (2) Pope and Norbistrath property, File No. 36940, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the southerly side of the relocated Corvallis-Lebanon Highway approximately two miles east of Corvallis in Linn County. Approval by the Bureau of Public Roads was given on April 8, 1969.
- (3) Chandler property, File No. 33531, to show in the public record the constructed location of one unrestricted point of access 35 feet wide on the northerly side of the relocated Crater Lake Highway approximately six miles west of the community of Prospect in Jackson County. Approval by the Bureau of Public Roads was given in their letter of January 22, 1969.

The Right of Way Engineer presented requests for two Grants of Access. These requests, he said, have been carefully investigated and he recommended that they be granted. The Commission approved the following Grants of Access:

- (1) Sutherlin Knolls Golf and Recreation, File No. 18877, for one unrestricted point of access 35 feet wide to serve a golf course and recreation facilities at Engineer's Station 1240+25 on the Elkton-Sutherlin Highway in Douglas County. An existing farm crossing is to be terminated. No consideration is involved. Approval by the Bureau of Public Roads was received October 31, 1969.
- (2) Crown Zellerbach Corporation, File No. 18841, for one point of access 35 feet wide restricted to forest products use on the northerly side of the relocated Columbia River Highway just west of Bradley State Park in Clatsop County. Crown Zellerbach is to pay the State \$500. Approval by the Bureau of Public Roads was received October 10, 1969.

An extension of time on a demolition contract with Heard Construction Company on the N.E. Sandy-N.E. Glisan, N.E. Glisan-S.E. Division, and S.E. Division-S.E. Foster Sections of the East Portland Freeway and on the Fremont Interchange Section of the Stadium Freeway in Multnomah County was requested by the Right of Way Engineer. He explained that about 50 percent of the grading work has been completed as well as 90 percent of the demolition work. He recommended an extension of 15 days beyond December 31, 1969, without assessment of liquidated damages. The Commission approved the extension.

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Confirmation was requested for telephonic approval received November 19, 1969, from Commissioner Bruno to award a roofing contract to Pioneer Roofing Company. The Right of Way Engineer stated a building on the East Portland Freeway in Multnomah County now rented to Interstate Manufacturing Company has a poor roof and the renter has agreed to pay \$1,712 to install a new roof in lieu of paying rent from November 1, 1969, to May 1, 1970. The Commission confirmed the action.

The Chairman inquired as to the status of the contract for demolition of the old Journal Building in Portland. The Engineer stated that the contract is about 38 percent complete but the time for completion has expired and the contract is now under liquidated damages in the amount of \$100 per day. The City of Portland and the contractor are attempting to agree on some procedure for the closure of Harbor Drive in connection with the demolition of this structure.

The Right of Way Engineer requested authority to expend \$2,100 in the payment of tuition and supplies for the attendance of four attorneys and ten right-of-way agents at the Appraisal Institute Course II to be held at Portland State University from February 15 to 28, 1970. The Commission approved the expenditure for the purpose stated provided that approval is received from the Attorney General granting these people the right to attend the course.

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. 2565 through 2567," which resolutions by this reference are made a part hereof and filed in the Secretary's Office.

A report was presented by the Chief Counsel concerning cases tried in court since the last Commission meeting. 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-5788 William H. Kendall, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	\$ 800.00	\$119,553.00	\$3,275.00
L-5722 James J. Praggastis, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	7,600.00 (includes 850.00 for sign)	75,000.00 (Answer)	5,500.00

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(Report of Condemnation Cases Tried Cont.)

Case	County	Highway	Section	State's Offer	Defendant's Demand	Verdict
L-5963 Evelyn MacNevin Bessesen, et al.	Klamath	The Dalles- California	Klamath Falls-Green Springs	\$ 100.00	None	\$ 100.00
L-6029 Pacific Power & Light Co.	Multnomah	Stadium Freeway	Fremont Interchange- Marquam Bridge	27,725.00	None	27,725.00
L-5959 Sharff & Son Co., et al.	Clackamas	Pacific	Upper Boones Ferry Road Interchange	27,550.00		

(Judgment of Voluntary Monsuit entered September 1969. Taking being revised to reduce the area within the taking. New appraisals being prepared after which negotiations to be resumed to acquire the lesser area.)

REPORT OF TRIAL OF OTHER CASES

Case	Defendant	County	Cause of Action	Demands of Plaintiff	Verdict
L-5833 Lord Bros. Contractors, Inc.	State of Oregon	Marion	Additional compensation under East Marquam Inter- change Contract No. 6576	\$ 2,575.69 1,060.00 (first count) 1,515.69 (second count)	\$1,001.50
L-6029 State of Oregon	Paul Peckwith and Patrick Perrod	Marion	Negligent operation of motor vehicle by defendant resulting in damage to guardrail	118.25	118.25

(For additional details, see the Chief Counsel's letter dated December 17, 1969, concerning cases tried and filed in the Salem Office, General Files.)

The Chief Counsel stated that he had available for the Commission a full text of the decision rendered by the Supreme Court concerning jurisdiction over the dry sand areas of the ocean shore. The Chairman stated that according to his understanding, there had been a two-part approach to the dry sand area -

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one based on precedent or custom, and the other having to do with the principle of prescriptive rights. He inquired if the Supreme Court decision closed the case as to public ownership of all of the dry sand areas from the Columbia River to the California border. The Chief Counsel replied that the Supreme Court had upheld the lower court ruling based on prescriptive rights but had gone further in establishing the principle of custom which he said is much broader than prescriptive rights. The word "custom," he said, relates to the nature of the public's right which is in the area of an easement or right to use as distinguished from becoming the actual owner. The Chairman then inquired if the State through the Highway Division is to exercise authority over the use of these beaches - does it mean ownership of them or the right to control? The Chief Counsel replied that as he understands the ruling, it gives the right to use on behalf of the public and authority to protect and control the beaches. The Engineer stated that the Highway Division has on file affidavits covering all of the beaches as to public use. The Chief Counsel stated that in his opinion, if anyone challenges the State on control of the dry sand area, it would be easier to defend under the basis of custom. The Chairman stated that he had made these inquiries because the Commission proposes to take some action regarding the beaches this morning.

A report was also submitted by the Chief Counsel and accepted by the Commission concerning cases, which have been settled out of court since the last Commission meeting, summarized as follows:

REPORT OF CONDEMNATION CASES SETTLED

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5969 Robert N. Banks, et al.	Clackamas	East Portland Freeway	Columbia River- Pacific Highway	\$ 3,350.00	\$ 5,700.00

(A strip along 82nd Avenue takes a portion of the property improved as a parking lot for some 40 cars. Twenty parking places are taken which will require the owner to provide substitute parking since the zoning regulation requires at least 40 parking places.)

L-5978 Michael Buchman, et ux.	Clatsop	Columbia River	Fern Hill- Burnside	39,250.00	41,500.00
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(Just prior to testimony of first witness, defendant agreed to reduce his demands from \$48,000 to \$41,500 provided the taking could be reduced by about one-half acre lying on the river side of the right-of-way of the relocated highway as this would leave the owner with a usable tract along the river even though without access.)

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(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6026 Shirley Marks, et al.	Jackson	Medford-Provolt	Ruch	\$ 1,425.00	\$ 3,500.00

(State's higher appraisal at \$4,950 was made at much later date than that upon which original offer was made and reflects better information as to construction and sales.)

A road approach to be constructed by State for convenience of owner mitigates some of the damages and is reason for settlement below appraisal.)

L-5885 Mildred E. Langley, et al.	Baker	Old Oregon Trail	Oxman-Benson Creek	13,650.00	25,000.00
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(The access restriction severs the ranch with some 760 acres left on one side and the remainder on the other. The severance creates numerous problems in future operation including irrigation problems and particularly reduces the number of acres of irrigable land by their being separated from the source of water.)

L-5973 Edward Hanes Cooley, et al.	Clackamas	East Portland Freeway	Columbia River-Pacific Highway	102,500.00	155,000.00
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(The 112-acre Clackamas industrial tract here involved will be remembered as one of those included in the controversy over the location of I-205. The proposed settlement is one reached on the eve of trial. Fee appraisals made at \$98,600; \$106,750; and \$151,500. The highway route was laid out on a diagonal across this potential industrial property and encompasses 27 acres for right-of-way.

On the basis of the detailed evidence elicited during pre-trial conferences and studies, it became evident that the State's highest appraisal was the better indicator of market value.)

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-5825 General Aniline & Film Corp.	Washington	Beaverton	Pacific Highway Sunset Highway	\$ 51,350.00	\$ 60,000.00

(Appraisals were difficult because there were two relocations of defendant's fences, parking area and interior road system. State had two independent fee appraisals at \$51,350 and \$65,300.)

L-5778 Elsie M. Proctor, et al.	Columbia	Columbia	Rainier-Delena	70,800.00	135,000.00
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(Total acreage is 68 acres, of which 59 acres is in the quarry. Some 17 acres are taken, of which 12 acres is in the quarry. Over the past 13 years the lessee had paid \$9,000 annually in royalties with \$38,000.00 being paid over the past three years.

Of the several appraisers employed by State, two independent experts and a staff, there existed wide differences of opinion from \$166,000 to \$300,000 in the before situation, with differences ranging from \$71,000 to \$139,000 on the market approach and up to \$183,000 in using the income approach.)

L-5988 Elliott J. Staten, et al.	Multnomah	Portland Womens' Forum State Park		12,750.00	13,750.00
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(Verdict in last case tried to enlarge Dobney State Park, a few miles westerly of subject, resulted in substantial increase over appraisal.)

L-5841 Philip L. Beckley, et al.	Douglas	Umpqua Highway Scenic Area		2,500.00	10,000.00
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(Original appraisals were made on basis that the tract had no highway frontage. Defendant claimed otherwise. A full survey to determine the accurate location would cost up to \$5,000; however, the engineers have laid out and staked on the ground the property claimed by defendants and evaluated in the revised appraisals up to \$11,200.)

(Report of Condemnation Cases Settled Cont.)

Case	County	Highway	Section	State's Offer	Amount of Settlement
L-6097 David J. Alexander, et al.	Multnomah	East Portland Freeway	S.E. Division- S.E. Foster Street	\$83,000.00	\$81,800.00
(Recently this unimproved property was purchased by defendant. He obtained a permit and began construction of a building for commercial purposes. In an effort to forestall having to pay for an expensive improvement negotiations were commenced and condemnation initiated before completion of building. State's highest appraisal \$83,000.)					
L-5826 Southern Pacific Company, et al.	Polk	Salem- Dayton	Orchard Heights Edgewater	3,250.00	4,500.00
(Our offer plus interest totals \$3,800.00 and the settlement is only \$700 in excess of what we admit is owed. Our appraisals would have to be updated and this settlement resolves a trial, the City assessment and any possible attorney fees for Southern Pacific.)					
R-43245 Alice Ward	Tillamook	Oregon Coast	Cape Kiwanda Neskowin	750.00	3,000.00

(Later it was learned that Ward had a valid and previously existing access road connecting her property, located some distance from the highway, at the original access point. The new approach road involved a steep gradient and right angle turns which Ward claims has reduced value of her property.

Inverse condemnation is threatened for \$5,000 damages. Since there has been a taking of a property right the State would be subject to such suit unless a settlement is negotiated. State will also be subject to attorney fees should such an action be commenced by the owner.)

(For additional details, see the Chief Counsel's letter dated December 17, 1969, concerning cases settled and filed in the Salem Office, General Files.)

Confirmation was requested by the Chief Counsel and granted by the Commission on prior telephonic approval given by the Commission on offers made to owners for acquisition of real property prior to the start of condemnation proceedings, summarized as follows:

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ALDER CREEK-WILDWOOD SECTION OF THE MT. HOOD HIGHWAY

R-33001 - Roy E. Dimick, et ux. 0.46 acre for right-of-way purposes. Offer of \$10,500.00 approved by Mr. Jackson December 15, 1969.

R-33011 - John G. Martin, et al. 0.51 acre for right-of-way purposes. Offer of \$3,400.00 approved by Mr. Jackson December 15, 1969.

R-33018 - William H. Hodges. 0.25 acre for right-of-way purposes. Offer of \$20,250.00 approved by Mr. Jackson November 13, 1969.

R-33030 - George O. Dodd, et al. Parcel No. 1: 2.02 acres for right-of-way purposes; Parcel No. 2: 0.27 acre for permit of entry. Offer of \$20,250.00 approved by Mr. Jackson December 15, 1969.

R-33045 - Edmund L. Cook, et ux. Parcel No. 1: 4.75 acres for right-of-way purposes; Parcel No. 2: 1.4 acres for permanent easement. Offer of \$42,825.00 approved by Mr. Jackson December 15, 1969.

R-33083 - Dean N. Mann, Jr., et ux. 7,480 square feet for right-of-way purposes. Offer of \$10,500.00 approved by Mr. Jackson December 9, 1969.

CLACKAMAS RIVER-WEST LINN UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43074 - Cecile M. Bannon. 9,480 square feet for right-of-way purposes. Offer of \$17,000.00 approved by Mr. Jackson December 15, 1969.

R-43253 - Helen L. MacDonald. 6,730 square feet for right-of-way purposes. Offer of \$10,900.00 approved by Mr. Jackson December 15, 1969.

COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43000 - H. E. Hollowell. 0.4 acre for right-of-way purposes. Offer of \$1,250.00 approved by Mr. Jackson November 20, 1969.

LaGRANDE SECTION OF THE OLD OREGON TRAIL

R-43741 - Joseph A. Kalin and Benedict J. Kalin. 740 square feet for right-of-way purposes. Offer of \$50.00 approved by Mr. Jackson November 20, 1969.

LAKE ROAD INTERCHANGE-CLACKAMAS RIVER UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43422 - Ruben G. Gehrke, et ux. Parcel No. 1: 0.37 acre for right-of-way purposes; Parcel No. 2: 0.17 acre for right-of-way purposes. Offer of \$4,050.00 approved by Mr. Jackson December 15, 1969.

MISSION JUNCTION-EMIGRANT HILL SECTION OF THE OLD OREGON TRAIL

R-42500 A-1 - United States of America, as Trustee (Sampson). Parcel No. 1: 0.1 acre for right-of-way purposes; Parcel No. 2: 1.6 acres for right-of-way purposes; Parcel No. 3: 2.5 acres for right-of-way purposes. Offer of \$1,365.00 approved by Mr. Jackson November 26, 1969.

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R-42500 A-3 - United States of America, as Trustee (Shillal). 0.91 acre for right-of-way purposes. Offer of \$275.00 approved by Mr. Jackson November 26, 1969.

NORTH POWDER-BAKER SECTION OF THE OLD OREGON TRAIL

R-42385 - L. H. Schetky, et ux. 6.1 acres for right-of-way purposes. Offer of \$625.00 approved by Mr. Jackson December 15, 1969.

N.E. SANDY BLVD.-N.E. GLISAN STREET UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-41164 - Nicholas Thomas Manos, et ux. 13,721 square feet for right-of-way purposes. Offer of \$12,000.00 approved by Mr. Jackson December 1, 1969.

NORTH TIGARD INTERCHANGE-HUBBARD INTERCHANGE SECTION OF THE PACIFIC HIGHWAY

R-43363 - Robert W. Toon, et ux. 0.5 acre for right-of-way purposes. Offer of \$2,000.00 approved by Mr. Jackson December 1, 1969.

ROCK CREEK SECTION OF THE COOS BAY-ROSEBURG HIGHWAY

R-35001 - Clarence V. Bloyd, et ux. 0.49 acre for right-of-way purposes. Offer of \$100.00 approved by Mr. Jackson December 11, 1969.

ROSS ISLAND BRIDGE-REEDWAY SECTION OF THE PACIFIC HIGHWAY EAST

R-43182 - Arthur E. Zerbe, et ux. 7,195 square feet for right-of-way purposes. Offer of \$15,800.00 approved by Mr. Jackson December 11, 1969.

S.E. DIVISION STREET-S.E. FOSTER ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-43911 - David J. Alexander and James J. Praggastis. 49,000 square feet for right-of-way purposes. Offer of \$83,000.00 approved by Mr. Jackson November 19, 1969.

S.E. HINKLEY AVE.-LAKE ROAD UNIT OF THE COLUMBIA RIVER-PACIFIC HIGHWAY SECTION OF THE EAST PORTLAND FREEWAY

R-42682 - Unico. Parcel No. 1: 1.35 acres for right-of-way purposes; Parcel No. 2: 0.33 acre for right-of-way purposes; Parcel No. 3: 0.05 acre for temporary easement; Parcel No. 4: 0.08 acre for temporary easement. Offer of \$27,750.00 approved by Mr. Jackson November 21, 1969.

R-42686 - Arthur Boeschen and John Slusser, doing business as Milwaukie Tire Service. 0.13 acre for right-of-way purposes. Offer of \$2,600.00 approved by Mr. Jackson November 26, 1969.

R-42829 - Edwin V. Anderson, et ux. 84,480 square feet for right-of-way purposes. Offer of \$26,500.00 approved by Mr. Jackson December 11, 1969.

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Orders received from the Public Utility Commissioner concerning State Highway crossings were presented by the Chief Counsel. The Commission accepted the report as follows:

PUX 722, SXF 484. Order No. 46156 was issued authorizing the Parkplace Interchange Overcrossing Project on the East Portland Freeway over the tracks of the Southern Pacific Transportation Company in Clackamas County.

PUX 756, SXF 517. Order No. 46417 has been received authorizing reconstruction of the Goshen Overcrossing over the tracks of Southern Pacific Transportation Company on the Pacific Highway in Lane County.

A report on institution of legal proceedings since the last Commission meeting was presented by the Chief Counsel and accepted by the Commission as follows:

- (1) Power Line Construction Company, Inc., vs. State of Oregon, L-6092: This case was filed in the Circuit Court of Washington County to recover the sum of \$17,316.40 for damages to plaintiff's truck. Plaintiff alleges that on or about June 12, 1968, its truck was proceeding northerly on the Tualatin Valley Highway (State Route 47), about one mile south of Forest Grove in Washington County, when it was stopped by a State Highway employee to permit southbound traffic to proceed. After the southbound traffic had passed, plaintiff alleges the State Highway employee signaled its truck to proceed in a manner which placed the wheels of the truck upon the highway shoulder. The shoulder gave way, causing plaintiff's truck to overturn.
- (2) Beverly J. Felger vs. Oregon State Highway Division, L-6096: Plaintiff seeks to recover \$5,668.60 for personal injuries and medical services allegedly incurred July 17, 1968, when she tripped on a chipped concrete step at the southwest entrance of the Highway Building at 5821 N.E. Glisan, Portland.
- (3) Novella Joyce Lange, Administratrix of the Estate of Charles S. Lange, deceased, vs. S.P. & S. Railway Co. and State of Oregon, et al; Harold Charboneau vs. S.P. & S. Railway Co. and State of Oregon, et al; and Thomas Earl Mills vs. State of Oregon, by and through its Highway Commission, L-6102, L-6103, and L-6104. The three cases arose out of a single car accident which allegedly occurred on or about December 12, 1967, on the Columbia River Highway in the 5000 Block N.W., Portland. At this point the Columbia River Highway has four lanes and a curve. Next to the westbound lanes is a spur railroad track which parallels the highway. The automobile apparently slid off the road onto the railroad track and collided with one of the railroad's fixed box car stops. As a result of this accident, the passenger Charles S. Lange

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was fatally injured. Charboneau and another passenger, Thomas Mills, were injured. Lange's estate is requesting \$50,729 for wrongful death; Mills \$266,000 for personal injuries; Charboneau \$269,000 for personal injuries. The accident occurred prior to the time the State Tort Claims Act became law. A motion will be made to quash service in each case in behalf of the Commission. If the motions are overruled, defense of the action will be tendered to the State insurance carrier.

- (4) Naoma Campbell vs. Dale Bassett, Francis Baldwin, Jack McCormick, C. T. Keasey, George Carter, et al, L-6105. Plaintiff seeks to recover \$51,600 in general and special damages because of an accident in an automobile which collided with a horse and a mule on the Pacific Highway near the Pleasant Valley Road Overpass in Douglas County. Plaintiff alleges that Mr. Bassett opened a gate through the fence along the highway to mow hay within highway right-of-way and failed to properly close or lock the gate. Subsequently, the animals found their way through this opening onto the highway right-of-way. Defense on this claim will be handled by the State insurance carrier.

The Engineer brought up the matter of renewing a lease to Richard and Ann Thomas for operation of the concession in the building in Depoe Bay State Park in Lincoln County. He pointed out that Thomases have operated the concession since 1958 and have provided satisfactory service. During the 1968-69 fiscal year, the State received \$4,434 from the lessee. He recommended that the agreement be extended for a period of five years beginning January 1, 1970. The Commission approved the extension and authorized the Secretary to sign the agreement for them.

The Commission also considered renewal of a lease to Cove Palisades, Inc., for operation of the concession at The Cove Palisades State Park in Jefferson County. Under the terms of this lease the Engineer stated that during the 1969 season the State received \$4,421.80 from the lessee. The operators of the concession have performed satisfactorily and he recommended that the lease be extended for three years beginning January 1, 1970. The Commission approved the lease extension and authorized the Secretary to sign it in their behalf.

Consideration was given to the purchase of land for park improvement and for highway right-of-way in Devils Punchbowl State Park in Lincoln County. The Engineer explained that in widening the Otter Rock Highway which provides access to the State Park, it is necessary to secure additional right-of-way. The existing facilities in the park, he said, are inadequate and plans have been made for improvement which also requires additional land. He exhibited a map showing the proposed acquisitions and recommended purchase of eight lots in Block 9 outlined in red on the map as soon as

possible, and the purchase of the tracts outlined in blue as soon as the Park budget will allow. The lots outlined in red have been appraised at \$32,000, and those in blue have been appraised at \$38,900. The Commission authorized the immediate purchase of the eight lots outlined in red and the purchase outlined in blue when park funds are available. (Map referred to on file in General Files, Salem.)

An additional \$20,000 was requested by the Engineer to finance equipment costs on a research project being conducted in the Murder Creek area of the Pacific Highway north of Albany in Linn County to determine the effectiveness of a fog warning sign system installed in this area. He recalled that the Highway Commission at a meeting held April 22, 1969, had approved this research project at an estimated cost of \$107,000. The project was delayed in Washington, D.C., and an up-to-date estimate indicates that the project will now cost approximately \$127,000 financed entirely with Highway Planning and Research Funds. No State funds are required. The Commission approved the increase in authorization.

The Chairman inquired if the fog warning signs are functioning as anticipated. The Engineer replied that apparently they are as no bad accidents have occurred since they were put into operation. Under the present setup, he said, the fog warning signs are turned on manually and the research project hopes to find a way to have them turned on by the presence of fog.

Improvement of a five-mile section on the Coos River Highway northeasterly from Allegany in Coos County was brought up by the Engineer. This section, he said, has a usable gravel surface varying in width from 12 to 16 feet. The road serves a number of small logging operations and is also the access to Millicoma Myrtle Grove Wayside. Construction funds are not available but he recommended that State maintenance forces widen the road to a minimum width of 22 feet and provide some improvement to the surface at a cost of \$100,000. The Commission approved the project using State Construction Funds with the work to be done by Maintenance Extra Gang.

The Engineer reported receipt of a petition signed by 22 residents in the beach area north of Manzanita in Tillamook County. The petition requests the prohibition of motor vehicles on the beach from a point north of Classic Ridge north to Neahkahnie Mountain in Tillamook County. He recalled that the beach area between the north and south city limits of Manzanita was previously restricted to vehicles by action of the Commission in April, 1968. However, between the northerly city limits of Manzanita and the area requested in the petition there remains an area in front of Classic Ridge which is not included in the petition or in the Manzanita restriction. He stated that Mr. Henry Stevens (one of the original petitioners) had written that it would be a mistake to leave out the Classic Ridge beach frontage since it was the intent of the petitioners to include all of the ocean shore northerly from Manzanita. The Commission, he said, by its own motion can include in the public hearing petition the area fronting Classic Ridge and he so recommended. The Commission accepted his recommendation.

In the reorganization of the Oregon State Highway Division in 1968, the Engineer stated that the Construction Engineer had been assigned the responsibility for processing contract payments and related work. The signing

of "Final Inspection and Acceptance" documents for Federal-aid Secondary Projects is still assigned to the Program and Planning Engineer. He recommended that this authority be transferred to the Construction Engineer who at the present time is Mr. F. D. Morgan. The Commission accepted his recommendation.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on November 26, 1969, for the settlement of a claim presented by Roy L. Houck Sons' Corporation on Contract No. 6451 on the Pacific Highway in Douglas County. He recalled that the contractor originally had claimed \$440,000 additional compensation. After considerable review and negotiations with the contractor and the Bureau of Public Roads, a compromise settlement has been reached. Included in the lump sum settlement is an amount of \$7,241.32 which will be nonparticipating with respect to Federal funds. The Commission confirmed a lump sum settlement of \$67,000.

Attention was given to requests from contractors for extensions of time to complete highway contracts without assessment of liquidated damages. The Engineer commented 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 as follows:

- (1) C. R. O'Neil and Dorman Construction Company, Contract No. 7130 on the Columbia River Highway in Columbia County requested a 22-day extension of the completion date. The Commission approved an extension to September 22, 1969, thereby eliminating all liquidated damages. Approval by the Bureau of Public Roads was given by letter dated November 17, 1969.
- (2) McCoy Electric Company, Contract No. 7238 for installation of traffic signals on the Pacific Highway East in Clackamas County requested an increase of 30 days on Unit A. The Commission granted an increase of 24 days, thereby eliminating all liquidated damages on Unit A.
- (3) E. H. Itschner, Contract No. 7251 on the Central Oregon Highway in Harney County requested a 63-calendar workday extension. The Commission approved an extension of 42 calendar workdays to the date of completion, thereby eliminating all liquidated damages.
- (4) D and D Paving, Inc., Contract No. 7283 for work on FAS 741 (Lancaster Drive) in Marion County requested a 24-day extension of time. The Commission approved a 24-day extension to the date of completion, thereby eliminating all liquidated damages.
- (5) Rogers Construction Company, Contract No. 6976 on the Columbia River Highway in Multnomah and Hood River Counties requested 75 additional calendar days to complete the contract. The Commission approved an extension of 55 calendar days to the date of completion,

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thereby eliminating all liquidated damages. Approval by the Bureau of Public Roads was given by letter dated December 9, 1969.

- (6) Willamette-Western Corporation and Donald M. Drake Company, Contract No. 7105 on the Willamette River (West Linn) Bridge Section of the East Portland Freeway in Clackamas County requested an extension of the completion date for Unit A from November 30, 1969, to August 12, 1970, a total of 255 days. The Commission granted an extension on Unit A of 187 days to June 5, 1970, without assessment of liquidated damages. Approval was given by the Bureau of Public Roads by letter dated December 11, 1969.
- (7) Charles T. Parker Construction Company, Contract No. 7019 on the Old Oregon Trail (I-80N) in Baker County requested additional time to complete the contract. The Commission granted a 15-day extension of time without assessment of liquidated damages. Approval by the Bureau of Public Roads was given for an extension of 7 calendar days in a letter dated December 15, 1969.
- (8) S. A. Hutchins and Associates Construction Company, Contract No. 7062 on the Lake of the Woods Highway in Jackson County requested a 156-day extension of time. The Commission approved an extension of 78 days, without assessment of liquidated damages.
- (9) E. W. Eldridge, Inc., Contract No. 7299 on the Powder River Section of FAS 506 in Baker County requested a 24-day time extension. The Commission approved an extension of time of 19 days to the date of completion, thereby eliminating all liquidated damages.
- (10) Babler Brothers, Inc., Contract No. 7180 on the Woodburn-Estacada Highway in Marion County requested an extension of 75 days. The Commission approved an extension of 51 calendar workdays, without assessment of liquidated damages.
- (11) E. S. Schnell & Company, Contract No. 7235 on the Wallowa Lake Highway in Union County requested a 9-day extension of time. The Commission approved the extension of 9 days, thereby eliminating all liquidated damages.

The Engineer reported that Contract Nos. 7133, 7175, 7177, 7180, 7197, 7207, 7210, 7216, 7227, 7232, 7235, 7236, 7241, 7242, 7243, 7253, 7254, 7258, 7259, 7266, 7282, 7285, and 7291 for highway construction have been completed as required by 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. 181," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

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The next Highway Commission meeting date was confirmed for February 3, 1970, in the State Highway Building in Salem and a tentative date of March 17, 1970, was set for the meeting to follow.

Confirmation was requested by the Engineer for verbal approval given by the Chairman on December 15, 1969, for award of Contract No. 7324 to E. A. White Company for site grading in the South Newport State Park in Lincoln County. Twelve bids were received for this project on December 12, 1969, the low being submitted by E. A. White Company in the amount of \$134,400. The Commission confirmed the award of the contract and authority for the Secretary to sign the contract in their behalf.

The Engineer reported that bids had been received December 18, 1969, on 13 projects. He mentioned the number of bids, the amount of the low bid, the estimate of cost and his recommendation as to award of the contracts. The Commission took action as noted on the following projects and authorized the Secretary to sign the contracts:

BIDS RECEIVED IN SALEM ON DECEMBER 18, 1969

Contract No. 7325 for a traffic signal on Dartmouth Road at 82nd Drive on the Clackamas Highway in Clackamas County. State Project. Six bids were received. The Commission elected to accept the low bid of Graham Electric Company, Portland, in the sum of \$23,760 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 \$13,602 is deposited by the County.

Contract No. 7326 for traffic signal installation on Linwood Avenue at King Road in the city of Milwaukie on FAS-133 in Clackamas County. FAP No. SU-458(2). Six bids were received. The Commission elected to accept the low bid of Steeck Electric Company, Medford, in the sum of \$13,288 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 \$3,100 is deposited by the County.

Contract No. 7327 for park buildings in Fort Stevens State Park in Clatsop County. State Project. Six bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$77,600.

Contract No. 7328 for a utility building in William M. Tugman State Park in Coos County. State Project. Eight bids were received. The Commission awarded the contract to the low bidder, James A. Seiwald, North Bend, in the amount of \$53,368.99.

Contract No. 7329 for a utility building in Viento State Park in Hood River County. State Project. Eleven bids were received. The Commission awarded the contract to the low bidder, W. B. Frederick, Hood River, in the amount of \$51,947.50.

Contract No. 7330 for roadside improvement on the Biddle Road Interchange on the Crater Lake Highway at the northerly city limits of Medford in Jackson County. FAP No. LSS-15-001(1). Seven bids were received. The Commission awarded the contract to the low bidder, All-City Landscape, Inc., Portland, in the amount of \$74,370.50.

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Contract No. 7331 for grading and paving on the Geary Ranch-Green Springs Interchange Section of the Lake of the Woods Highway in Klamath County. FAP No. S-RS-60(3). Seven bids were received. The Commission awarded the contract to the low bidder, Hughes and Ladd & Hughes and Ladd, Inc., Redding, California, in the amount of \$1,897,961.

Contract No. 7332 for a utility building in Jessie M. Honeyman State Park in Lane County. State Project. Ten bids were received. The Commission awarded the contract to the low bidder, R. L. Divine, Vancouver, Washington, in the amount of \$51,937.

Contract No. 7333 for park facilities in South Newport State Park in Lincoln County. State Project. Ten bids were received. The Commission awarded the contract to the low bidder, James & Stritzke Constr. Co., Roseburg, in the amount of \$159,143.

Contract No. 7334 for a toilet building in Gleneden State Park in Lincoln County. State Project. Ten bids were received. The Commission awarded the contract to the low bidder, Baughman & Son, Coos Bay, in the amount of \$28,095.

Contract No. 7335 for slope protection in Rooster Rock State Park located on the Columbia River Highway in Multnomah County. State Project. Fifteen bids were received. The Commission awarded the contract to the low bidder, E. W. Eldridge, Inc., Sandy, in the amount of \$105,743.

Contract No. 7336 for park facilities in Nehalem Bay State Park in Tillamook County. State Project. Seven bids were received. The Commission awarded the contract to the low bidder, Ross Bros. Construction, Inc., Salem, in the amount of \$143,050.

Contract No. 7337 for grading, paving, structures and signing on the La Grande Section of the Old Oregon Trail in Union County. FAP No. I-80N-6(42)256. Seven bids were received. The Commission deferred the award of this contract. (See delegation entry ahead.)

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

- (1) Traffic signal installation on Marine Drive at Portway in the city of Astoria on the Oregon Coast Highway in Clatsop County. Bids received November 13, 1969. Contract No. 7317 awarded December 9, 1969, to Steeck Electric Company, Medford, low bidder.
- (2) Grading and paving on the Fountain Slide Section of the Columbia River Highway in Hood River County. Bids received November 13, 1969. Contract No. 7319 awarded December 1, 1969, to S. S. Mullen Construction, a Division of Mullen Corporation, Seattle, low bidder, in the amount of \$1,675,210.
- (3) Construction on the Esplanade Street-Fort Klamath Road Section of the Klamath Falls-Malin Highway in Klamath County. Bids received November 13, 1969. Contract No. 7320 awarded December 5, 1969, to Hamilton Construction Company, Eugene, low bidder.

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- (4) Traffic signal installation at the intersection of the Oregon Coast Highway and the Florence-Eugene Highway in the city of Florence in Lane County. Bids received November 13, 1969. Contract No. 7321 awarded December 15, 1969, to Hamilton Electric, Inc., Eugene, low bidder.

A program of street work for 1970 in cities having a population of less than 5,000 was presented by the Engineer. He explained that the funds for this program are derived from a \$250,000 annual apportionment taken from State highway gas tax funds. Applications for projects were received from 48 cities, all of which were carefully analyzed. Because of limited funds, only 12 projects could be selected and he recommended their approval. The Commission approved special city allotment projects as follows and authorized the Secretary to sign routine construction agreements pertaining thereto:

APPLICATIONS APPROVED FOR 1970 PROGRAM

<u>City</u>	<u>Division</u>	<u>SCA</u>	<u>City</u>	<u>TOTAL</u>
Chiloquin	4	\$ 25,000	\$ 1,700	\$ 26,700
Coquille	3	24,800	5,200	30,000
Drain	3	24,200	4,200	28,400
Estacada	1	25,000	10,000	35,000
Halsey	2	25,000	3,100	28,100
Harrisburg	2	25,000	8,200	33,200
Madras	4	19,000		19,000
Maupin	4	25,000	8,100	33,100
Phoenix	3	22,500	2,500	25,000
Stanfield	5	25,000	300	25,300
Talent	3	25,000	6,000	31,000
Umatilla	5	25,000	11,600	36,600
		<u>\$290,500</u>	<u>\$60,900</u>	<u>\$351,400</u>

The Commission action approving the City projects was taken subject to any revision which might be made later in the day when the delegation from the City of Coquille is scheduled to appear concerning the use of these funds in Coquille.

Consideration was given to a request from Washington County to extend a Federal-Aid Secondary Project from Farmington Road to S.W. Allen Avenue on Murray Boulevard. The Engineer estimated that the project would cost a total of \$210,000 of which \$42,000 is the cost to the State. He recalled that originally the project was included in a larger section which was approved by the Commission on April 23, 1964. At the request of the County, the Old Scholls Ferry Road-S.W. Allen Avenue portion was cancelled, leaving the shorter section which is being considered today. Approval is again requested because the roadway will be increased from two to four lanes with the addition of curbs, footpaths, and traffic control signals. The Commission approved the following project and authorized the Secretary to sign a routine construction agreement:

<u>County</u>	<u>FAS</u>	<u>Section & Description</u>	<u>Programmed Amount</u>	<u>FAS Funds</u>
Washington	630	Farmington Road-S.W. Allen Ave. Sec., Murray Blvd., 0.64 mile.	\$210,000	1970

Grade, drain, base, curb, pave and signals.

(This project when combined with the section which was cancelled on Aug. 23, 1967, makes up the original project which was approved by the Highway Commission April 27, 1964.)

(Because the estimate of cost of this shorter, wider project is the same as the estimate for the original project, there will be no change in the funds.)

<u>SUMMARY BY FISCAL YEARS</u>	<u>1969</u>	<u>1970</u>	<u>TOTAL</u>
Allocated Funds	\$3,969,000	\$5,089,000	\$9,058,000
Approved Projects (corrected to date)	<u>3,969,000</u>	<u>2,656,000</u>	<u>6,625,000</u>
Unprogrammed Balance	\$ ----	\$2,433,000	\$2,433,000
Projects Proposed-Dec. 23, 1969	----	----	----
Unprogrammed Balance	\$ ----	\$2,433,000	\$2,433,000

The addition of \$300,000 to the current State Construction Program for construction of the approaches and the completion of the Siuslaw River (Mapleton) Bridge Section on the Florence-Eugene Highway in Lane County was brought up by the Engineer. The contract for the bridge, he said, was let by the Bureau of Public Roads as a Forest Highway Project on June 11, 1969, for the structure only. The Bureau does not have funds to let a contract for the approaches because of the President's cutback of Federal funds. The Engineer recommended that the \$300,000 be used for construction of the approaches and completion of this project. Commissioner Hill inquired if the use of State funds on a Forest Highway Project would cause the State to lose any Forest Highway funds. The Engineer replied that no Forest Highway funds would be lost because the total amount of these funds is limited and the amount not expended on this project could be used on some other Forest Highway job. The Commission approved the expenditure of State funds as recommended.

Establishment of a speed zone through the community of Broadbent on the Powers Highway in Coos County was recommended by the Engineer as follows:

40 miles per hour between a point 300 feet north of the Myrtle Point-Broadbent Road (M.P. 2.47) and a

point 0.20 mile south of the Myrtle Point-Broadbent Road (M.P. 2.73) except that from M.P. 2.51 to M.P. 2.55 the designated speed shall be 20 miles per hour during the hours of school crossings.

The Commission accepted his recommendation and thereupon adopted "Speed Zone Resolution No. 553," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

A resolution was presented by the Engineer abandoning to Marion County and abutting property owners a short segment of the old Killin Bridge Section of the Woodburn-Estacada Highway. Construction of the new highway section has been completed and he recommended transfer of the old section in compliance with an agreement dated December 17, 1968. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 484," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

The Commission also considered a resolution abandoning three short segments of the old Alsea Mountain Section on the Alsea Highway in Benton County. The Engineer commented that approximately 0.25 mile of the old right-of-way is to revert to the abutting property owners and approximately 1.25 miles to the Federal Government, particularly the U. S. Forest Service and O & C Lands. The new highway section has been completed and the old section is no longer needed for highway purposes and he recommended its abandonment. The Commission accepted his recommendation and thereupon adopted "Abandonment Resolution No. 498," which resolution by this reference is made a part hereof and filed in the Secretary's Office.

Attention was given to a permit agreement with Oregon State University for its use of 10 acres of the Blue Mountain Forest Wayside in Umatilla County as a timber production demonstration area. The Engineer stated that the prior agreement for this purpose has expired and the University has requested a five-year, nonexclusive permit to continue the timber project. He recommended that the five-year permit containing a 30-day cancellation clause by either party be granted. The Commission approved the agreement for a period of five years beginning December 23, 1969.

Confirmation was requested by the Engineer for telephonic approval given by the Chairman on December 4, 1969, covering an agreement with Harry Paget, the State Board of Health and the Department of Environmental Quality for production of a colored motion picture. The Engineer explained that the purpose of the motion picture is to provide an educational and informational tool in anti-litter, anti-pollution, and environmental improvement programs. The agreement provides for the payment of \$12,000 to Mr. Paget for production of the picture. Each of the three State agencies is to contribute \$3,000; the remaining \$3,000 is the liability of private contributors. The Commission confirmed the agreement and authority for the Secretary to sign it.

The Commission considered three agreements with Southern Pacific Transportation Company providing easements to the State for property required in construction of the Cushman-Hansen Creek Section of the Florence-

Eugene Highway in Lane County. The Engineer commented that two of the agreements are the standard form prepared by the Railroad, and the third is a private roadway agreement providing the State with access to a borrow pit. The State is to reimburse the Railroad for any expenses it may incur as a result of this crossing to the borrow pit. The State also is to pay the Railroad the sum of \$880 for the rights granted by the three documents. Following the Engineer's favorable recommendation, the Commission approved the three agreements.

Attention was also given to an agreement with Southern Pacific Transportation Company for the installation of automatic protective devices at a crossing of the Cascade Highway near Liberal in Clackamas County. The Engineer stated that the Public Utility Commissioner had issued an order for the installation of two flashing light grade crossing signals with automatic gate arms. The Railroad and the State are to share the cost of the installation on a 50-50 basis. Total cost he estimated at \$18,900 with the State's share being \$9,450 to be financed with State Construction Funds. The Railroad is to maintain the signals. Based on the Engineer's favorable recommendation, the Commission approved the agreement.

A supplemental agreement with the City of Coos Bay pertaining to the Central Avenue-Newmark Avenue Section of the Empire-Coos Bay Highway (Ocean Boulevard) in Coos County was presented by the Engineer. He explained that the original agreement remains in full force and the supplemental agreement provides for closure of Commercial Avenue and 14th Street, and construction of a cul-de-sac near the closure. When construction is completed, the City is to accept jurisdiction of the reconstructed portion of 14th Street. The Commission accepted the Engineer's recommendation for approval and authorized the Secretary to sign the agreement in their behalf.

The Engineer presented an agreement with the City of La Grande covering installation of illumination at the West La Grande Interchange and the Union Junction Interchange on the Old Oregon Trail (I-80N) in La Grande in Union County. The State is to perform the work at an estimated cost of \$168,000 and provide maintenance after installation. The City is to pay for all electrical energy consumed and is to install at its expense lineal illumination on the crossroads at the West La Grande Interchange when the new Oro Dell route is placed under contract by the State. The City is also to install illumination on the Wallowa Lake Highway from the end of the existing illumination to the city limits. This project, he said, is an Interstate job and has been approved by the Bureau of Public Roads. The Commission approved the agreement and authorized the Secretary to sign it for them.

An agreement with the Mapleton Water District for illumination of the bridge over the Siuslaw River at Mapleton on the Florence-Eugene Highway in Lane County was brought up by the Engineer. He recalled that after construction was underway the people of Mapleton had requested a lighting project. The agreement provides that the State is to install the illumination units and the District is to provide for all maintenance and electrical energy requirements. Cost of installation was estimated at \$5,000. The Commission accepted the Engineer's favorable recommendation and authorized the Secretary to sign the agreement in their behalf.

An agreement with LAWORE, Inc., for removal of snow on approximately one mile of the access road from the Lake of the Woods Highway to the Lake of the Woods Resort in Klamath County was considered. The Engineer stated that removal of snow during the 1969-70 winter season is estimated to cost the State approximately \$3,000. The agreement is in line with similar agreements entered into with other resort areas for removal of snow. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it in their behalf.

A construction-finance agreement with the City of Phoenix pertaining to improvement of the Fifth Street-Oak Street Section of the Rogue Valley Highway in Jackson County was considered. The agreement provides that the State and the City share the cost of the project on the basis of 75 percent (\$114,750) to the State and 25 percent (\$38,250) to the City for grading, base, drainage, curbs, and paving. Provision has also been made for the adjustment of utility facilities. The Engineer estimated the total cost of the project at approximately \$153,000 and suggested that it be placed on the list of cooperative projects for construction at a later date. The City of Phoenix has requested to pay its share of the cost over a period of three years if necessary. The Engineer recommended approval of the project with construction to be deferred until funds are available. The Commission accepted his recommendation and authorized the Secretary to sign the agreement for them.

A letter-form agreement with the City of Eugene concerning a study to determine feasibility of routes for the proposed Willamette Street Project was discussed. The Engineer pointed out that the study is to be conducted by the State at the request of and for the benefit of the City. The City is to pay all costs of the study and accept all responsibility for accepting or rejecting the report. The Commission approved the agreement and authorized the Secretary to sign it for them.

Consideration was given to an agreement with Union Pacific Railroad Company and Union County pertaining to construction of the La Grande Section of the Old Oregon Trail (I-80N) in Union County. The agreement, the Engineer said, is the usual form prepared by the Railroad and for consideration of \$1,050 grants to the State permanent and temporary easements for construction of this project. The State also is to reimburse the Railroad for costs incurred by the Railroad estimated at \$113,550, which is eligible for Federal reimbursement with Interstate funds. The Commission accepted his recommendation for approval.

Also considered was an agreement with Southern Pacific Transportation Company to relocate its tracks in the City of Woodburn on the Hillsboro-Silverton Highway in Marion County. The Engineer explained that the Railroad suggested as a safety measure that its tracks be relocated to reduce the number of crossings from six to three. The Railroad has agreed to pay 50 percent of the cost of relocating the tracks. This is in connection with an agreement with the City of Woodburn for relocation of Young Street in which the City has agreed to pay a portion of the cost pertaining to grading, paving and crossing gates. Following his favorable recommendation, the Commission approved the agreement. The agreement with the Railroad is shown as "Track Adjustment" in the following summary of costs:

December 23, 1969

	<u>Total</u>	<u>City</u>	<u>State</u>	<u>Railroad</u>
R/W Grading, Paving	\$20,000	\$10,000	\$10,000	
Crossing Gates	26,000	6,500	6,500	\$13,000
Track Adjustment	31,000		15,500	15,500
Gumwood Crossings	6,000		3,000	3,000
	<u>\$83,000</u>	<u>\$16,500</u>	<u>\$35,000</u>	<u>\$31,500</u>

Requests were received from the Cities of Eugene, Medford, and Ontario for TOPICS projects to improve the efficiency and capacity of existing major arterials in urban areas. The City of Eugene has requested two signalization projects on the Pacific Highway West - one at the intersection of Roosevelt Boulevard and one at the intersection of Prairie Road. The City of Medford has requested that the State develop an area-wide plan for the Medford urban area to determine TOPICS projects and their priorities. The City of Ontario has also requested a study for a plan similar to Medford's request. These requests, the Engineer continued, have all been investigated and have been approved by the Bureau of Public Roads for funding under the TOPICS program. He recommended approval. The Commission accepted his recommendation and authorized the Secretary to sign agreements for the following TOPICS projects:

TOPICS FUNDS FISCAL YEAR 1970 PROJECTS

<u>City</u>	<u>Section</u>	<u>Programmed Amount</u>	<u>Cost to the State</u>
Eugene	Pacific Highway West @ Roosevelt Blvd. Signals and widening.	\$ 90,000	\$19,200
Eugene	Pacific Highway West @ Prairie Rd. Signals, widening, & R.R. gates.	80,000	16,000
Medford	Medford Urban Area. Area-wide TOPICS Plan.	5,000	1,000
Ontario	Ontario Urban Area. Area-wide TOPICS Plan.	2,000	400
Total New Projects		<u>\$177,000</u>	<u>\$36,600</u>

SUMMARY BY FISCAL YEARS

	<u>1970</u>	<u>Total</u>
Allocated Funds	\$2,743,000	\$2,743,000
Approved Projects (Corrected to date)	-----	-----
Unprogrammed Balance	\$2,743,000	\$2,743,000
Projects Proposed 12-23-69	<u>177,000</u>	<u>177,000</u>
Unprogrammed Balance	<u>\$2,566,000</u>	<u>\$2,566,000</u>

The Engineer presented an agreement with Southern Pacific Transportation Company pertaining to construction of the Railroad Overcrossing (Goshen) Section of the Pacific Highway in Lane County. The agreement, he

December 23, 1969

said, is a standard form prepared by the Railroad requiring safety precautions and reimbursement to the Railroad for all expenses estimated at \$30,990. All costs are eligible for Interstate financing. Approval has been received from the Bureau of Public Roads and he recommended approval by the Commission. The Commission approved the agreement.

A permit agreement with Bonneville Power Administration to operate a hydromet station in the Tygh Valley State Wayside in Wasco County was considered. The Engineer commented that the Wayside was recently acquired as a gift from the Pacific Power and Light Company. The agreement allows Bonneville Power Administration to continue operation of White River gauging station until terminated by either party upon six months' notice. Following his favorable recommendation, the Commission approved the agreement and authorized the Secretary to sign it for them.

The Engineer commended the Secretary for accomplishments during the past eleven years in reducing expenditures in his section. The Commission requested the Engineer to prepare a letter of appreciation for their consideration.

The Engineer commented that the 1969 Legislature had made changes in the beach laws by which local citizens could prepare petitions and present them to the Highway Commission. The law also set up procedures by which the Commission could handle these petitions for restriction of vehicles on the ocean beaches. Several petitions, he said, have been filed and two hearings have been held. At this time there appears to be a great preponderance of public opinion favoring closure of the beach to vehicles. There are, however, a number who do not favor total vehicle prohibition. Consideration might be given to a blanket closure of the beach to vehicles with certain exceptions and appropriate rules might be adopted which would allow vehicles on the beach for certain purposes; such as picking up driftwood, allowing the aged and the infirm to reach the beach and other legitimate reasons, but excluding the source of the trouble which has been the general use of vehicles on beaches frequented by pedestrians.

The Chairman stated that based on the findings of the recent court decision favoring the public use of the ocean beaches, it is the desire of the Commission to close the beaches to vehicular traffic from the California line to the Columbia River except for special occasions which would be allowed under a simple type of permit. These permits would include woodgathering, elderly or crippled people who cannot get on the beach without transportation, or other legitimate reasons. If this procedure can be accomplished, it might not be necessary to hold as many individual beach hearings as otherwise would be required. It was his feeling that the suggested proposal reflects the wishes of the majority of the people in the State in administering the beach areas of Oregon as a recreational park area. He requested the Engineer to start immediately to work out a permit system so that the Commission might review it as soon as possible.

An agreement was presented with Pittsburgh Testing Laboratory to provide inspection services on steel being fabricated for Contract

Nos. 7310 and 7311 on the Fremont Bridge of the Stadium Freeway in Portland, Multnomah County. The Engineer stated that the major steel elements such as girders are being fabricated in several different locations in Japan and shipped to Vancouver, B.C. for final assembly and painting. Inspection of the material and fabrication practices is necessary at the plant site. Pittsburgh has offered to provide this service for a unit price of \$14.87 per ton of steel, the total not to exceed \$212,000 and approval has been given by the Bureau of Public Roads. He recommended approval of the agreement. The Commission approved the agreement and authorized the Secretary to sign it for them.

Attention was given to a request from Robert Sowle for a permit to remove sand from Nestucca Spit State Park, Tillamook County. The Engineer stated that part of this property had been obtained from the U.S. Bureau of Land Management with severe restrictions as to its use. The Nestucca Spit is quite narrow in its southerly portion and removal of any material could increase the hazard of wave erosion to the stabilized portion of the Spit. He recommended that the request be rejected. The Commission accepted his recommendation.

The Commission considered a request from Portland State University in Portland for a 20-year lease to use property under the Marquam Bridge on the west bank of the Willamette River. The Engineer commented that the University proposed to pay \$1 a year rental for the site to be used for outdoor recreation and academic studies. He offered no objection to the use of the property but objection was made to the 20-year feature. It was his feeling that a five-year period would be more appropriate which might be renewed from time to time. He recommended that the request for a 20-year lease be denied. The Commission accepted his recommendation.

The Engineer reported that requests are being received for purchases of right-of-way on a hardship basis on the Mt. Hood Freeway in Portland. Development of plans is quite slow because of difficulties in getting traffic projections and working out the necessary agreements with the City and the County. Twelve requests have been received ranging in value from \$20,000 to \$80,000 and are all located within the corridor approved by the City, County, State, and the Bureau of Public Roads. Although there is some opposition to any freeway in this corridor, the Engineer requested authority to proceed with the acquisition of the hardship property cases. The Commission granted the authority.

The Chief Counsel presented a bill from Mr. George Rhoten, a Salem Attorney, for his services in the preparation and trial of the case of the State of Oregon vs. DeLong Corporation pertaining to the Astoria Bridge. He recalled that the Court had decided in favor of the State and that the trial had lasted from March 1968 until October 1969. Also, Mr. Rhoten had spent much time in preliminary stages beginning in June 1965. He recommended the payment of \$49,104 in addition to a previous payment of \$60,000. The Commission approved the payment.

The Commission confirmed the Chairman's verbal approval given November 26, 1969, for acquisition of right-of-way necessary for future improvement of the Oregon Coast Highway along the easterly bank of Nehalem Bay in Tillamook County.

The Engineer presented a list of highway construction projects and requested financing approval and authority to conduct such hearings as are necessary. This action, he said, is needed in order to provide an orderly pace for preparing the projects for contract lettings. The Commission approved financing and the holding of necessary public hearings on the following projects:

Highway	Section	Program	Amount
Columbia River	Columbia Co. L.-Burlington (Railroad)	FA(11)	\$ 250,000
Corvallis-Newport	Dudlee Hill-Blodgett	FA(11)	1,800,000
La Grande-N. Powder	Hot Lake O'Xing	FAS(11)	680,000
Pacific East	Ross Island Br.-Reedway St.	FAU(11)	1,200,000
Pacific East	Chemawa Rd.-Hayesville	FA(11)	920,000
Willamina-Salem	Rickreall-Independence Jct.	FA(11)	5,000,000
Powers	Broadbent	FA(11)	1,150,000
Columbia River	Columbia Co. L.-Burlington (Prime Job)	FA(11)	4,050,000
Corvallis-Lebanon	Orleans-Lake Cr.	FAS(12)	2,700,000
Pacific East	S.E. Reedway-S.E. Tacoma St.	FAU(12)	1,500,000
Corvallis-Newport	Gellatly Summit	FA(12)	1,000,000
Albany-Jct. City	Willamette R. (Harrisburg) Bridge	FA(12)	1,000,000
Albany-Jct. City	Harrisburg-Lancaster Slough	FA(12)	420,000
Florence-Eugene	Knowles Creek Tunnel	FA(12)	400,000
Coos Bay-Roseburg	Grey Cr.-N. Fk. Coquille R.	FA(12)	1,800,000
Oregon Coast	Sixes River	FA(12)	1,500,000
Oregon Coast	Crystal Creek (Sixes) Br.	FA(12)	100,000
Oregon-Washington	Milton-Washington State Line	FA(12)	3,000,000
Beaverton-Hillsdale	Beaverton-Jamieson Rd.	FAS(12)	325,000
Empire-Coos Bay	Cape Arago Hwy.-Woodland Dr.	FAS(12)	720,000
Jacksonville	Oak Grove Rd.-Elm St. (Medford)	FAS(12)	575,000
K. Falls-Lakeview	Patterson St.-K. Falls, Malin Jct.	FAS(12)	650,000
Coos Bay-Roseburg	Winston-Shady	FA(12)	3,000,000
Oregon Coast	Manzanita-Manhattan	---	1,875,000
Mt. Hood	Ava Ave.-Burnside St.	---	1,480,000

A delegation representing Gibbons and Reed Company and L. S. Matussek came before the Commission concerning award of the contract for the La Grande Section of the Old Oregon Trail in Union County on which bids were received December 18, 1969. The following people were present: A. V. Toolson, Les Matussek, Richard Franzke, and R. E. Westermann.

Mr. Franzke, Attorney for the contractors, introduced the others and stated that although theirs was the low bid that was read, they did not at this time know the status of the bid. Rumors have come to them that theirs was not the low valid bid. Also he said they had heard that the low bidder, Gordon H. Ball, Inc., had failed to sign the proposal bond. It was his feeling that a proposal bond not signed by the contractor is

not valid. He pointed out that if a bid bond was unsigned by the contractor it would leave him a way out of accepting the contract if he had made a bad bid. Decision in this matter, he said, is not one of choice for the Commission but is controlled by law. His research indicated that the proposal bond must be signed by the bidder and, in his opinion, if the proposal bond was not signed by the bidder, the State could not collect from the surety in the event the contractor failed to enter into the contract.

The Chairman commented that the Commission had received legal advice that the proposal bond submitted unsigned by the contractor is valid. Determination of this question, he said, is a legal matter and will have to be carefully researched to determine the proper legal status of the bid.

Mr. Franzke then commented that he had discussed the matter briefly with Attorneys George Rohde and Leonard Lindas and he asked permission to continue research with them.

The Chairman stated that the low bidder would undoubtedly ask for the same privilege and that the Commission had no objection to such collaboration.

Mr. Harry Slack, Jr., City Attorney; Mr. John Leshner, City Manager; and J. B. Bryan, Councilman; all from the City of Coquille, appeared before the Commission concerning the use of a City Street Fund Allocation on a section of Fifth Street in Coquille in Coos County. Mr. Slack explained that a \$25,000 project has been approved covering the first two blocks on Fifth Street which leads to the hospital. Improvement is needed, however, on the entire five-block section and he asked that the money be applied over the five blocks to provide better service to the hospital and to reduce the assessment against property owners on the two-block section. He suggested a street width of 36 feet instead of 42 feet. He also suggested that the State consider performing the paving work with the City to perform the curbing work and other work outside of the curbs.

The Chairman pointed out that certain standards are set up for such projects and he suggested to the delegation that they get in touch with the State Highway Engineer's staff to try to work out a solution.

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

"Bargain and Sale Deed" to City of Ontario covering Ontario Section of Old Oregon Trail in Malheur County.

"Bargain and Sale Deed" to Marcella M. Hillgen covering the Dufur-Tygh Valley Section of The Dalles-California Highway in Wasco County.

"Relinquishment of Title" to Wasco County covering the right-of-way for the connection to The Dalles-California Highway of the Dufur-Gap Market Road.

"Relinquishment of Title" to Douglas County for public road purposes 46.7 acres on the Roseburg-Oak Street Section of the North Umpqua Highway.

"Indenture of Access" to Herman and Clara Belle Hellhake covering the New Era-Canby Section of the Pacific Highway East in Clackamas County.

"Indenture of Access" to Mildred E. Pope, Hans and Roberta K. Norbistrath covering the Corvallis-Orleans Section of the Corvallis-Lebanon Highway in Linn County.

"Indenture of Access" to D. M. and Mertis Chandler covering the Cascade Gorge-Forest Boundary Section of the Crater Lake Highway in Jackson County.

"Grant of Access" to Sutherlin Knolls Golf and Recreation covering the Calapooya Creek-Sutherlin Section of the Elkton-Sutherlin Highway in Douglas County.

"Grant of Access" to Crown Zellerbach Corporation covering the Gnat Creek-Bradley Park Section of the Columbia River Highway in Clatsop County.

"Lease" with Richard F. and Ann Thomas covering the operation of the concession at Depoe Bay State Park in Lincoln County.

"Lease" with Cove Palisades, Inc., for operation of the concession at The Cove Palisades State Park in Jefferson County.

"Permit Agreement" with Oregon State University for use of part of Blue Mountain Forest Wayside in Umatilla County as a timber production demonstration area.

Two "Indentures" with Southern Pacific Transportation Company granting easements to the State for property required by the construction of the Cushman-Hansen Creek Section of the Florence-Eugene Highway in Lane County.

"Private Roadway Agreement" with Southern Pacific Transportation Company covering property at M.P. 713.8 at or near Wendson in Lane County required by the construction of the Cushman-Hansen Creek Section of the Florence-Eugene Highway.

"Agreement" with Southern Pacific Transportation Company to install automatic protective devices at a crossing on the Cascade Highway near Liberal in Clackamas County.

"Supplemental Agreement" with City of Coos Bay pertaining to Central Avenue-Newmark Avenue Section of the Empire-Coos Bay Highway (Ocean Blvd.).

"Agreement" with City of La Grande for installation of illumination at West La Grande Interchange and Union Junction Interchange on I-80N.

December 23, 1969

"Agreement" with Mapleton Water District for lighting the bridge over the Siuslaw River at Mapleton on the Florence-Eugene Highway in Lane County.

"Agreement" with LAWORE, Inc., for snow removal on approximately one mile of the access road to the Lake of the Woods Resort.

"Agreement" with City of Phoenix concerning improvement of 5th Street-Oak Street Section of the Rogue Valley Highway.

"Letter-form Agreement" with City of Eugene concerning a reconnaissance study to determine the feasibility of routes for the City's proposed Willamette Street Project.

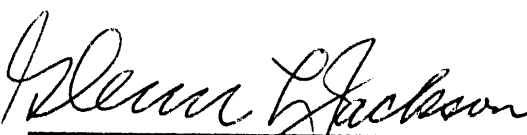
"Agreement" with Union Pacific Railroad Company and Union County for construction of La Grande Section of I-80N.

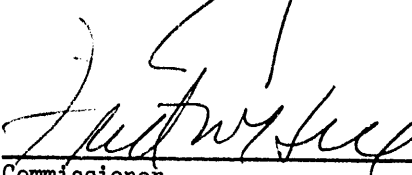
"Agreement" with Southern Pacific Transportation Company providing for the construction of the SPRR Overcrossing (Goshen) Section of I-5 in Lane County.

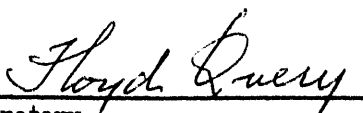
"Permit Agreement" with Bonneville Power Administration to operate a hydromet station in Tygh Valley State Wayside in Wasco County.

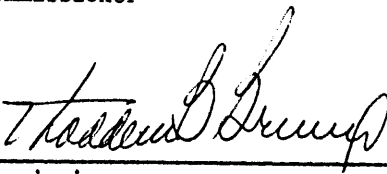
As there was no further business to consider, the meeting was adjourned by the Chairman at 10:45 a.m.


State Highway Engineer


Chairman


Commissioner


Secretary


Commissioner

December 23, 1969