

**MAP OF SURVEY FOR NOON-STONE-VON MOSHER**  
 IN THE S.1/2 OF THE NE.1/4 OF SECTION 31 T.39 S., R.2 E., W.M. JACKSON COUNTY, OREGON

DUANE & BONNE NOON  
 1295 NEIL CREEK ROAD  
 ASHLAND, OREGON 97520

LARRY & IRENE STONE  
 6718 HIGHWAY 66  
 ASHLAND, OREGON 97520

DENISE VON MOSHER  
 6400 HIGHWAY 66  
 ASHLAND, OREGON 97520

**CURVE DATA NORTHWESTERLY RIGHT OF WAY 30 foot EASEMENT FOR PRIVATE ACCESS**

- |  |  |
|--|--|
| ① R = 86.76'<br>L = 67° 42' 04"<br>L = 102.51'<br>C = 96.65' BRS S 88° 49' 10" W | ④ R = 135.67'<br>L = 44° 48' 33"<br>L = 106.10'<br>C = 103.42' BRS S 13° 21' 03" W |
| ② R = 89.65'<br>L = 30° 22' 09"<br>L = 47.52'<br>C = 46.96' BRS S 70° 09' 13" W  | ⑤ R = 113.33'<br>L = 33° 16' 17"<br>L = 65.81'<br>C = 64.89' S25° 41' 25" E        |
| ③ R = 84.68'<br>L = 49° 34' 57"<br>L = 73.28'<br>C = 71.01' BRS S 60° 32' 43" W  | ⑥ R = 474.69'<br>L = 15° 06' 18"<br>L = 125.14'<br>C = 124.78' BRS S 34° 46' 21" E |

**CANAL & DATA (ASHLAND LATERAL) TALENT IRRIGATION DISTRICT 55 foot EASEMENT**

- |                          |
|--------------------------|
| Ⓐ N 82° 49' 00" W 14.6'  |
| Ⓑ N 31° 12' 30" W 68.5'  |
| Ⓒ N 18° 29' 30" W 125.5' |
| Ⓓ N 03° 17' 21" E 52.3'  |
| Ⓔ N 16° 46' 30" W 36.0'  |
| Ⓕ N 29° 46' 30" W 114.2' |
| Ⓖ N 32° 34' 30" W 152.5' |
| Ⓗ N 50° 49' 30" W 52.2'  |
| Ⓘ N 73° 55' 00" W 94.9'  |
| Ⓝ N 30° 11' 00" W 61.7'  |
| Ⓚ N 25° 59' 00" E 97.0'  |
| Ⓛ N 01° 16' 30" W 89.9'  |
| Ⓜ N 25° 14' 30" W 98.3'  |

**LEGEND**

- ◇ FOUND MONUMENTS OF RECORD
- FOUND MONUMENTS NOT OF RECORD
- SET 5/8" X 30" L REBAR WITH Y.P.C. MKD. "STEWART L.S. 2057"
- △ COMPUTED POSITION
- PROPERTY LINE
- ADJUSTED LOT LINE (I.C. FILE NO. 88-11-LLA)
- T.I.D. CANAL (ASHLAND LATERAL)
- FENCE (AS NOTED)

**T.I.D. R.O.W. EASEMENT (COMPUTED FROM J.C.D.R. VOL. 483 PG 38)**

- ① S 16° 39' 26" W 34.80'
- ② N 74° 39' 26" W 40.00'
- ③ S 15° 20' 34" W 71.00'
- ④ N 74° 39' 26" W 60.00'
- ⑤ S 15° 20' 34" W 70.00'
- ⑥ S 74° 39' 26" E 60.0'
- ⑦ S 15° 20' 34" W 30.00'
- ⑧ S 74° 39' 26" E 163.50'
- ⑨ N 23° 20' 34" E 251.7'
- ⑩ S 66° 39' 26" E 33.36'

**SURVEYED BY:**  
 MARTIN C. STEWART  
 SURVEYING & FORESTRY  
 6370 HIGHWAY 66  
 ASHLAND, OREGON 97520  
 PH. 482-0188

**BASIS OF BEARINGS**

RECORD SURVEY NO. 10457 FROM THE NE. SEC. CNR. TO THE E.1/4, SECTION 31

**DATE**

DECEMBER 12, 1990

REGISTERED PROFESSIONAL LAND SURVEYOR

Martin C. Stewart

OREGON JULY 15, 1983  
 MARTIN C. STEWART  
 2057

RECEIVED  
 Date 1-24-91 By  
 1  
 3  
 JACOBSON SURVEYING

SCALE  
 1 inch = 100 feet

TAX PLAT no. 39S-2E-S31 TAX LOTS 1500, 1501, 409

(SEE ACCOMPANYING 3 PAGE NARRATIVE OF SURVEY)

MARTIN C. STEWART  
SURVEYING & FORESTRY  
6370 HWY 66  
ASHLAND, OREGON 97520  
503-482-0188

**NARRATIVE OF SURVEY**

**SURVEY FOR:** Duane and Bonnie Noon  
1295 Neil Creek Road  
Ashland, Oregon 97520  
Larry and Irene Stone  
6718 HWY 66  
Ashland, Oregon 97520  
Denise Von Mosher  
6400 HWY 66  
Ashland, Oregon 97520

**LOCATION:** Township 39 South, Range 2 East,  
South one-half of the Northeast Quarter,  
Section 31 Willamette Meridian,  
Jackson County, Oregon  
(Tax Plat No. 395-2E-S31,  
Tax Lots 1500, 1501, 409)

**PURPOSE:** To monument a lot line adjustment  
(J.C. File No. 88-11),  
as well as to monument a Boundary Line Agreement  
(recorded as No. 90-29645 Official Records of  
Jackson County, Oregon).

**PROCEDURE:**

Controlling Monumentation:

S.W. Corner D.L.C. No. 45:

Found: a 3 inch brass cap on a 2 inch iron pipe, firmly set, projecting 2  
inches above ground, marked "T39S R2E, S.W. D.L.C. No. 45, 1972, RS 638",  
with two, nine inch, white oak bearing trees with healed blazes as per record  
survey No. 4940.

1/4 Corner Sections 30 & 31:

Found: a 2 1/2 inch brass cap on a one inch iron pipe, firmly set, projecting  
4 inches above ground with a 4x6x16 inch sandstone rock along side, Marked  
"T39S R2E, 1/4 30 & 31, C.S. 1986", with three, white oak bearing trees, with  
healed blazes, and a found one inch pipe as per County Survey records (second  
re-establishment).

Northeast Section Corner Section 31:

Found: a 3-inch brass cap, set in a concrete pillar, flush, with a collar  
of stones, marked "Swain Surveying, T39S R2E, Sec, S30, S29, S32, S31, COR,  
RLS 759, 1972", with accessories as per County Survey records and record survey  
No. 5503.

1/4 Corner Sections 31 & 32:

Found: a 3 inch brass cap on a 2 inch iron pipe, firmly set, flush with ground,  
marked "Swain Surveying, T39S R2E, 1/4 S31 & S32 COR, R.L.S. 759, 1972", with  
accessories as per County Survey records and record survey No. 5503.

## PROCEDURE CONTINUED:

Additional controlling monumentation were corners set in unrecorded surveys as noted on map of survey, including two ½ inch iron pipes, one of which was adjusted as it was found in close proximity to the East-Northeast corner of Government Lot 2, Section 31; and other than the ¾ inch iron pipe witness corner, (the most Northwesterly), found and noted in Record Surveys Nos. 1716, 4940, and 9102, the remaining ¾ inch iron pipes source are unknown.

The West line of D.L.C. No. 45 was not established by this survey, though the computed position fits favorably to existing improvements, there is still a need for research and evaluation, particularly, of possible accessory evidence established by surveys performed in the late 1800's, as the remaining corners common to D.L.C. No. 45 appear to have been at least obliterated if not lost altogether.

Accordingly, the South line of said D.L.C. No. 45 was computed to evaluate fence lines and improvements that were established apparently without benefit of a record survey, and were found to encroach on the adjoiner to the Southwest (that tract described in deed recorded as No. 74-05052 Official Records, Jackson County, Oregon), and a Boundary Line Agreement (recorded as No. 90-29645, Official Records, Jackson County, Oregon) was executed to resolve the location of these improvements, relative to titled lines.

The North boundary of this surveyed tract, (described as the South line of that tract described as Parcel No. 1 in deed recorded as No. 78-25845, Official Records, of Jackson County, Oregon) has been of question as the fence line appears to be North 52.66 feet of the titled location. This was noted, first, on Record Survey No. 4940 and subsequently in Record Survey No. 9102 (though this survey was performed by L.E. Ager RLS 21, in September of 1964, it was not filed until November 1981 by George Burrell RLS 638, who apparently found it while reviewing the survey records of the late Mr. Ager). This difference was construed as a gap, condemned by Jackson County, and resold to adjoiners. That portion lying over and to the West of the Talent Irrigation District Canal (Ashland Lateral) was conveyed in deed recorded as No. 88-16701, Official Records, Jackson County, Oregon, and has been consolidated into that tract described in No. 86-16703, Official Records, Jackson County, Oregon, as a result of that Lot Line Adjustment (J.C. File No. 88-11-LLA). As the matter appears to have been settled, in retrospect, it should be noted that both Record Surveys 4940 and 9102 made note of the fence as to being old and well established, this surveyor found evidence of at least one more fence pre-dating the existing "old" fence, and it appeared to be a "split cedar-rail" fence of the type utilized in the late 1800's, also materials in the existing "old" woven-wire fence appear to have come from the earlier split cedar-rail fence, the exact location of this cedar-rail fence cannot be verified, but appears to have been near this existing fence, as well, Volume 4 Pages 447, 449, & 459 and Volume 5 Pages 38 & 219, Deed Records of Jackson County, Oregon, indicated that the original partitioning of D.L.C. No. 45 started in the Northwesterly corner of the D.L.C. and subsequently moved Southerly conveying three of four tracts of (equal size) 12.88 chains (850.08 feet) by a 41.51 chains (2739.66 feet). The existing fence appears to be near the location of the North line of the fourth tract, which was the last conveyed, and further, the bearing of said fence if extended in a Southeasterly direction for 41.51 chains, appears to close most favorably to the computed Northeast corner of the fourth tract. The expansion of Emigrant Lake, by the Bureau of Reclamation in the 1950's, destroyed most of the improvements and fences in D.L.C. No. 45, and other than aforementioned accessory evidence being found from earlier surveys performed to establish these or other surrounding tracts, it is conjectural in my opinion whether the 52.66 feet was a gap, a remainder, or a result of a mistake occurring in earlier surveys. Of note however, is that there is one fence of an old and well established nature, that is and has been accepted by adjoiners as a line of occupation, and this fence appears to be North 52.66 of titled location at the West line of D.L.C. No. 45 and on the present bearing would close most favorably on the theoretical location of the Northeast corner of that original remaining fourth tract.

PROCEDURE CONTINUED:

Not to be outdone, the Easterly line of this overall tract was never established and deed calls, as set forth in (Volume 465 Page 418 Deed Records of Jackson County, Oregon) for the West right of way boundary line of the Talent Irrigation District Canal (Ashland Lateral) were markedly different from the existing improvements. The establishment of the Easterly right of way line of the canal, by record survey No. 1716 was monumented with 3/4 pinched top iron pipes. I was able to recover some of these however, recorded distances and bearings differed markedly from improvements as well as from found monuments. Because of this and that subsequent conveyances (to adjoiners to the East) did not convey to the West right of way boundary, but rather to the East right of way line leaving a gap (over the existing T.I.D. Canal) and whose title is uncertain at this time, and no attempt was made to monument this Westerly right of way boundary line. The bearing and distances for this Westerly right of way boundary line as noted on the map of survey, were in attempt to resolve these discrepancies, and conform to existing improvements. The establishment of the interior adjusted lot lines were determined by client instructions as well as Jackson County Planning Staff, whose recommendations were that the existing private road was to access only two of the parcels, therefore it's Northwesterly right of way line was used as the Southeasterly boundary of the most Northwesterly tract, shown on map of survey. \*(see accompanying map of survey)

Finally, this rather lengthy narrative is submitted in part by way of explanation, for associates and professionals (many of whom assisted or counseled me in this matter) for the extended period of time taken to complete this survey.

January 12, 1991

**\*\* RECEIVED \*\***  
 Date 1-24-91 By BE  
 This survey Consists of:  
1 sheet(s) Map  
3 page(s) Narrative  
 JACKSON COUNTY  
 SURVEYOR

REGISTERED  
 PROFESSIONAL  
 LAND SURVEYOR

*Martin C. Stewart*

OREGON  
 JULY 15, 1983  
 MARTIN C. STEWART  
 2057