

MAP of SURVEY

Donation Land Claim No.42 in the Southwest One/Quarter of Section 4, Township 39 South of Range 1 East of the Willamette Base and Meridian, JACKSON COUNTY OREGON

John Baker & Karen Giese 2267 Forest Creek Road Jacksonville, Oregon 97530

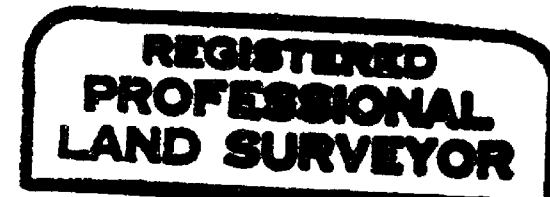
SURVEYOR

STEWART LAND SURVEYS 6370 Highway 66 Ashland, Oregon 97520

May 15, 1995

SCALE: 1" = 40' BASIS OF BEARING:

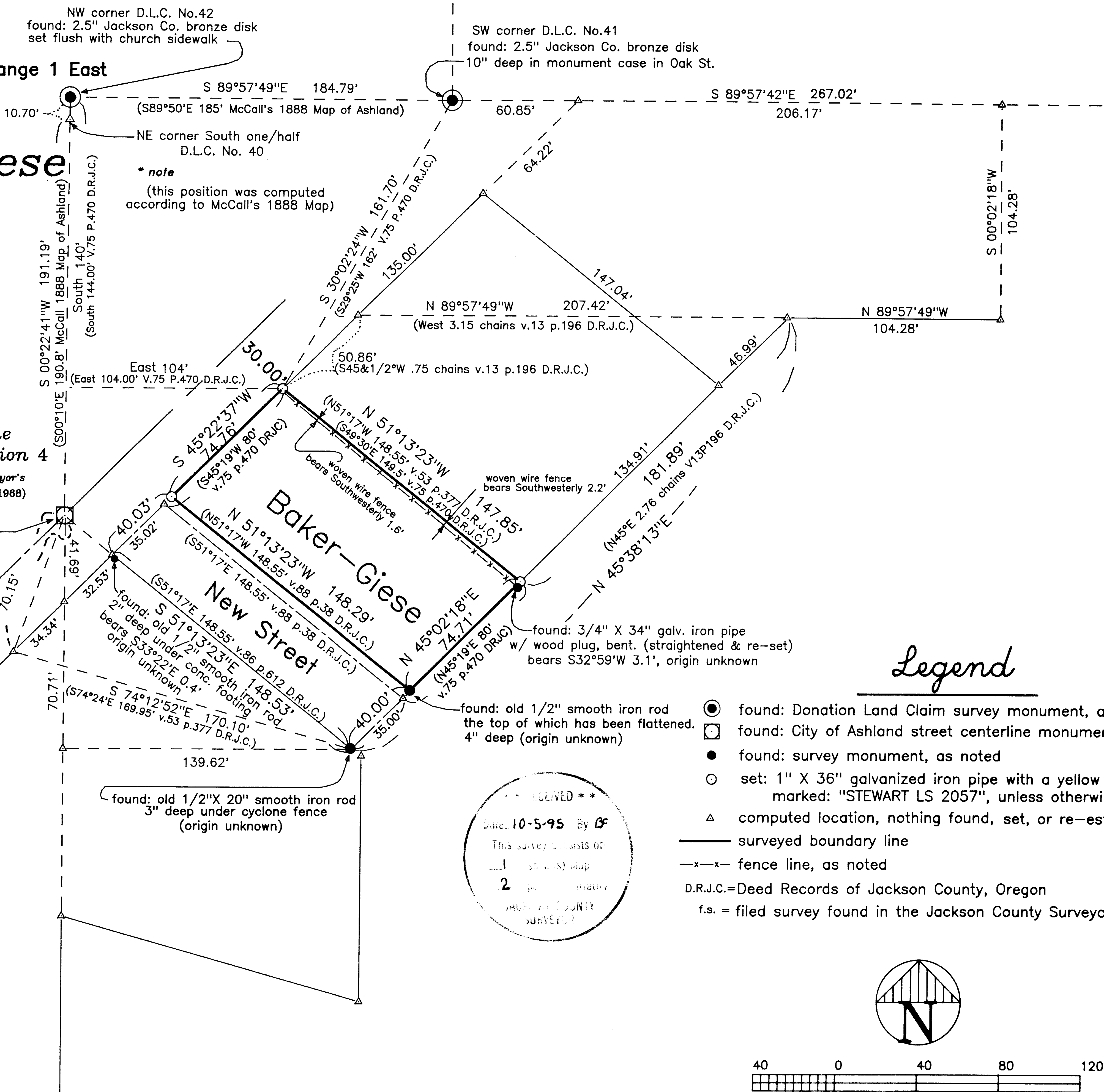
phone 488-2831 TRUE MERIDIAN at the N-S centerline Section 4 (as derived from the Jackson County Surveyor's NOAA control net established in 1988)



Martin C. Stewart



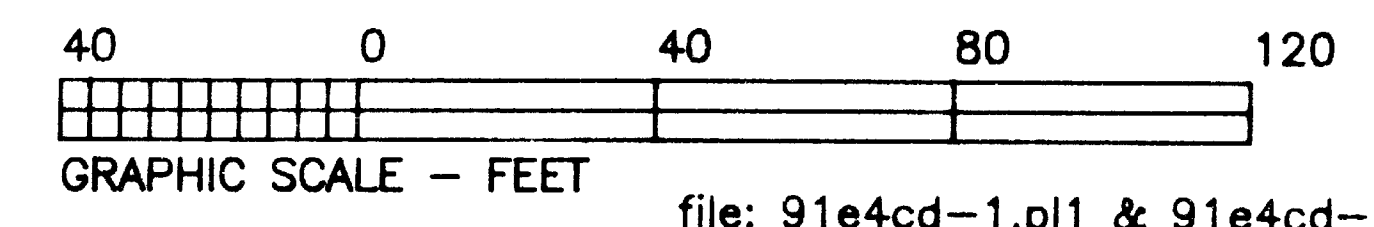
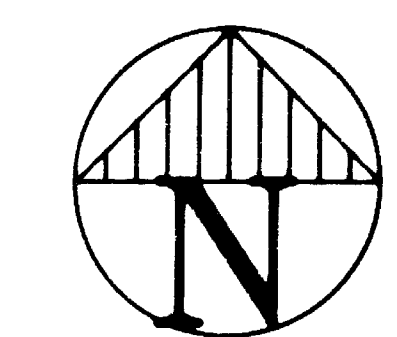
Surveyor's Registration Renewal Date is December 31, 1996



Legend

- found: Donation Land Claim survey monument, as noted
found: City of Ashland street centerline monument
found: survey monument, as noted
set: 1" X 36" galvanized iron pipe with a yellow plastic plug marked: "STEWART LS 2057", unless otherwise noted
computed location, nothing found, set, or re-established
surveyed boundary line
fence line, as noted
D.R.J.C.=Deed Records of Jackson County, Oregon
f.s. = filed survey found in the Jackson County Surveyor's Office

RECEIVED
DATE: 10-5-95 By BF
This survey consists of:
1. st. & s. map
2. plat & certificate
JACKSON COUNTY SURVEYOR



file: 91e4cd-1.pl1 & 91e4cd-1.crd job: 91e4cd-1-jn-991

Tax Lot 1500 of Assessor's Map 39s-1e-4cd

sheet One of One

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

Martin C. Stewart

OREGON  
JULY 15, 1983  
MARTIN C. STEWART  
2057

Surveyor's Registration  
renewal date is  
December 31, 1996

## STEWART LAND SURVEYS

6370 Highway 66  
Ashland, Oregon 97520  
phone (503) 488-2831

### NARRATIVE of SURVEY to COMPLY with PARAGRAPH 209.250 of the OREGON REVISED STATUTES

14713

\*\* RECEIVED \*\*

Date 10-5-95 By BF

This survey consists of:

1 sheet(s) Map

2 page(s) Narrative

JACKSON COUNTY  
SURVEYOR

As for New Street, there was little information found in the City of Ashland records. The only information found was a substantially different location as shown on McCall's 1888 Map of Ashland. There was initially no evidence indicating New Street had ever been surveyed or improved since the 1888 Map. The Ashland Engineering Department graciously provided research assistance in locating City Council resolutions and ordinances found in their archives concerning New Street in this time period (1910-1911). As well, Southern Pacific Railroad valuation maps (in that time period) were provided that for the first time showed New Street in it's present location. Using this information we were able to locate these Deeds of Records whose descriptions established New Street which then established my client's Southerly boundary line.

Unfortunately, in Volume 75 Page 470 (February 15, 1910) another description was recorded attempting to describe my client's property, this description was mathematically incorrect AND did not agree with the dimensions as recited in Volume 53 Page 377 and in Volume 88 Pages 38 & 612. Besides the encroachments this description creates there is a patent ambiguity in the point of beginning calls which come from two different D.L.C. corners and both contain errors as are disclosed on the Map of Survey. The found 3/4 inch pipe found near my client's Northeast property corner was assumed to be a monument set in the retracement of this description. This description was provided to my client when purchasing this tract. It is interesting that both descriptions involved were done in the same time period both apparently with benefit of survey but neither makes reference to the other, including different Point of Beginning calls. Volume 53 Page 377 and Volume 88 Pages 38 & Page 612 all use the same point of beginning (a point shown on several McCall maps at the intersection of the East Line of D.L.C. No. 40 and the centerline of Oak Street). A search was conducted using a record tie that missed the found 1" square iron bolt by less than 0.66 feet. This bolt fit very well to the other found monuments tied to these descriptions as well as to the Ashland Lumber Co. improvements. As these monuments provided the best retracements of record descriptions and provide the best fit relative to present existing improvements these monuments were held. These locations also fall within the positional tolerances of the early McCall surveys and accordingly were held to monument the corners of my client's land. All of these found monuments were retraced within 0.10' feet of Deed Record values, and accordingly Deed Record dimensions were used in order to preserve the record. The Ashland Engineering Department subsequently made evaluations on the found 1" square bolt relative to M.L. McCall's records and it was felt that this monument was not established in his surveys. In part because the M.L. McCall monument was described and shown as a sandstone. Also Volume 53 Page 377, only, calls for a stone monument at this P.O.B. location. In addition Volume 50 Page 106 makes reference to a "McCall's 1901 Map of Ashland", however as of yet this Map as not been located in the public records. This map could shed light on the source of the square iron bolt. Another possible source is that the mentioned Railroad valuation maps show a bolt at this location but with no other dimensions to existing monuments.

Finally, during this time (1910-1911) a W.W. Newlon acquired the property from Ganiard via a J.W. Abbot (Vol.75 Page 470); thereafter the property was held by only 2 owners (Pohland and D.N. McCourry) until my client's purchase. Pearl S. Peery (McCourry), the former owner, inherited this property from her parents who purchased it in October 1, 1920.

# STEWART LAND SURVEYS

6370 Highway 66  
Ashland, Oregon 97520  
phone (503) 488-2831

## NARRATIVE of SURVEY to COMPLY with PARAGRAPH 209.250 of the OREGON REVISED STATUTES

SURVEY No. 14713

**SURVEY FOR:** John Baker and Karen Giese  
2267 Forest Creek Road  
Jacksonville, Oregon 97530

**LOCATION:** Donation Land Claim No. 42 in the Southwest One/Quarter  
of Section 4 Township 39 South of Range 1 East of the  
Willamette Base and Meridian in Jackson County, Oregon.

**PURPOSE:** To survey and monument this tract of land.

**DATE:** May 15, 1995

**BASIS of  
BEARINGS:** True Meridian at the North-South centerline of Section  
4 of said Township and Range as derived from the 1968  
Jackson County Surveyor's control network which  
utilized National Oceanic and Atmospheric geodetic  
survey monuments.

**PROCEDURE:** A thorough research of the public records revealed that there were no Filed Surveys found in the Jackson County Surveyor's Office that had retraced this property description. However there were numerous surveys (as revealed in the descriptions) found in the Deed Records reflecting some very early surveys in this area.

This property was originally part of the Robert Hargadine Donation Land Claim No. 42, Mr. Hargadine being one of the early founders of the Town of Ashland. This portion of Hargadine's D.L.C. was conveyed to Lindsey Applegate, another well known Oregon pioneer, probably following the death of Mr. Hargadine. My client's property was a part of the "Barnes" or "Piner" lot as shown own on M.L. McCall's 1883 Map of Ashland and was conveyed originally from Applegate to Barnes than from Barnes to Piner. These descriptions are contained in Volume 7 Page 787 and Volume 8 page 576 respectively and establish a portion of my client's Easterly line and are dimensioned in chains and degrees. McCall's field Book "A" on Page 99 discloses a survey executed on December 8, 1883 conveying a portion of the "Piner" lot to a B.F. Crouch. This survey once again dimensioned in chains and degrees and established the Northerly line of my client's property and does so within acceptable positional tolerances, i.e. one link (.66 feet) with one chain containing 100 links.

Thereafter the title becomes difficult to follow and several descriptions of adjoiner tracts follow utilizing differing dimensions and styles raising the possibility of there being subsequent surveys in this area by surveyors other than M.L. McCall. The ownership ultimately passes to a Lucinda Ganiard who in Volume 50 Page 176 (July 7, 1904) and conveys this land as well as other nearby tracts to the Ashland Manufacturing Co. (now Ashland Lumber Co.). The Ashland Manufacturing Co. then reconveys this land back to Ganiard in Volume 53 Page 377 with a new description now in feet and degrees-minutes in October 13, 1905. This is significant because this certainly indicates a different surveyor, has it appears M.L. McCall died prior to the turn of the century. The surveyor creating this deed and description lays the foundation for subsequent descriptions in the same dimensions and style in this area. These descriptions are mathematically correct, established very accurate survey monuments (that we were able to recover) and ultimately establish the present location of New Street.