

**Expanded Survey Narrative
for Leo and Francis Martin
NW ¼ Sec. 14 T39S R 1 E, Wm.
City of Ashland, Jackson County, Oregon**

The survey map survey number (s/n) 15098, July 1996, located in the Jackson County Surveyors office may be viewed for this expanded narrative.

A) **BACK GROUND:** My involvement in this boundary survey started on a visit to my wife's parents home at 920 Tolman Creek Road. Leo Martin showed me a recently set survey monument in his front yard that was set in s/n 14367 (Dec.1994) by Roger Roberts. The startling thing about this monument was the location of the survey monument was about **9 feet** east of the commonly observed east right of way of Tolman Creek Road ! Additionally, the survey monument was about 8 feet inside the fence line along his house that existed when Martins bought the property in 1944. The distance from the fence to the house was about 11 feet while the distance to the house from the surveyed property line determined by the s/n 14367 was 4.2 feet! Prior to s/n 15098 the survey, I corresponded with the surveyors responsible for s/n 14367 to try to get them to use Tolman Creek Road right of way as called to in the deeds. They were courteous and helpful but they would not alter their survey. Mr. Martin who was 85 years old, did not have the financial resources to legally contest the survey or have a boundary survey performed. S/n 15098 to survey the south property line of the Martin property was done gratuitous.

B) Apparently my survey narrative on s/n 15098 did not adequately explain the basis of my boundary resolution as the Oregon State Board of Examiners for Engineering & Land Surveying filed a complaint against my survey on October 24, 2000 that is Case Number 2060. Contrary to common practice by OSBEELS, it was never disclosed to me, among the thousands of surveys filed, what caused OSBEELS to file the complaint. The allegations were that s/n 15098 did not have a basis of bearing which was false as it is on map and also in the narrative. And, although I showed seven relevant records it was alleged that I did not have an eighth record. This allegation was also false as the eighth record Vol. 162, Pg.156 is on the map and written out in the narrative. Case No. 2060 was later dismissed.

C) Dec. 1997, s/n 15634 was filed after my survey. At the top of page 2 narrative there are unfounded statements regarding the boundary determination of my survey that will be in the survey records forever. Perhaps, if I would have done a better job of writing a more comprehensive narrative these unfounded statements, could have been avoided.

So with the above explanation and as a benefit to the public and surveyors as intended by the requirement of narratives on surveys I will expand my narrative. It will attempt to fully explain the reasons for the surveyed location of the south line of the Martin Property as described in their property deed filed in Jackson County Deed Records in vol.254, pg.548.

This above discussion illustrates why I did not accept the boundary survey s/n 7031; See also ORS 93.310 (4) in Survey s/n 14367 below.

Survey s/n 14367 by Mr. Roberts in 1994 for Cropper Medical Inc. determines the boundaries of the south five acres of the 1924 deed from Lamb to Buchanan described in Vol. 149, Pg. 282 having 11 ½ ac. m/l. The narrative explains that the survey follows the lead of the 1977 s/n 7031.

Although, s/n 14367 is surveying the 1926 deed from Buchanan to Lamb Vol.162, Pg.156, that has the county road as the west boundary, the survey unexplainable uses the 1889 west line of Helms to Rogers deed, Vol. 22 Pg. 26 being a line 30 feet east of the west line of the E ½ of E 1/2 of NW ¼ of section 14 (aliquot part) as the west boundary!.

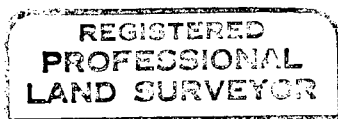
By the survey using the west line of the south five acres as being 30 feet east of the noted west line of the aliquot part instead of the county road to calculate the location of the north line of the south five acres it results in the north line of the south five acres shifting north. The result is shown on the survey that has the north line of the south five acres being 4.2 feet off the Martin Home!

The survey maps s/n 14367 shows that there is a narrow gap of land about 9 feet wide between the east line of Tolman Creek Road and the surveyed west boundary of the south five acres. The survey does not explain who owns the above noted gap of land. Just as with s/n 7031, s/n 14367 I did not accept the survey of the south five acres, as it did not follow the deed calls to the east line of the county road.

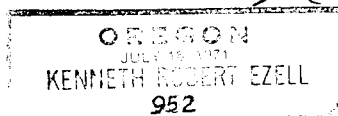
Surveys s/n 7031 and s/n 14367 were both thoroughly evaluated, and were not ignored as alleged by s/n 15634; Further, an interpretation of ORS "ORS 93.310 Rules for construing descriptions of real property: (4) is that the grantor Helms in the 1889 deed vol. 22, Pg. 26 considers the 30 foot wide strip of land conveyed to the grantee Rogers, by the noted statute and operation of that law.

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K. Robert Ezell



EX 12-31-09

claim to the narrow strip of land between the south property line and the fence where he has maintained the land and fence in place since 1944. An irrigation ditch using water from the Talent Water District also is along the fence line.

It is recognized that some may believe that there is a possible "color of title" to a portion of the aliquot part description from the deed vol.22 pg. 26 from Helms to Rogers lying outside the county road right of way. As explained above (see paragraph J above) the area excepted for public street purposes in the 1889 deed from Helms to Rogers, based on the county road and deed records, lies within the county road right of way. In addition, it is observed that the land along the easterly right of way of the county road is occupied by land owners presumably since the county road was established in 1891.

It is further noted that ORS 93.310(4) would apply as the metes and bounds description would not be the "same as" the aliquot part description if it was actually surveyed. The 1924 deed from Lamb to Buchanan also has conflicting deed description wording. This concludes the expanded narrative of the boundary survey s/n 15098. Please note that in the narrative filed with s/n 15098 part of the second paragraph reads vol.27, page 26, it should read vol. 22.

It is my intention that this expanded narrative will help the public and surveyors to understand the boundary survey for Leo and Francis Martin s/n 15098 and the deeds and survey history of the ancient county road; a portion of which is now known as Tolman Creek Road.

Why I did not accept former surveys: ++ Although not necessary to the survey s/n 15098 boundary determination I will explain why I did not accept the two filed surveys s/n 7031 by Mr. Swain and s/n 14367 by Mr. Roberts. Both of these boundary surveys were prior to my survey. Both surveyed the "south five acres" and located the north line of the south five acres which is also the south line of the Martin property.

Survey s/n 7031: The 1977 land partition survey s/n 7031 (hereafter called survey) by Mr. Swain for Meierhoff does not have a narrative. The surveyed north line of parcel No.1 is the 1924 deed from Lamb to Buchanan described in Vol149,Pg.282 having 11 ½ ac.m/l.

Part of the deed reads west about 40 rods to the county road, thence south on the east line of the county road..... However, unexplainable, the west line of the survey is not the county road but instead uses part of the 1889 Helms to Rogers deed, Vol. 22 Pg. 26 being a line 30 feet east of the west line of the E ½ of E 1/2 of NW ¼ of section 14 (aliquot part). This, among other things, would result in Parcel No. 1 not have legal access to Tolman Creek Road. But, a Land Partition must have access to a public road.

A second west boundary line of parcel No.1 at Tolman Creek Road is 30 feet east of the Engineer's centerline. So parcel No. 1 has two west property lines: One being 30 feet east of the Engineer's centerline the second being 30 feet east of the west line of the noted aliquot part. Both noted property lines are shown as surveyed boundary lines of Parcel No.1

The survey calculates the south five acres of the 11 ½ ac. as described in Vol. 162 pg.156 by using part of the Helms to Rogers deed, Vol. 22 Pg. 26 being a line 30 feet east of the west line of the E ½ of E 1/2 of NW ¼ of section 14 (aliquot part). This results, among other things of the surveyed north line of the south five acres shifting north to being 4.2 feet from the Martin home! The fence that is about 11 feet from the house since before 1944 has been the recognized property line by owners on both sides of the fence.

The survey does not follow the deed call in the 1924 deed from Lamb to Buchanan or the 1926 deeds from Buchanan to Lamb to the county road and south along the east line of the county road. It follows part of each of the two above deed then ignores the deed call to the county road.

The purpose of the survey s/n 15098 was to survey and locate the south line of the Martin property line. This expanded survey narrative is to further clarify the former survey for Leo and Francis Martin filed as survey number 15098 at Jackson County Surveyor's Office dated July 1996.

The expanded survey narrative will be based on deed and survey records and found survey monuments used up to the date of survey s/n 15098, July 1996.

SURVEY OVERVIEW : In order to survey the south line of the Martin property one would have to determine the north line of the south five acres as described in the 1926 deed from Buchanan to Lamb, Vol.162 Pg.156. The south five acres comes out of the 11 ½ ac. tract of land described in the 1924 deed from Lamb to Buchanan vol.149, pg.282. Both noted deeds have a deed call to the county road then south on the east line of the county road. As noted in J) above, both deeds having a call to the county road are in agreement with the 1891 county road and the 1889 metes and bounds description of the deed from Helms to Rogers.

Surveying the South line of the Martin Property:

In order to survey the Martin Property one must first survey the south five acres that is described in the 1926 deed from Buchanan to Lamb recorded in deed vol.162 pg. 156 . The reason is the Martin property begins at the northwest corner of the noted south five acres.

This particular survey is different then most surveys as it will involve the survey of a deed that does not readily have any length of lines on all four sides The four sides will contain the noted south five acres. The length of lines will have to be determined by calculations and survey. The basis of bearing was by observation of found monuments as shown on the survey map s/n 15098.

In accordance with the 1926 deed from Buchanan to Lamb. The south five acres has the west line as the east right of way line of the 1891 county road, the south line is the east west centerline of section 14 and the east line is the north south centerline of section 14. The north line would be that line that would contain the south five acres.

Perhaps the most difficult part of the survey is determining the location of the 1891 county road. As explained earlier, the county road was located using Edmonds plat. See (R) and (S) above.. Under the circumstance of lost county road survey monuments Edmonds Subdivision, was determined to be the best evidence of the location of the ancient county road in the particular area of the Martin property. In using this plat the county road survey was not ignored as alleged in s/n 15634

The existing record surveys were used for location of the east west centerline of section 14 and the north south centerline of section 14 as these lines have been surveyed several times and are in agreement. Using these three factors I calculated the south five acres where the bearing of the north line of the "south five acres" is parallel to the north line of the 11 ½ acre deed from Lamb to Buchanan vol. 149 pg 282. as shown on s/n 7031.

Location of the south five acres allows the location of the south line and the southwest corner of the Martin property which is also the northwest corner of the south five acres.

In support of the surveyed location of the south boundary of the Martin Property review paragraphs The "Engineer Centerline" and E,F,G,H,I,J,K,L,M,N,O,P,Q,R and S above.

The monument for the southwest corner of the Martin property was set using a survey instrument and 100 ft. surveyor's measuring tape. Afterwards a portion of the property line was laid out between the Martin house and fence where the house and property line were located as shown on the survey map. From the located property line the house is measured to be northerly 9.7 feet and the fence is measured to be southerly 1.3 ft. Leo Martin expressed that he had no interest in making any legal

conclude that the heirs of Helms would not be successful in a court of law to make any claim for property ownership on any part of the noted 60 foot wide strip of land lying outside the county road right of way. A section of the county road became to be known as Tolman Creek Road.

Q) "Oregon Revised Statute 93.310 Rules for construing descriptions of real property: The following are the rules for construing the descriptive part of a conveyance of real property, when the construction is doubtful, and there are no other sufficient circumstances to determine it....

(4) when a road or stream of water not navigable is the boundary, the rights of the grantor to the middle of the road, or thread of the stream, are included in the conveyance, except where the road or bed of stream is held under another title".

R) COUNTY ROAD LOCATION-TOLMAN CREEK ROAD:

Note the 1891 county road survey above: By review of survey records, the only county road survey monument existing is the south quarter corner of section 14 . The north quarter corner is determined to be lost and is a proportioned position by s/n 4032, July 1968. Consequently, the county road must be located by some other method as the surveyed centerline is not able to be retraced by survey.

During the 18 years as County Surveyor of Lane County, at the time of s/n 15098 , I had retraced numerous ancient county road surveys and processed legalization proceedings when the county road monuments that defined the county road alignment were lost. It is not uncommon for the professional surveyor to be confronted with the client's property having an ancient county road as the boundary where the road monuments are lost . Typically, after testing the county road to be in reasonable proximity to the record , the traveled road is shown as a basis for the county road location on the survey map with an appropriate explanation. County Roads often drifted, in places, outside their original established right of way for numerous reasons that included soft muddy road beds.

A section of Tolman Creek Road (county road) related to s/n 15098 is located by the following:

S) Edmond's Subdivision shows the surveyed measurements on the north line of section 14. It was observed that if half the width of the county road is added, which is 30 feet, to the section line length of 1959.0 ft. which would then be 1989.0 feet it would be within one foot of being 10 chains west of the record north quartet corner of section 14. (GLO 2649.9-660.0=1989.9) This agrees with the county road survey location of the centerline of the county road! With this observation it was concluded that Tolman Creek Road as shown on the east line of Edmond's Subdivision is reasonable the traveled location of the county road. With the above observation, Edmond's Subdivision was used as a basis for the location of the county road within the limits of Edmond's Subdivision and extending south to the east-west center line of section 14. Aside from the noted plat dimensions on the section line, the second reason to use Edmond's Subdivision to locate the county road is that plat has on it that the county and city governing body has approved the plat and accepted the location of Tolman Creek Road as shown on the plat. Lastly, if the county or city would conduct a legalization proceedings on the county road (ORS 368.201) they would , based on my years of experience as county surveyor, hold to the location of Tolman Creek Road as shown on the plat.

ADDITIONAL NARRATIVE OF SURVEY

for Leo and Francis Martin

NW ¼ Sec. 14 T39S R 1 E, Wm. City of Ashland, Jackson County, Oregon

to the records, the 30 foot wide area of land excepted for street purposes is located in the county road right of way!

K) The 1889 metes and bounds description in the Helms to Rogers deed has a deed call to a point on the east side of a street. The 1891 county road survey field notes do not show any existing street. But, by this deed call it is clear that the grantors Helms did not convey the 30 foot wide strip of land to the grantee Rogers! But, if one looks at the paragraph (J) above where it is shown that the 30 foot wide strip of land excepted for public street purposes in the aliquot part, part of the description from Helms to Rogers is, according to the deed record and county road record, within the county road right of way! So it is moot whether Helms conveyed the 30 foot wide strip of land to Rogers as, according to the records, the noted strip of land is within the county road right of way.

L) Another deed: The 1924 deed description from Lamb to Buchanan (vol. 149,pg.282) of 11 ½ acres more or less, has the deed call of about 40 rods (10 chains), that will go to the record centerline of the county road. However, the next line in the deed reads, thence south on the east line of the county road 46 rods. So the question is what was intended? Was the distance of “west about 40 rods to the county road” an error in the deed description? Was it intended to go the right of way of the county road? I believe that is the case.

M) Just two years later in 1926 Buchanan conveys the “south 5 acres” to Lamb (Vol. 162 pg.156) of the described 11 ½ acres. A possible interpretation of the deed description would mean including acreage area that lies in the county road. It appears, though that Lamb and subsequent land owners have considered the south five acres area to be outside of the county road right of way. I as well have calculated the south five acres outside the county road right of way and the results of the calculation agree closely with the occupation of the south line of the Martin property where the fence line has been the commonly accepted property line by both land owners on each side of the existing fence since before 1944. The fence line in the property to the south is also in near agreement. Neither deed, though, has any deed call to the fence so it is just another factor of consideration and another need to interpret the deeds of record.

N) County Road considerations: The 1891 county road survey field notes do not show an existing road bed. This means that after the three Helms deeds that excepted a 60 foot wide strip of land for a public street (1889 -1890) that there was no road constructed by land owners along the road. There is no known record that the city or county accepted the 60 foot wide strip of land that was excepted in the three noted deeds for public street purposes by Helms. This means that adverse possession could be possible for any of the 60 foot wide area lying outside the county road right of way.

O) Further, as a matter of county road proceedings the property owners along the road have an opportunity to file a remonstrance action regarding the location of the county road and make any claim for damages. There is no record that the Helms made any remonstrance action or made any claim for damages. An interpretation would be that the Helms acquiesced to the location of the county road and they had no interest in claiming any property lying outside the county road right of way.

P) There is no doubt that after the County Road was Ordered Established in December 1891 the land owners for the past 90 + years have made improvements to their property up to the right of way. Utility companies have placed utilities along the county road and Talent Irrigation District has constructed irrigation ditches on both sides of the road. Taking all these factors into account, it would be safe to

If my calculations are correct, using record surveys, as near as I can determine the Engineer's centerline is a line projected from a point 10 chains west of the record north quarter corner of section 14 and then projected through a point 30 feet east of the Initial Point of Edmond's Subdivision. This projected Engineer's Centerline when extended south to the section line, oddly misses the county road centerline, which is a point 10 chains west of the south quarter corner of section 14, by about 8 feet! The phrase "Engineering centerline" does not appear in any deeds located in the records relative to this survey. With regard to the county road, a part of which is known as Tolman Creek Road, the Engineer's Centerline has no legal standing.

E) Deed and County Road Analysis and Considerations:

Perhaps one of the most contentious issue of this boundary survey is the wording within the deed from Helms to Rogers. See /read the Helms to Rogers Deed Vol.22 pg. 26 dated 8/1889 summarized above:

F) However, if the deed lines described in the Helms to Rogers deed were actually surveyed the chances of the west line of the metes and bounds being at the same place as the west line of the E ½ of the E ½ of the NW ¼ of section 14 (except the 30 foot strip of land) would be like being hit by lightning in a thunder storm!

G) Reading the Helms to Rogers deed and having knowledge of the rules of surveying the subdivision of a section to aliquot parts, it is obvious that the results of such a survey of the described area of the metes and bounds description would not be the "same as" the described area of the aliquot part description. The deed is faulty, yet both descriptions describe and define an area of land and both can be surveyed. Which description, in the deed, to survey is one of the vexing questions?

H) In reading and plotting the two metes and bounds deeds granted by Helms to Rogers and Helms to Roper (see descriptions above) it is apparent that the scrivener who prepared the deed descriptions assumed that the northwest quarter of section 14 was a 40 chains square with cardinal directions. Using that assumption then yes the metes and bounds description and the aliquot part description in the deed from Helms to Rogers would fit the noted "the same being" description on paper.

I) The two last deeds, that were just nine months apart granted by Helms to Rogers and Helms to Roper, fit together with a 60 foot wide public road area between them using the metes and bounds description, which was the grantor's intent. With that understanding, it is just another reason more weight was given to using the metes and bounds description over the aliquot part description. Another reason for using the metes and bounds description is, as the land was sold and developed along the east side of Tolman Creek Road south of the rail road right of way, the land owners along the east side of Tolman Creek Road, no doubt, measured down the road from the Rail Road right of way to measure their property. For certain, they did not subdivide the section 14 and then subdivide the northwest quarter of section 14 as described in the aliquot part of deed from Helms to Rogers. Using the metes and bounds method to survey is consistent with the how the land was measured over time by the land owners.

J) Further, in review of the 1889 metes and bounds description of the Helms to Rogers deed and the 1891 county road surveyed centerline record it is observed that the west line of the metes and bounds configuration is also the east line of the county road right of way. To explain, the closing course of deed from Helms to Rogers reads "9.55 chains to the point of beginning", if 30 feet is added to this 9.55 chains it results in the distance 10 chains. Which is also the center of the county road. According

SOUTH 96.87CH. TO NORTH LINE OF BOULEVARD, 100 FEET WIDE, COURSE S56 1/4E
 SOUTH 122.34 TO A POINT ON LINE BETWEEN SECS 14 & 23, 10 CHS WEST OF 1/4 SEC COR.
 (NOTE THAT THERE IS NO TRAVELED ROAD DESCRIBED IN THE FIELD NOTES)

COUNTY ROAD ESTABLISHMENT

DECEMBER A.D. 1891 TERM OF THE COUNTY COURT OF JACKSON COUNTY, OREGON, SAID COURT
 ESTABLISHED THE ABOVE ENTITLED ROAD ON THE LINE DESCRIBED AS FOLLOWS....(THE LINE
 BEING THE SURVEYED CENTERLINE)
 VOL. 3 PAGE 28 ROAD RECORDS, JACKSON COUNTY OREGON

LAMB TO BUCHANAN
VOL. 149 PG. 282 3/1924

THE DEED DESCRIPTION IS SUMMARIZED AS FOLLOWS: BEGINNING AT THE CENTER OF SECTION
 14, T39S, R1E, WM. THENCE NORTH ON THE QUARTER LINE 46 RODS , THENCE WEST ABOUT 40
 RODS TO THE COUNTY ROAD, THENCE SOUTH ON THE EAST LINE OF THE COUNTY ROAD 46 RODS,
 THENCE EAST ABOUT 40 RODS TO THE PLACE OF BEGINNING CONTAINING 11 1/2 ACRES M/L.

BUCHANAN TO LAMB
VOL 162 PG 156 9/1926

THE DEED DESCRIPTION IS SUMMARIZED AS FOLLOWS: FIVE ACRES OFF OF THE SOUTH SIDE OF
 THE FOLLOWING PREMISES ..: BEGINNING AT THE CENTER OF SECTION 14, T39S, R1E, WM.
 THENCE NORTH ON THE QUARTER LINE 46 RODS , THENCE WEST ABOUT 40 RODS TO THE COUNTY
 ROAD, THENCE SOUTH ON THE EAST LINE OF THE COUNTY ROAD 46 RODS, THENCE EAST ABOUT
 40 RODS TO THE PLACE OF BEGINNING CONTAINING 11 1/2 ACRES M/L.

MARTIN TRACT
VOL 254 PG 548 10/1944

BEGINNING AT THE NORTHWEST CORNER OF THE LAND DESCRIBED IN VOL.162 PG. 156 , THENCE
 NORTH 100 FEET ; THENCE EAST 440 FEET, THENCE SOUTH 100 FEET THENCE WEST 440 FEET TO
 THE POINT OF BEGINNING.IN SEC. 14, T39 S, R1 E. WM .

Edmond's Subdivision dated 1949:

Part of this plat is located within the area of the 1889 deed from Helm to Wardow that is described as
 an aliquot part description. Looking at the plat survey I am doubtful that the plat surveyor subdivided
 section 14. But, it is notable that many surveys rely on the Initial Point of Edmonds Plat. See county
 road location below for more information regarding this plat.

This plat is across the street from the Martin property. Tolman Creek Road (County Road) is shown
 along the east boundary of the plat.

Engineer's centerline

The words "Engineer's centerline" is shown and used on several boundary surveys, land partitions and
 subdivisions on Tolman Creek Road. Although the statement "Engineer's centerline" seems to imply
 the county or city agency would have set up this line, the response to my inquire to the City of Ashland
 and Jackson County was that they did not set up this Engineer's centerline line. The Engineer's
 centerline according to s/n 6808 by Mr. Swain, is 30 feet east of the Initial Point of Edmond's Plat.

**DEEDS AND RECORDS RELATED TO THE MARTIN SURVEY
NW ¼ SECTION 14, T39S R1 E WM**

D) Sometime prior to 1889 Helms owned part of the northwest quarter of section 14 that is south of the Oregon and California Railroad. Helms sold three tracts of land by the following three deeds. The deeds for brevity are summarized. The deeds recorded at Jackson County's Deed Records listed, show the sequence of sale of the property and one is described from the northwest corner of section 14 and the other from the center of section 14.

The importance of the deeds to the survey will become evident as the narrative proceeds. Footnote: It is evident by reading the two deeds from Helm to Rogers and Helm to Roper that the scrivener who prepared the two noted Helm deeds assumed that the northwest quarter of section 14 was 40 chains square and the lines were cardinal in direction. This is very important to the boundary survey in analyzing the deeds.

HELMS TO WARDOW
VOL.18 PG.580 3/1889

**THE DEED IS SUMMARIZED TO READ:
AS THE SW1/4 OF SE1/4 OF NW1/4 SECTION 14, T39S.R1E,WM.
IT EXCEPTS A 30 FEET WIDE STRIP OFF OF THE EAST SIDE OF ABOVE FOR A PUBLIC ROAD.**

HELMS TO ROGERS
VOL 22. PG26 8/1889

THE DEED HAS TWO DESCRIPTIONS THAT DESCRIBE THE SAME PARCEL OF LAND THAT ARE SUMMARIZED TO READ AS FOLLOWS: BEGINNING AT THE CENTER OF SECTION 14, T39SR1E,WM. THENCE NORTH 16.50 CHAINS TO THE RIGHT OF WAY OF THE OREGON & CALIFORNIA RAILROAD, THENCE N55W ALONG SAID RIGHT OF WAY 11.65 CH. TO A POINT ON THE EAST SIDE OF A STREET, THENCE SOUTH 23.16 CH., THENCE EAST 9.55 CH. TO THE POINT OF BEGINNING, THE SAME BEING ALL OF THAT PART OF THE E1/2 OF THE E1/2 OF THE NW1/4 OF SECTION 14 TOWNSHIP AFORESAID LYING AND BEING SOUTH OF THE RAILROAD RIGHT OF WAY CONTAINING 20 ACRES M/L EXCEPTING AND PRESERVING THEREFROM A STRIP OF LAND 30 FEET IN WIDTH OFF OF THE WEST SIDE THEREOF FOR A PUBLIC STREET PURPOSES.

HELMS TO ROPER
VOL.21 PG.87 6/1890

BEGINNING AT A POINT ON THE SOUTH RIGHT OF WAY LINE OF THE OREGON AND CALIFORNIA RAILROAD, SAID POINT BEING 20 CHAINS EAST AND 9.56 CHAINS SOUTH OF THE NORTHWEST CORNER OF SECTION 14, T39S,R1E,WM. THENCE SOUTH 20.44 CH. THENCE EAST 10CH. THENCE NORTH 13.44 CH. TO THE SOUTHERLY LINE OF SAID RAILROAD RIGHT OF WAY, THENCE ALONG SAID RIGHT OF WAY N55W 12.21CH. TO THE POB. CONTAINING 17AC. M/L EXCEPTING A STRIP 30 FEET WIDE OFF OF THE EAST SIDE OF ABOVE FOR A PUBLIC ROAD.

COUNTY ROAD SURVEY DATED 1891

**A COUNTY ROAD SURVEY IS SUMMERIZED TO READ AS FOLLOWS:
A COUNTY ROAD IS SURVEYED THE CENTER LINE NOTES, IN PART, OF WHICH READS:
SOUTH 42.28 CH. TO LINE BET. SECS. 11 & 14 T39S.R1E. 10 CHS. W. OF QR. COR.
SOUTH 57.10 CH. TO N. LINE OF RIGHT OF WAY OF O&C RR. 100 FT. WIDE COURSE
OF RR S53E
SOUTH 80 SET A POST MARKED 1 M FROM WHICH A Y PINE 28 IN BRS N20 3/4 W
153 LKS -A W.OAK 7 IN BRS S15 1/2W 207 LINKS**