

3950

N.W. Cor. D.L.C.41
B. Cap

SURVEY FOR LEE HANSEN and KENNETH NICHOLS

N.W. 1/4 Sec. 9T. 38S., R. 1W., W.M.
JACKSON COUNTY, OREGON
FEBRUARY 3, 1969

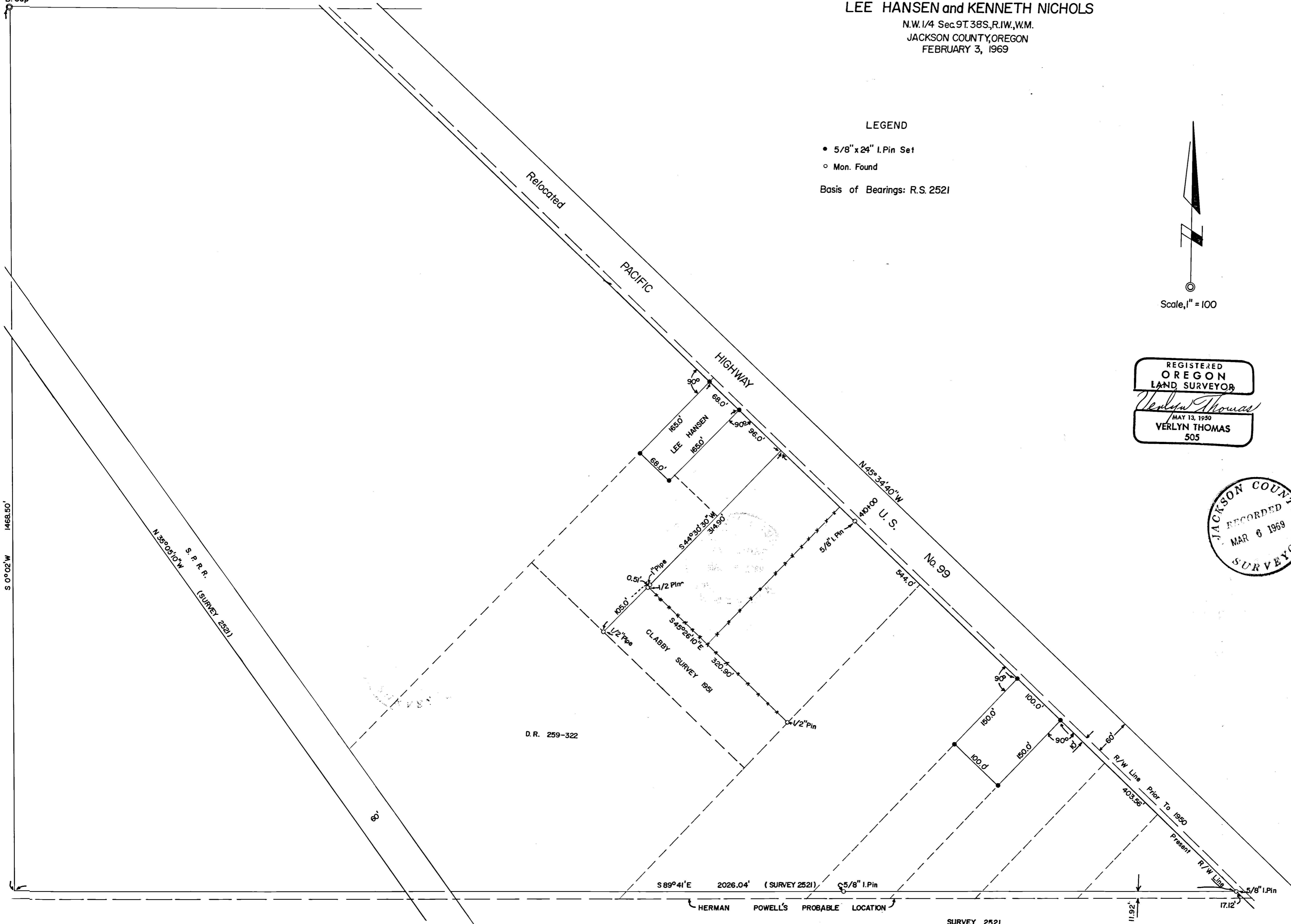
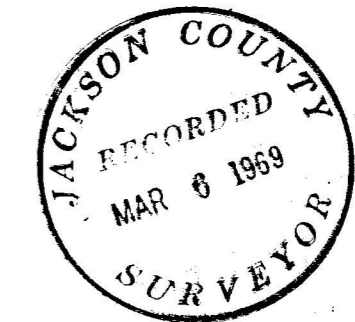
LEGEND

- 5/8" x 24" I. Pin Set
- Mon. Found

Basis of Bearings: R.S. 2521



Scale, 1" = 100'



3950

to the original survey lines.

Lead calls from the D.L.C. Subdivision line must be corrected by a -27.44 feet, 17.12 feet of which is due to the original error of Powells', and 10.32 feet of which corrects to the new right-of-way line.

Both parcel subsequently monumented on this basis, as shown on the accompanying Plat.

REGISTERED
OREGON
LAND SURVEYOR

Verlyn Thomas

MAY 13, 1950
VERLYN THOMAS
505

JACKSON COUNTY
RECORDED
MAR 6 1969
SURVEYOR

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250
REVISED BY CHAPTER 555, O.L. 1963

FOR: Lee Hansen & Kenneth Nichols
3598 So. Pacific Highway 3704 So. Pacific Hwy.
Medford, Oregon Medford, Oregon.

PURPOSE: To survey and monument two commercial properties according to legal descriptions furnished.

PROCEDURE: The Legal descriptions for the various parcels along the westerly side of the Highway were described from the intersection of the division line between the North half and the South half of D.L.C. 41, T.38S., R.1W., with the Highway right-of-way line as it existed prior to 1950. Research indicated this division line had been established as the northerly line of OAK GROVE SUBDIVISION, with said division line being South 1468.50 feet from the Northwest corner of of said D.L.C. 41. This division line was monumented at record distance South of the D.L.C. corner in Recorded Survey No. 2521.

A survey was initiated from this survey line, and run along the westerly right-of-way of the Highway, and finally tied to the Brass cap monument at the Northwest corner of D.L.C. 41. It was very quickly apparent that something was drastically wrong with all of the descriptions along this strip of Highway. The property lines as described fell approximately 17 feet too far northerly along the Highway, and incurred encroachments of occupancy all along the line.

Further research produced the fact that Herman Powell had created and apparently surveyed many of these partitions. An original Herman Powell unrecorded tracing of various of these parcels, complete with Engineers stamp, dated June, 1947 was found in the files of Jackson County Title Co. Various tracts thereon were labeled "Keene Subdivision" and "Dale Newton Subdivision". This tracing also indicates Herman Powell intended his division line between the North half and South half of D.L.C. 41 to be 1465.50 feet south of the N.W. corner of said D.L.C. Further research produced the original "hard copy" or manuscript of all Powells' work in the vicinity, further showing the parcels involved and the tie to the D.L.C. corner. It therefor became very apparent that what Mr. Powell surveyed in the field was not what is contained in the legal descriptions. The picture is further complicated by the fact that all of Powells' pipes along the right-of-way line were destroyed by the Highway being widened 10 feet. Fortunately, a set of O.S.H.D. Construction Plans was discovered, which furnished the location of all of Powells' missing corner pipes, with coordinates thereto. These coordinates were inversed to determine the bearings and distances between them, and they verified the location of existing improvements almost exactly. This data proves conclusively the location of Powells' original property division lines.

Further proof was revealed in an unrecorded Survey by J.H. Clabby, performed on August 9, 1951, where he tied to several Powell monuments. The Clabby monuments, along with two of Powells' original pins were recovered by this surveyor, and an intersection computed between these original property lines and the present Highway right-of-way. This reestablished line conforms to the survey ties made by the State Highway Dept.

This data was reviewed with the Title Company, and it was agreed that the surveyor must adhere to these facts, and the lead calls of these various parcels must give way