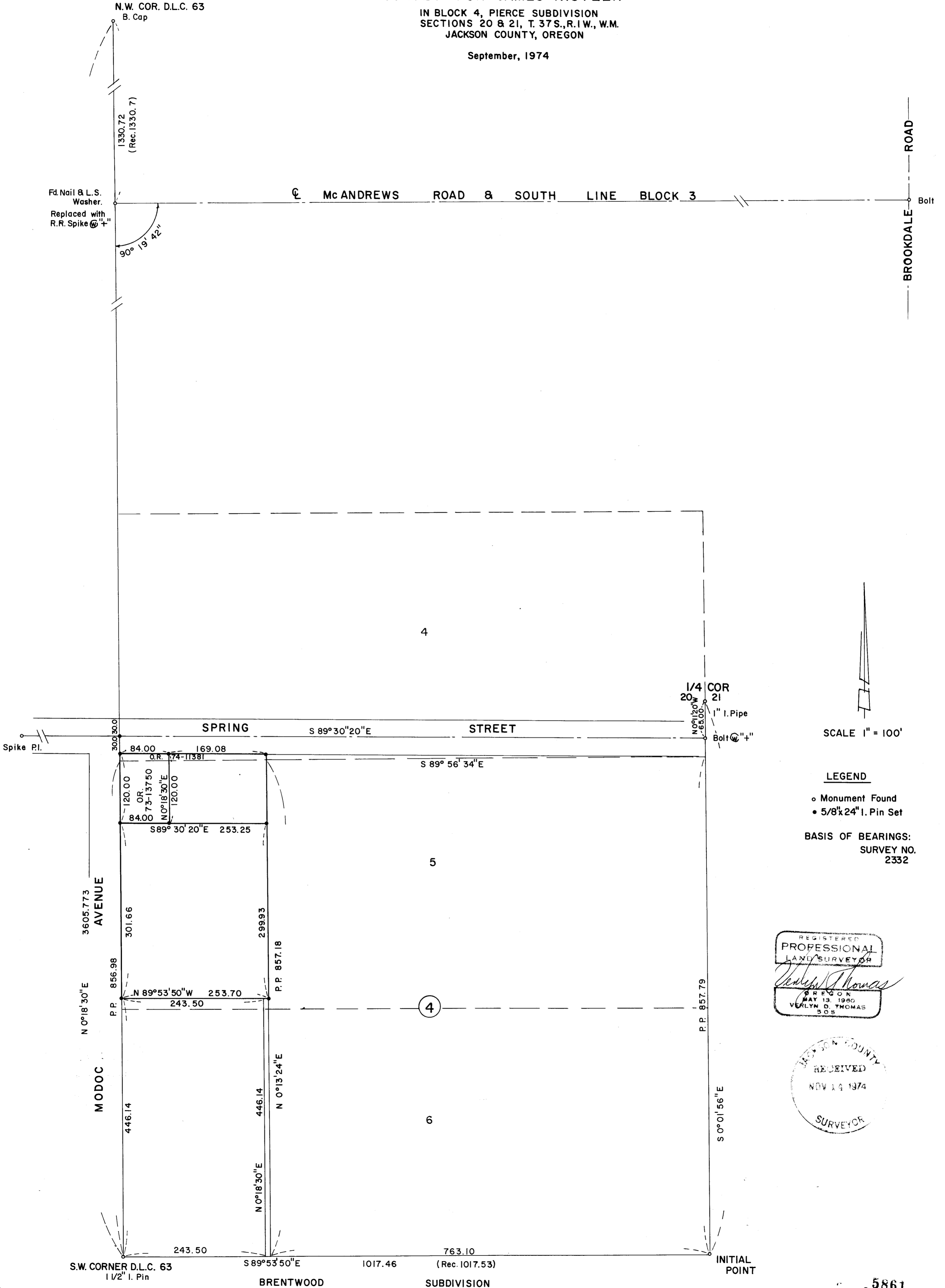


SURVEY FOR JAMES NISTLER

IN BLOCK 4, PIERCE SUBDIVISION
SECTIONS 20 & 21, T. 37 S., R. 1 W., W.M.
JACKSON COUNTY, OREGON

September, 1974



SCALE 1" = 100'

LEGEND

- o Monument Found
- 5/8"x24" I. Pin Set

BASIS OF BEARINGS:
SURVEY NO. 2332

REGISTERED
PROFESSIONAL
LAND SURVEYOR

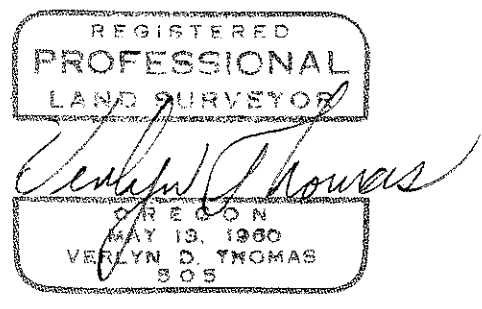
Verlyn Thomas
REGISTERED
SURVEYOR
MAY 13, 1960
VERLYN D. THOMAS
505

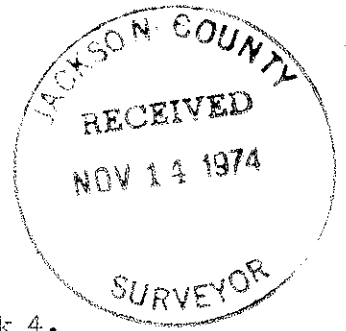
JACKSON COUNTY
RECEIVED
NOV 14 1974
SURVEYOR

A question arises concerning the location of Modoc Avenue, as the point of beginning for parcel described in O.R. 73-13750 is described as being the intersection of the East line of Modoc and the South line of Spring Street, the parcel further described as being all in the West half of the West half of Lot 5, Block 4, PIERCE SUBDIVISION. It was determined that the intersection of the South line of Spring Street with the West line of D.L.C. 63 is actually in Lot 4. A Quitclaim deed (O.R. 74-11381) was obtained to clear up this matter.

Modoc Avenue was dedicated by GERDES TERRACE SUBDIVISION in 1928. GERDES TERRACE SUBDIVISION was surveyed by Herman Powell, Civil Engineer. Unfortunately, Modoc Avenue, as dedicated by GERDES TERRACE SUBDIVISION laps into PIERCE SUBDIVISION, dated January 1909, or at least overlaps the west line of D.L.C. 63 as presently located, by approximately 6 to 7 feet at Spring Street. Research of original deed descriptions does not reveal any ownership by Madeline Gerdes east of the D.L.C. line. It is this surveyors opinion that a street cannot be dedicated to the public unless all owners join in the dedication, therefore the easterly right-of-way line of Modoc Avenue must be the west line of PIERCE SUBDIVISION, or the West line of D.L.C. 63. This is obviously going to result in a tapered right-of-way going north from the reestablished Southwest corner of D.L.C. 63 toward Spring Street.

Based upon the foregoing conclusions, the parcel was monumented as shown on the accompanying plat.



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

FOR: James Nistler
406 West Main
Medford, Oregon

PURPOSE: To survey and monument a parcel in Lots 5 and 6, Block 4,
PIERCE SUBDIVISION, according to furnished legal description.

PROCEDURE: It should be noted at this point that there is some controversy among surveying circles, concerning the relationship of the west line of D.L.C. 63 as determined from the reestablished D.L.C. corners, with the original west line of PIERCE SUBDIVISION. The intent of PIERCE SUBDIVISION is quite clear. The west line of the Subdivision is the west line of D.L.C. 63. No conclusive evidence has been presented to dispute the location of the reestablished D.L.C. Corners, although existing fence lines do not conform to the present D.L.C. line. However, the bearings of the fences are so erratic it is difficult to place much credence on their location. Therefore, for the purpose of this survey, the D.L.C. line, as presently located, is accepted as being coincident with the west line of PIERCE SUBDIVISION.

The distance between the reestablished northwest and southwest corners of D.L.C. 63 was measured electronically with a Geodimeter. The centerline of East McAndrews Road was also measured. It was found that the centerline of McAndrews is almost exactly plat record from the reestablished Northwest corner of D.L.C. 63. The north-south prorate was therefore determined only between McAndrews Road and the reestablished Southwest corner of D.L.C. 63, resulting in the dimension shown on the plat.

The Initial Point of BRENTWOOD SUBDIVISION and the One Quarter corner between Sections 20 and 21 were accepted as establishing the East line of said Lots 5 and 6.

The center line of Spring Street was accepted as being the line established by the County Engineer in April, 1937. This center line does not conform to the original road record as described in Commissioners Journal Volume 13, page 488. Spring Street as constructed and used conforms more to the April 1937 location.