

SURVEY FOR:
ROBERT C. JENKINS

LOCATED IN SECTIONS 26, 27, 28, 33, 34 & 35
T. 38 S.R. 1 E., W.M.
BY:
MARK E. BOYDEN

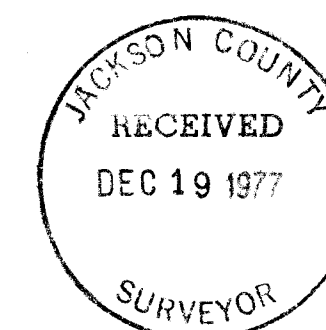
SURVEY COMMENCED: JANUARY 1977
SURVEY COMPLETED: DECEMBER 19, 1977

SCALE: 1" = 500'

BASIS OF BEARING:
OREGON STATE PLANE COORDINATE
SYSTEM (SOUTH ZONE)
WITH GRID DISTANCES

LEGEND

- SET 3/4" x 24" RE-BAR, FLUSH
- SET 1" x 36" G.I.P. W/2" BR. CAP, UNLESS OTHERWISE INDICATED



Mark E. Boyden

Survey Narrative for Robert C. Jenkins
Page Ten

in Line 59 bears N 51 3/4° W, 209.6 feet.

At the corner common to Sections 27, 28, 33 and 34, set a 1" x 36" galvanized iron pipe with a 2 1/2" bronze cap stamped:

"T38SR1E

S28	S27
S33	S34

LS 281

1977"

exposed 4" for corner, from which:

Set a 3/4" x 24" rebar flush in a fence corner with fences running North and West, which bears N 78 1/2° W (true bearing), 230.58 feet;

Set a 3/4" x 24" rebar, exposed 3" in a North-South fence which bears N 3 3/4° W (true bearing), 30.00 feet;

Set a 3/4" x 30" rebar, exposed 2" which bears East (true bearing), 30.00 feet.

The field and office staff of Boyden Surveying, in addition to the writer hereof, who have worked diligently on this survey are as follows:

Danny Phillips

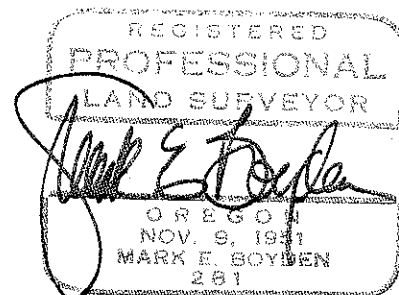
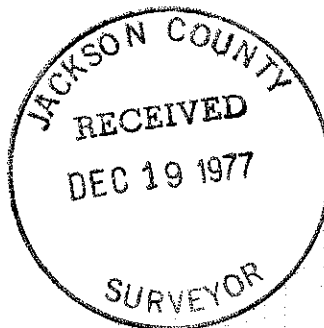
Gary Kaiser

Lorin Woodcock

Dan J. Boyden

Also, it is very much appreciated by the writer herein, the assistance and patience given by the men reported in Items 2, 3, 4, 5, 6, 7, 8 and 9, (Pages 1 and 2) and with the cooperation of the Jackson County Surveyor and staff.

December 19, 1977



177.7 feet to the face of the upper blaze.

At the corner common to Sections 26, 27, 34 and 35, set a 1" x 36" galvanized iron pipe with 2" bronze cap stamped:

"T38SR1E
27|26
34|35

1977," flush with the ground surface for corner,
from which:

Scribed a 7" White Oak, "T38SR1E S27 - BT" which bears N 49° W (true bearing),
139.7 feet to the face of the lower blaze;

Scribed a 12" White Oak "T38SR1E S 26 - BT" which bears N 19° E (true bearing),
96.2 feet to the face of the lower blaze;

Scribed a 15" White Oak, "T38SR1E S35 - BT" which bears S 34 1/4° E (true
bearing), 100.1 feet to the face of the lower blaze;

Scribed a 5" White Oak, "T38SR1E S34 - BT" which bears S 53 3/4° W (true
bearing), 192.9 feet to the face of the lower blaze.

At the West one-sixteenth corner common to Sections 26 and 35, set a 1" x 36"
galvanized iron pipe with a 2" bronze cap stamped:

"W 1/16 S26
S35

LS 281
1977," flush with the ground surface for

corner, from which:

Scribed a 6" White Oak, "W 1/16 S35 - BT" which bears S 15° E (true bearing),
229.0 feet to the face of the lower blaze;

Scribed a 16" White Oak, "W 1/16 S35 - BT" which bears S 60 1/2° E (true
bearing), 320.9 feet to the face of the lower blaze.

At the Quarter corner common to Sections 27 and 34, set a 1" x 36" galvanized
iron pipe with a 2 1/2" bronze cap stamped:

"T38SR1E
1/4 S27
S34

LS 281
1977," exposed 4" from which:

Set a 3/4" x 30" rebar in an existing fence line which bears North (true bearing),
336.55 feet;

The center of the Southerly pole in a twin-pole power transmission line tower

160 feet East from the Westerly ravine and is approximately 100 feet East from the Easterly ravine. The proportionate corner established on this survey is approximately 2 feet East from aforesaid "North-South" fence.

In the original notes running Easterly from the corner common to Sections 26, 27, 34 & 35, a call of 7.10 chains was made to the "foot of ravine, c. South".

Running from the proportionate corner established on this survey, S 89° 26' 05" E, 470.23 feet we intersect a well-defined ravine running Southerly which we feel should hold precedence over the distance to the original Quarter corner common to Sections 26 and 35.

This overall data was then re-evaluated, discussed with Everett Swain, See Item 7, Page 2, and further analyzed by the County Surveyor's personnel and the County Surveyor.

Ed McGinty, County Surveyor believes that the procedure utilized on this survey, considering the evidence herein reported, is the best method of re-establishing the missing corners herein monumented.

The Government corner positions established on this survey were monumented and referenced as follows:

At the South 1/16 corner common to Sections 34 & 35, set a 1" x 36" galvanized iron pipe with 2" bronze cap stamped:

" S 1/16
34 † 35
1977," 3" deep, from which:

Found a 1" axle, 2" deep which bears Southeasterly 3.4 feet. No evidence was found of the Ager 3/4" pipe set near this vicinity on Recorded Survey No. 2067.

Scribed a 9" White Oak "S 1/16 S35 - BT" which bears N 68 1/4° E (true bearing), 66.6 feet to the face of the upper blaze.

Scribed an 11" White Oak "S 1/16 S34 - BT" which bears N 79 1/4° W (true bearing), 72.4 feet to the face of the upper blaze.

At the Quarter corner common to Sections 34 and 35, set a 1" x 24" galvanized iron pipe in a mound of rock, with a 2" bronze disk stamped:

" T38SR1E
1/4 34 † 35
1977" set 12" in the ground for corner, from which:

Scribed a 14" White Oak " 1/4 S - BT" which bears N 67 1/2° E (true bearing),

The plat indicates the distance from the Quarter corner common to Sections 33 and 34 (being also the Northeast corner of Lot 21, ASHLAND ACRES) as "North, 2722 feet". Walker's notes in Ashland City field book 'F' also indicates this distance of "2722 feet", with no elaboration as to the establishment of any of the corners along the North boundary of Section 33.

An older wood post and page wire fence runs from approximately 4 feet West of the Quarter corner common to Sections 27 and 28 Southerly to the Quarter corner common to Sections 33 and 34, weaving several feet each way from a straight line between these corners.

In the vicinity of the Northeast corner of Lot 17, ASHLAND ACRES, no fence runs Easterly, but a fence running Westerly begins approximately 225 feet Westerly from said approximate lot corner. A search was made for a monument or wood post for said Lot corner, but no definite evidence of same could be found.

If the said Westerly fence line is produced Easterly to the said existing "North-South" fence, the distance from this point to the Quarter corner common to Sections 33 and 34 developed a distance South (within 1 foot) of the aforesaid plat distance of 2722 feet.

It is the opinion of the writer that J. A. McCall may have run approximate lines in this area in 1903, that later were extrapolated into fence line locations that were later utilized by Walker in 1923.

However, with the incompleteness of J. A. McCall's notes, it is theorized that McCall knew his clients did not have the resources for him to survey the number of miles to adjoining known corners necessary to legally establish this and other "lost" corners in this area.

The original Government survey ran Westerly from the corner of Sections 27, 28, 33 and 34 a distance of "2.20 chains" to the "Foot of a ravine, c. South".

From the proportionate corner established on this survey, we ran S 89° 37' 10" W (true bearing), 145.7 feet to the mean average of the center of a well-defined deep ravine. This ravine forks near this point and may be at or near the "foot of a ravine" referred to in the original notes. The ravine forks into two channels Northerly from this point and at the approximate North line of Lot 17, ASHLAND ACRES, the West boundary of Section 27 as established on this survey is approximately

livestock grazing for many past years would also indicate that said charred stake corner position disappeared at an early time.

The original Government record for the corner common to Sections 22, 23, 26 and 27 called for a post corner, with one bearing tree to the SE and a call to Butler Creek to the West. This area was investigated, where not one, but two White Oak stools were found in the vicinity of the original BT. Also the tie to Butler Creek to the West intersects the Creek at an undesirable angle. The only fence line in the area traverses on a NE bearing and is many feet Southerly and Easterly from the true corner location. At the Quarter corner common to Sections 27 and 34, the original "charred stake and raised mound" with no bearing trees had no visible signs of boundary lines and has not been a property corner for many years.

At the corner common to Sections 27, 28, 33 and 34, the original corner was a "charred stake and raised mound with pits" and no bearing trees. This corner is presently not a property corner. Apparently, at a time when this corner was a property corner, Surveyor J. A. McCall on Dec. 27, 1903 (see Ashland City field book 'C', Page 71) made a preliminary and incomplete survey in this area. The map sketch shows ownerships in Section 28, distances of "40 chns" and "20 chns" with wording of "Survey for Geo. Irwin & Wright. Beg at 1/4 cor bet Secs." No additional information could be found in the City records regarding this survey, other than that shown on Page 71.

It should be noted that J. A. McCall's father, M. L. McCall, City Surveyor, had previously been in this area on Aug. 1, 1888 to establish the Northerly end of his "Meridian Line." (See Ashland City bound book, Page 23.) At that time, M. L. McCall tied said North Meridian Line Pole to the Quarter corner common to Sections 27 and 28. Note, that he did not tie to the closer Government corner, the 1/4 corner common to Sections 28 & 33 (which was originally a charred stake, etc., with no bearing trees). M. L. McCall also reports that the Meridian Pole was enclosed by a plank fence 4 1/2 feet high to prevent its being molested by stock.

It appears to the writer that the original "charred stake and raised mound" corner position did not survive to 1888, let alone to 1903 when J. A. McCall became involved.

In 1923, Engineer F. H. Walker (see Item 'B', Page 2) needed this corner to establish what later became the Northeast corner of Lot 17 of ASHLAND ACRES (Recorded).

Literally hundreds of re-surveys in Jackson County have attested to their surveying reliability of which Recorded Survey No. 5011 is a comprehensive example.

K. Additional information was then requested from Eslinger which led to an initial telephone conversation with Bergman, see Item 9, now employed by P. P. & L. in Centralia, Washington. Bergman requested copies of the 1957 transmission line field notes from Eslinger and some time to reflect about the survey and BT. Approximately 10 days after our original telephone conversation, I returned the call to Bergman. He recalled the survey, that he was the party chief and the notes were his handwriting. He stressed, as Eslinger did before him, that the transmission line corner tie had no relation to positioning the transmission line, in fact the new Line 59 was run parallel to the older Line 19. The tie was informational only and not of a standard that a boundary survey would require. Mr. Bergman could not recall seeing scribe marks in said tree and indicated that the term "BT" in the notes should probably have been labelled "possible BT". Mr. Bergman does not believe that this corner should be set from said Item 'I' "BT" based wholly on the 1957 and 1958 Transmission Line survey and right-of-way map data.

L. It should also be noted that the 3/4" iron pipe (see Item 'F', Page 3) was investigated by County Surveyor personnel on Dec. 10, 1969 (see corner report #63) where no root wads or other original bearing tree evidence was found to support said 3/4" pipe as the true corner.

On this survey, we re-checked these probable BT areas with no success.

The locus of the corner common to Sections 26, 27, 34 & 35 is in the "back yard" of a ranch house - machine shed complex. This corner has not been a property boundary corner for many years and there is no physical boundary such as fences, walls, etc. to assist in the location.

The original bearing trees were small with only the Northeast BT, a 12" White Oak capable of developing a reasonably sized root wad. It is the belief of the writer, that all evidence of said Northeast BT was destroyed when the grade-cut was made for construction of the machine shed many years ago.

The original Quarter corner common to Sections 26 & 27 was monumented with a "charred stake and raised mound with pits", with no bearing trees. This corner also has not been a property boundary corner for many years, and there is no physical ground evidence near its calculated position. This area having been utilized for

Survey Narrative for Robert C. Jenkins
Page Four

H. The approximate location where the old rail fence cornered, originally running South and East, bears S 89° W (true bearing), 55 feet from the proportionate corner established on this survey.

The oldest known aerial photo of this area (Circa 1940 +) was checked out of the County Surveyor's office, wherein the scaled location of the fence corner on the photo coincides with the reconstructed fence corner location, Item H, within approximately 10 feet.

I. The transmission line superintendent for the California-Oregon Power Company (now Pacific Power and Light Company), see Item 8, was contacted regarding power transmission line right-of-way maps and field notes that might shed additional light on said Quarter corner. Right-of-way map #F-4648, for line 19 dated 1/12/28 does not show a tie to the Quarter corner common to said Sections 34 & 35. Eslinger indicated that the field notes of this survey could not be located in the Portland office and are presumed missing. Right-of-way map #F-8284, for line 59 dated Nov. 1958 shows corner ties to both the West and South Quarter corners of Section 35. Copies of the field notes were forwarded to this office by Eslinger. The field notes dated 2/28/57 on Page 76 indicated the following note, under remarks "BT 18" Oak blaze facing S70W".

Utilizing the tie from the double-pole tower to the Quarter "corner" as shown on said Power Company right-of-way map, and running the original Government record of North 81° E (true bearing), 107.6 feet, we fall inside an Oak stump, cut approximately 8" above the ground with center rotted and about a 2" outer ring of wood left. This stump checks the location of the "BT" as described in the 1957 transmission line survey notes. Also from aforesaid "corner", the center of a white oak stool bears S 41° W (true bearing) 109.2 feet (Gov't. record = S 41° W, 106.7 feet). Aforesaid "corner" bears N 61° W (true bearing), 77 feet from the proportionate corner established on this survey.

It should be noted that Nichols, see Item 5, after being shown the aforesaid stump and white oak stool did not recall either or had he attached any significance to same at any time.

J. At this point, the writer took a wider view, because of the established reliability of the original Government surveyors, Ives and Hyde (Circa 1854),

on new siphon easement rights-of-way (See Deed Vol. 473, Page 259; Deed Vol. 477, Page 70 and right-of-way maps on file at the Talent Irrigation District Office.) (Said maps indicate a found 1" iron pipe and 2 witness trees.)

D. Surveyor Ed McGinty, see Item 3, made a thorough search of Clabby's files and indicated that he could not find the so-called "Clabby" survey, as indicated by Ager. He also indicated that he doubted that said "Clabby survey" ever existed.

E. Mr. M. E. Nichols (see previous Item 5) was deeded the "SW 1/4 of Sec. 35, T38SR1E and the NW 1/4 of the NW 1/4 of Sec. 2, T39SR1E" by Deed Volume 271, Page 203, dated June 27, 1946.

A previous telephone call to Mr. Nichols (now residing in Quartsite, Arizona) and later personal discussions and field trip to the subject premises on October 7, 1977 helped to clarify some of the questions raised regarding Survey No. 2067 by surveyor L. E. Ager, dated July 1960.

Mr. Nichols remembered an early survey experience that occurred before said Ager survey (Circa 1950 ±). He recalls that his neighbor, Russ (Major) Dunham, had hired "surveyors" to run and stake the North and West boundaries of the SW 1/4 of Sec. 35. That these "surveyors" (he couldn't definitely recall the name) ran a compass and chain survey, setting stakes and asked Mr. Nichols if he would pay for half the survey costs. Mr. Nichols informed them that it couldn't be a correct survey, with the equipment and procedures being used and that he wouldn't pay anything on the survey.

It is felt by the writer, also considering items C and D that in all probability, the "Clabby" survey referred to on Ager's Recorded Survey No. 2067 was in effect, the compass-chain survey related by Nichols.

F. Our survey tied in a 3/4" iron pipe, exposed 7", with no rock mound, that bears S 26° 11' W (true bearing), 11.97 feet from the proportionate corner established on this survey. Ties to monuments Easterly and Southerly from said pipe did not conform to Recorded Survey No. 2067 within reasonable limits (several feet) and said Ager corner did not have any recorded nearby references.

G. The center of a recently-set fence corner post (Circa 1970 ±), with wire fence running Southwesterly, Easterly and Northwesterly bears S 88 1/2° W (true bearing), 33.2 feet from the proportionate corner established on this survey.

7. Discussions with Surveyor Everett Swain (RPLS #759) regarding his personal knowledge relative to said corners under search.

8. Power transmission line survey data from the Portland Pacific Power and Light Co. office as furnished by Tom Eslinger (RPLS #268).

9. Telephone discussions relative to the P.P. & L. transmission line survey tie to the 'BT' near the 1/4 corner common to Sections 34 & 35 by party chief Ray Bergman (RPLS #316).

10. Discussions, analyzation of our comprehensive survey records and joint field trip by the Jackson County Surveyor personnel and our personnel.

11. Final briefing of results between the writer and Edward McGinty, County Surveyor.

12. Many other sources including adjoining land owners, deed records and other data too voluminous to itemize.

At the Quarter corner common to Sections 34 & 35, T38SR1E, being a property corner for many years and having several possible locations over the past years, was further analyzed, as follows:

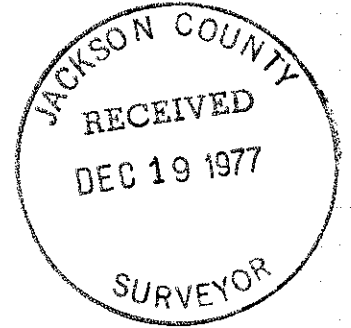
A. In June of 1903 on a survey of the old Bunyard Ranch (See Ashland Field Book "C", Pages 35 and 36), surveyor J. A. McCall should have located this corner in order to correctly establish the East-Northeast corner of the ranch (the South 1/16th corner common to Sections 34 and 35), but made no mention of same in his field notes.

B. Engineer F. H. Walker, the surveyor of record of ASHLAND ACRES, a recorded subdivision on October 25, 1923 should likewise have located said Quarter corner to correctly establish the Northeast corner of Lot 29 in said subdivision, but he made no referral on the plat or in his subdivision field notes in Book "F", Ashland City Surveyor's office.

C. Surveyor George Burrell, see Item 2, furnished data from Ager's files but could not find any evidence of said "Clabby" survey nor other data to clarify the Quarter corner position. He did find an unrecorded survey map for M. E. Nichols by Ager dated March 1958 showing monuments, bearings and distances around the NW 1/4 of the NW 1/4 of Sec. 2, T39SR1E. Nichols recalled that Ager told him that he established the corner common to Sections 34, 35, 2 & 3 by running to "known corners East and West". It appears to the writer that the aforesaid Section corner established by Ager for Nichols may have been utilized by the U. S. Bureau of Reclamation

Survey No. 7035

SURVEY NARRATIVE TO COMPLY WITH O.R.S. 209.250



FOR: Robert C. Jenkins
Box 431
Myrtle Creek, Oregon, 97457

PURPOSE: To monument positions as shown on the annexed map, being located in Sections 26, 27, 28, 33, 34 & 35, T38SR1E, W.M.

PROCEDURE: EDM equipment was utilized to traverse to the control positions shown on the annexed map and ties were also made to coordinate points established on Loop #4 of Recorded Survey No. 5011.

From previously established Government corners as re-established by the County Surveyor's office, from the corner as located by Recorded Survey Nos. 3035 and Survey No. 6965 (1/4 cor. to Secs 33 & 34) and the Section corner common to Sections 34 & 35, T38SR1E and Sections 2 & 3, T39SR1E as found monumented and utilized on Recorded Survey No. 5301, computed proportionate positions for the intervening Government corner positions, line tree and the major topographic calls.

The initial search revealed that the original corner monument, the original corner assessories or the line tree at these positions were no longer visible. Further research was then initiated from the following major sources:

1. Survey records of the County Surveyor's office.
2. Personal survey records of surveys made by Surveyor L. E. Ager (RPLS #21 now deceased) in Section 35, T38SR1E and Section 2, T39SR1E as furnished by surveyor George Burrell (RPLS #638).
3. Personal survey records of surveys made by Civil Engineer J. H. Clabby (now deceased) in Sections 34 & 35 as furnished by surveyor Edward McGinty (RPLS #301) (none were found).
4. Personal survey records of surveys made by surveyor Leland Lovejoy (now deceased) as furnished by surveyor J. A. Hoffbuhr (RPLS #222) (none in the subject area were found).
5. Personal conversation and ground inspection with Mr. M. E. Nichols, former property owner (See Recorded Survey No. 2067, by L. E. Ager).
6. Survey maps and notes and discussions relative to the City of Ashland survey records, with City Surveyor James Olson (RPLS #1036).