

31 1/4 N87°06'14" W 2631.81 802.177 m.  
 Fd. 1917 G.L.O. B.C. (Rec. S87°45'E 2640.0)

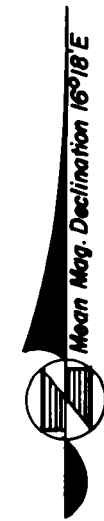
Fd. 1917 G.L.O. B.C. (Rec. N89°30'W 2640.0)  
 N89°08'03" W 2648.14 807.155 m.

32 1/4 (Rec. N89°30'W 2640.0)  
 N89°37'19" W 2655.37 809.358 m.

32 33  
 N0°35'16" W 2599.65  
 (Rec. N0°09'E 2612.94)

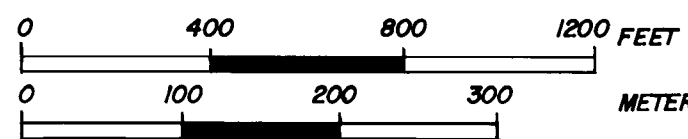
**MAP OF SURVEY**  
 LOCATED IN SECTION 5 T.40S., R.3W., W.M  
 JACKSON COUNTY, OREGON.

FOR  
**THE U.S. FOREST SERVICE**  
 REF. CONTRACT NO. 53-04HI-0-7993 N



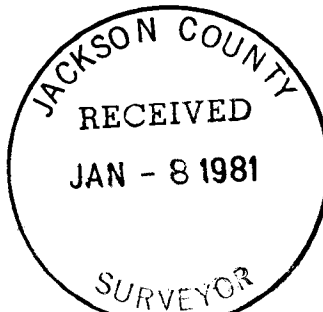
BASIS OF BEARING : SOLAR OBSERVATION  
 ● FOUND B.L.M. BRASS CAP  
 ○ SET 2"x30" G.I.P. W/2 1/2" B.C.

SCALE : 1"=400 ft.  
 METER : m = 3.28083333 ft.  
 REF. : FIELDBOOK 1 OF 1 CHARLES CADASTRAL  
 SURVEY CONTRACT NO. 53-04HI-07993 N  
 DATE : SURVEY BEGAN August 18, 1980.  
 COMPLETED November 21, 1980.



**PROCEDURE :**  
 ALL CONTROLLING CORNERS WERE ENCOMPASSED IN A CLOSED TRAVERSE MADE WITH A WILD T-2 AND H-P 3805 A E.D.M., OFFSETS WERE COMPUTED TO TRUE LINE, AND THE BOUNDARY WAS MARKED.

**HISTORY :**  
 (SEE NARRATIVE)



**CONTRACT SURVEYOR'S CERTIFICATE**  
 I, KURT C. WEAVER, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OREGON, HEREBY CERTIFY THAT THIS PLAT AND THE NOTES HEREON, OR ATTACHED, ARE A CORRECT REPRESENTATION OF A SURVEY PERFORMED BY ME OR UNDER MY DIRECTION DURING THE DATES NOTED, AT THE REQUEST OF THE U.S.D.A. FOREST SERVICE, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OREGON AND WITH THE ARTICLES OF MY CONTRACT.

*Kurt C. Weaver*  
 KURT C. WEAVER  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 STATE OF OREGON LICENSE: 1679



EXAMINED AND ACCEPTED FOR THE U.S. FOREST SERVICE  
 THIS 8th DAY OF January, 1981.

*Randall M. Zoon C.O.R.*



40 3W 5

Section Corner  $\frac{32}{5} | \frac{33}{4}$ , found a 3" B.L.M. brass cap 2"  
below the surface of the roadway from which:

The Southwest corner of the foundation for a wood frame house bears North  $64^{\circ}24'$  East, 192.0 feet (record North  $67^{\circ}$  East, 192.1 feet).  
The center of a stone fireplace with (+) in base bears South  $32^{\circ}50'$  East, 187.4 feet (record South  $30^{\circ}$  East, 187.4 feet).  
The base of a concrete block chimney on the McKee Bridge Store bears North  $41^{\circ}18'$  West, 61.9 feet (record North  $39^{\circ}$  West, 61.4 feet).

Southeast 1/16 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 4" from which:

D. Fir 24" dia. bears South  $4^{\circ}49'$  West, 18.4 feet.  
D. Fir 14" dia. bears South  $84^{\circ}14'$  West, 31.9 feet.

Center-South 1/16 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 7" from which:

S. Pine 13" dia. bears North  $35^{\circ}09'$  West, 29.7 feet.  
Madrone 7" dia. bears South  $12^{\circ}06'$  West, 27.3 feet.

-South  
Center-North 1/64 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 6" from which:

D. Fir 8" dia. bears South  $4^{\circ}26'$  East, 22.4 feet.  
Madrone 11" dia. bears South  $69^{\circ}22'$  West, 43.0 feet.

Northeast-Southwest 1/64 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 20" in large mound of stone from which:

P. Pine 10" dia. bears South  $72^{\circ}53'$  West, 14.9 feet.  
W. Oak 8" dia. bears North  $19^{\circ}58'$  West, 22.3 feet.

Center-East-West 1/64 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 6" from which:

Madrone 21" dia. bears South  $36^{\circ}53'$  West, 15.1 feet.  
D. Fir 21" dia. bears North  $58^{\circ}32'$  West, 51.8 feet.

Southeast-Northwest 1/64 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 10" with M.O.S. from which:

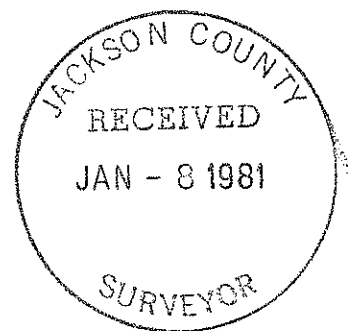
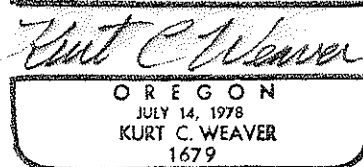
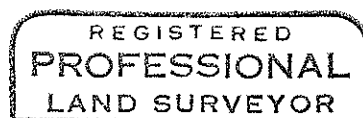
D. Fir 29" dia. bears South  $19^{\circ}42'$  West, 47.5 feet.  
P. Pine 14" dia. bears North  $77^{\circ}01'$  East, 31.0 feet.

Center-South-North 1/64 5, I set a 2" x 30" flanged G.I.P. with a 2-1/2" brass cap exposed 6" with M.O.S. from which:

P. Pine 27" dia. bears South  $85^{\circ}34'$  West, 54.5 feet.  
P. Pine 25" dia. bears North  $12^{\circ}50'$  West, 105.7 feet.

Surveyed By: T. Flatebo and Associates, Inc.  
P.O. Box 900  
Jacksonville, OR 97530  
(503) 899-8267

Date: Survey began August 18, 1980.  
Completed November 21, 1980.



Section Corner  $\frac{31}{6} | \frac{32}{5}$ , Township 40 South, Range 3 West (Lackland)

Found 1-1/2" G.I.P. with yellow cap, mkd J. Co. from which:

- A Madrone 16" dia. bears South 20°35' East, 13.7 feet  
(record South 19° East, 13.7 feet).
- A D. Fir <sup>snag</sup> 37" dia. bears South 49°04' West, 39.2 feet  
(record South 50° West, 39.6 feet).
- A D. Fir 15" dia. bears North 42°00' West, 26.4 feet  
(record North 42° West, 26.6 feet).

Section Corner  $\frac{31}{6} | \frac{32}{5}$ , Township 40 South, Range 3 West (Truax)

Found Standard G.L.O. pipe and B.C. from which:

- A D. Fir 27" dia. bears South 67°02' West, 16.4 feet  
(record South 66° West, 18.5 feet).
- A Chinquapin 8" dia. bears North 54°41' West, 34.8 feet  
(record North 54-1/2° West, 35.0 feet).
- A B. Oak 15" dia. bears North 14°36' West, 25.5 feet  
(record North 19° West, 24.4 feet).
- A D. Fir 34" dia. bears North 21°35' East, 32.5 feet  
(record North 20° East, 31.7 feet).
- A D. Fir 20" dia. bears South 33°14' East, 53.9 feet  
(record South 32°30' East, 56.1 feet).

Quarter Corner  $\frac{32}{5}$ , Township 40 South, Range 3 West

Found Standard B.L.M. pipe and B.C. from which:

- A Madrone 10" dia. bears South 88°52' West, 34.7 feet  
(record West, 34.3 feet).
- A Madrone 8" dia. bears South 26°14' East, 18.1 feet  
(record South 26° East, 18.5 feet).

Quarter Corner  $6 | 5$ , found Jackson County 1" G.I. Pipe with a 2-1/2" brass cap exposed 6" from which:

- D. Fir 14" dia. bears North 40°38' West, 15.5 feet  
(record North 40° West, 15.6 feet).
- D. Fir 15" dia. bears North 87°52' East, 26.3 feet  
(record North 83-1/2° East, 25.6 feet).
- Stumphole of a 7" dia. dead and down B. Oak bears South 38°08' East, 15.2 feet (record South 39° East, 15.2 feet).

Quarter Corner  $5 | 4$ , Township 40 South, Range 3 West

Found standard B.L.M. pipe and B.C. from which:

- A W. Oak 28" dia. bears North 18°20' East, 23.8 feet  
(record North 21° East, 23.1 feet).
- A W. Oak 6" dia. bears North 63°02' East, 14.7 feet  
(record North 66° East, 15.2 feet).

\*\*

North-South 1/64 Corner  $5 | 4$ , Township 40 South, Range 3 West

Set a 2" x 30" G.I.P. with a 2-1/2" B.C. mkd NS 1/64 exposed 4", from which I mark the following trees:

- A D. Fir 17" dia. bears South 59°30' West, 34.5 feet.
- A P. Pine 18" dia. bears North 65°05' East, 31.2 feet.

South-South 1/64 Corner  $5 | 4$ , Township 40 South, Range 3 West

Set a 2" x 30" G.I.P. with a 2-1/2" B.C. mkd SS 1/64, exposed 7", from which I mark the following trees:

- A D. Fir 16" dia. bears North 19°52' East, 27.7 feet.
- A P. Pine 8" dia. bears North 75°58' West, 16.9 feet.

- \*\* Forked W. Oak 16" dia. bears North 69°11' West, 79.2 feet  
(record North 61° West, 72.6 feet).
- D. Fir snag 12" dia. bears South 21°19' West, 122.3 feet (record South 20° West, 122.1 feet).

I found or set the following monuments:

Section Corner  $\frac{5}{8}$  $\frac{4}{9}$ , Township 40 South, Range 3 West

Found Standard B.L.M. pipe and B.C. from which:

- A D. Fir 16" dia. bears North 62°09' West, 22.5 feet  
(record North 63° West, 22.4 feet).
- A D. Fir 13" dia. bears North 32°47' West, 4.7 feet  
(record North 35° West, 5.0 feet).
- A Oak snag 16" dia. bears North 25°12' West, 23.9 feet  
(record North 25° West, 23.1 feet).
- A Oak snag 9" dia. bears North 15°17' East, 21.2 feet  
(record North 15° East, 21.1 feet).
- A D. Fir 12" dia. bears North 47°16' East, 26.5 feet  
(record North 48° East, 26.4 feet).
- A D. Fir 15" dia. bears North 76°02' East, 8.5 feet  
(record North 77° East, 8.7 feet).
- A D. Fir 8" dia. bears South 49°30' East, 15.2 feet  
(record South 48° East, 15.2 feet).
- A D. Fir 10" dia. bears South 34°08' East, 1.9 feet  
(record South 35° East, 2.0 feet).
- A D. Fir 11" dia. bears South 7°50' West, 24.3 feet  
(record South 10° West, 24.7 feet).
- A D. Fir 8" dia. bears South 60°14' West, 22.7 feet  
(record South 62° West, 21.1 feet).

East Sixteenth Corner  $\frac{5}{8}$ , Township 40 South, Range 3 West

Set a 2" x 30" G.I.P. with 2-1/2" B.C. exposed 6" mkd E 1/16, from which I mark the following trees:

- A D. Fir 15" dia. bears South 20°37' East, 12.8 feet.
- A D. Fir 9" dia. bears North 82°32' West, 7.9 feet.

Quarter Corner  $\frac{5}{8}$ , Township 40 South, Range 3 West

Found 2" I. pipe with 3" B.C. from which:

- A D. Fir 7" dia bears North 3°31' East, 14.1 feet.  
(record North 5° East, 13.9 feet).
- A D. Fir 9" dia. bears North 70°39' East, 10.6 feet  
(record North 76° East, 11.7 feet).
- A D. Fir 12" dia. bears South 45°17' East, 11.3 feet  
(record South 45° East, 11.5 feet).
- A W. Oak 21" dia. bears South 59°41' West, 16.8 feet  
(record South 60° West, 16.5 feet). Now dead.

Section Corner  $\frac{6}{7}$  $\frac{5}{8}$ , Township 40 South, Range 3 West

Found Standard B.L.M. pipe and B.C. from which:

- A P. Pine 24" dia. bears South 48°22' East, 68.0 feet  
(record South 48° East, 68.6 feet).
- A P. Pine 10" dia. bears South 54°02' West, 41.5 feet  
(record South 54-1/2° West, 41.6 feet).
- A D. Fir 11" dia. bears North 25°34' West, 19.6 feet  
(record North 27° West, 19.8 feet).
- A D. Fir 11" dia. bears North 68°09' East, 29.6 feet  
(record North 69° East, 29.7 feet).

Quarter Corner Section 31 only, Township 39 South,  
Range 3 West

Found 1" I. pipe with 2-1/2" B.C. mkd G.L.O. 1917 from  
which:

- A Madrone 14" dia. bears North 68°54' West, 33.5 feet  
(record North 55° West, 33.0 feet).
- A D. Fir 22" dia. bears North 14°23' West, 6.1 feet  
(record North, 7.26 feet).
- A D. Fir 20" dia. bears North 43°34' East, 21.3 feet  
(record North 41° East, 21.6 feet).

the corner from the Northwest and Northeast bearing trees which are both dead. This condition is not possible because those two trees are alive today. He then returns on true line setting the quarter corner common to Sections 31 and 6, again making no reference to McKenzie and Eckelson's corner.

- 1884 Rufus Moore surveyed the West Boundary of Township 39 South, Range 3 West closing 340 links East of Lacklands Township Corner (which he describes as per Lackland's notes). He destroyed the marks on the Northeast tree. Rufus set the closing corner for Townships 39 South, Ranges 3 and 4 West.
- 1917 Mensch and Wright GLO surveyors, resurveyed the Township Boundary. They begin by re-establishing the closing corner from Moore's record. Then resurveying between Sections 31 and 6 they set a quarter corner for Section 6 and a quarter corner for Section 31. They say that the quarter corner for Section 6 was set at 39.97 chains "apportioned distance" (from what)? They record the discrepancy in Lackland's notes and do not find evidence of him having been there.

Determinations:

- 1) Lackland falsely recorded being at Truax's corner, when in fact he established his own. This causes a problem as to the acceptance of the found corner set by Lackland. The angle point created by ignoring Lackland's position in favor of Truax's is quite severe. Due to this drastic deviation from the cardinal it is possible to assume that the integrity of the patents in the Northwest quarter of Section 5 may be compromised. Had any entry man utilized Lackland's corner for determination of his land it should hold for the alignment control for the West line of the Northwest quarter of Section 5.
- 2) Holding Lackland's corner as a closing corner casts a shadow of doubt on the validity of the monumented position of the North quarter corner of Section 5. If the Northwest corner of Section 5 is not common with the sections to the North then is it appropriate to hold the quarter corner as common. The theory expounded above (1) has merit in the consideration of the quarter corner. The plat illustrates a common corner 32 and 5, and the same has been identified from reference to the original field notes. This quarter corner would shift approximately 140 feet to the West if proportioned to match the returned distance along the North line of Section 5. A shift of this magnitude could radically alter subdivisional lines and cause occupancy to be challenged. The existing monumented position for the North quarter corner of Section 5 should be held, for from it entrymen took patent.
- 3) Wright and Mensch established new quarter corners for Sections 6 and 31 by surveying from the closing corner common to Township 39 South, Range 3 and 4 West, an unorthodox procedure. The land in Sections 6 and 31 was then and is still in the public domain, therefore Wright and Mensch's resurvey should be controlling for the alignment of the Township line.
- 4) The West line of the Northwest quarter of Section 5 was held to pass through the Lackland corner and intersect the line from Truax's corner to the quarter corner to Section 31 only.

All controlling corners were encompassed in a series of closed traverses made with a T-1 theodolite and an H-P 3805A E.D.M.. The section was subdivided as shown on the accompanying map and the line were mark and the corners set.

Bearing was based on a solar observation taken at the Northeast corner of Section 5.

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

Survey For: The U. S. Forest Service  
Rogue River National Forest  
P.O. Box 520  
Medford, OR 97501

Location: Located in Section 5, Township 40 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon.

Purpose: To monument those corners and the line monument shown on the accompanying map. The following lines were also marked with blazed trees and fiberglass fence posts with National Forest boundary signs attached:

the East line of the Northeast quarter of the Northwest quarter  
the East line of the Northeast quarter of the Southeast quarter of the Northwest quarter  
the North and West lines of the Southeast quarter of the Southeast quarter of the Northwest quarter  
the West and South lines of the Northeast quarter of the Northeast quarter of the Southwest quarter  
the East line of the Southeast quarter of the Northeast quarter of the Southwest quarter  
the North and East lines of the Southwest quarter of the Southeast quarter  
the South and the South half of the East lines of the Southeast quarter  
the North half of the East line of the Northeast quarter of the Southeast quarter  
the East line of the Northeast quarter and that portion of the South line of the Southeast quarter of the Southwest quarter lying East of the Upper Applegate Road.

Procedure: The Northwest corner of Section 5 presented a rather perplexing situation in that there exists two positions for it. Both positions have been remonumented from original evidence. By reference to the accompanying map one can visualize the severity of this condition.

The Samuel Lackand corner bears South  $84^{\circ}19'26''$  West 280.87 feet from that set by Sewall Truax. Further information can be obtained from the Office of the Jackson County Surveyor reference Jackson County Project File No. 77-22.

The following is a compilation of facts and determinations I used in the analysis of the situation:

A chronology of the last mile

- 1857 Sewall Truax surveyed the South boundary of Township 39 South, Range 3 West to the corner of  $\frac{31|32}{6|5}$ , leaving the last mile unsurveyed.
- 1879 McKenzie and Eckelson completed this boundary by commencing at the corner of  $\frac{31|32}{6|5}$  and surveying West setting a quarter corner common to  $\frac{31}{6}$  and the Townshin corner.
- 1882 Samuel Lackland surveyed North between  $\frac{1|6}{6}$  and set a Township corner, making no reference to McKenzie and Eckelson's corner. He then surveyed East along the North boundary of Section 6 to the "old corner" 5, 6, 31 and 32, which he says has been destroyed by fire. He says he re-establishes