

NW 1/4 of the NE 1/4
 Note: for Sectional breakdown see
 page 2 Subdivision of Section
 17
 Detail "A"

See Detail "B"

Scale 1 inch = 100 feet

Basis of Bearing
 Solar Observation
 (North 1/4, Sec 17)

LEGEND

- Set 5/8"x 30" iron reinforcing pin with a yellow plastic cap, 1-1/4 in. dia. marked PIERSON OPLS 1650
- Found 1-1/4 inch yellow plastic cap with iron pin (unless otherwise noted)
- ⊙ Found Sectional monument
- Fence
- - - - - Deed lines

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
John Scott Pierson
 OREGON
 JUL 14, 1974
 JOHN S. PIERSON
 1650

Map of Survey
 for
MARK COOPER
 538 Granite Street
 Ashland Oregon

JACKSON COUNTY
 RECEIVED
 MAR 24 1981
 SURVEYOR

Located in the North half of NE 1/4 of Section 17, Township 39 South, Range 1 East
 Willamette Meridian, City of Ashland, Jackson County, Oregon.

8756



IN REPLY REFER TO:

United States Department of the Interior 9600 (942)
BUREAU OF LAND MANAGEMENT

OREGON STATE OFFICE
P.O. Box 2965 (729 N.E. Oregon Street)
Portland, Oregon 97208

February 13, 1981

Mr. John S. Pierson
1807 East Main Street
Ashland, Oregon 97520

Dear Mr. Pierson:

This is in reply to your letter and visit to this office on February 9, 1981, concerning the subdivision of section 17, T. 39 S., R. 1 E., Willamette Meridian, Oregon.

The procedure used to subdivide section 17, as shown on the plats of survey accepted October 17, 1961, and June 24, 1980, was approved by the Director, Bureau of Land Management, Department of the Interior. The fact that these plats of survey were accepted indicates that the BLM feels the method used to subdivide section 17 best protects the original plats, when all conditions are considered.

Although the authority to acquiesce or change an approved survey is vested in the Director, BLM, and not this office, it is our opinion that the subdivision of section procedure used for section 17 will stand as approved.

We hope this reply will be helpful.

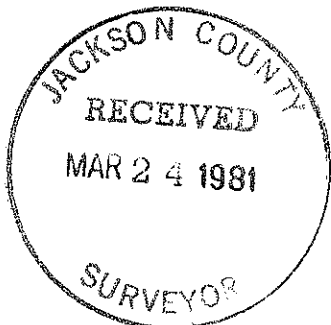
Sincerely,

William W. Glenn

William W. Glenn
Chief, Branch of Cadastral Survey

land features like trees, creeks, roads for the property boundaries. I found this to be true.

The centerline of Granite Street Southeasterly of the found centerline monuments was established from found city references. The centerline of Granite Street at the angle point between the courses bearing S 66° 22' 39" E and S 49° 52' 39" E, respectively, was located holding record angle from a found pipe at the Northeasterly end of the centerline course bearing S 66° 22' 39" E and the City of Ashland record horizontal distance from a chiseled "+" found on a granite outcropping. Said chiseled "+" bears S 77° 19' 27" W, 21.75 feet from the centerline angle point. The angle point between the centerline courses, S 49° 52' 39" E, and S 23° 28' 39" E, respectively, was established from holding the before mentioned established centerline angle point at the Northeasterly end of a course bearing S 49° 52' 39" E, and the City of Ashland's record distance from a chiseled "+" found on a granite outcropping. Said chiseled "+" bears N 84° 46' 48" W, 30.90 feet from the centerline angle point.



on the centerline of Granite Street is the same one called for in the Deed Records. This is also evidenced by Record Surveys Number 6758 and 7874. Therefore, if any property was located from this found pipe on the centerline of Granite Street using the falling calls from the Northeast corner of Section 17, it would pull these locations approximately 17.85 feet West of their falling calls from the said Northeast corner of said Section 17. Thus, in effect, doubling the error between the original location and any subsequent deed to the East of this point. This is, in effect, what happened in this survey. Those properties shown on Detail 'B', page 2 of 2 of the Map of Survey that are on the Easterly extent of the detail, show an approximately double error along the North line of the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 17, in record distance to those to the West of the shown location. Also, this property at the Easterly side of said Detail 'B' was identified by L. E. Ager, Registered Oregon Land Surveyor Number 21, in Jackson County Deed Record 584-228 in a map showing a traveled driveway that was created in Jackson County Deed Record 584-227 as an easement. The East line of this easement was later to become a property boundary. The map of Jackson County Deed Record 584-228 doesn't show any monuments being set, but the found monuments described as a pipe with a pinched top are, from my experience, a trade mark of L. E. Ager, R.O.L.S. No. 21. Also, in talking with Mrs. Lowe and others in the neighborhood, that knew Mrs. Crouch, the original creator of many of the lots in this neighborhood, the survey would have created the deed. Mrs. Crouch liked to hold natural

I thought to be the granite boulder, but it possessed no chiseled "x", and showed sign of exfoliation. Upon talking with the present land owner of Jackson County Deed Record 342-253, Tim Rutter, I found that the original owner, a Mrs. Rumilda Lowe, a widow, had witnessed the marking of the chiseled "x" by a land surveyor. On February 24, 1981, I met with Mrs. Rumilda Lowe on the said property of said Jackson County Deed Record 342-253, and also present was Tim Rutter. She verified that the boulder I had suspected was indeed the granite boulder that was called for in said Deed Record 342-253, and that she and a Mrs. Crouch, now deceased, were present when a surveyor by the name of Ager marked the rock with a hand axe. At this time, Mrs. Lowe also pointed to a place approximately eight inches in diameter on the granite boulder that has suffered the effects of exfoliation, and said that in that area the chiseled "x" had been. The PK nail I set into a bored hole filled with lead on the granite boulder is in that area that Mrs. Lowe pointed out. I also, on February 24, 1981, took the above described happening down as field testimony signed by Mrs. Lowe, and also witnessed by Timothy J. Rutter, and is on file in my office. To set this position on the granite boulder before discussed, I came from an iron pipe, 18 inches below ground, on the centerline of Granite Street called for by Jackson County Deed Record 342-253 and proceeded to piece together the deeds from the Northerly Right of Way of Granite Street. By holding record distances and using the bearings of my survey rotated to record angles of the deeds, I came to set the point on the granite boulder.

Therefore, I came to the conclusion that a found pipe

Land Management's 1976 survey N $4\frac{1}{4}^{\circ}$ E, 254.5 links.)

At the center $\frac{1}{4}$ corner of Section 17 (no point set), from which a $3\frac{1}{4}$ inch brass disc on an iron pipe bears N $83^{\circ} 44' 10''$ E, 2.12 feet, said brass disc is marked as shown on the Map of Survey, Detail 'A', page 2 of 2, from which:

A 34 inch diameter Ponderosa pine bears S $34^{\circ} 03' 08''$ W, 30.77 feet with healed blaze. (Record/ Bureau of Land Management's 1976 survey, S 34° W, 46 links.)

A 15 inch fir bears N $31^{\circ} 13' 29''$ W, 30.96 feet with healed blaze. (Record/ Bureau of Land Management's 1976 survey, N $31\frac{1}{2}^{\circ}$ W, 46.5 links.)

Note: All trees measured were measured to the side center of the tree.

The rest of the subdivision of Section 17 is as shown on the Map of Survey, page 1 of 2 and Detail 'A' page 2 of 2.

The Deed Records of this survey use the Northeast Section corner of Section 17, Township 39 South, Range 1 East, Willamette Meridian, as a basis of locating the properties I found from evidence, that shall be discussed. The properties of metes and bounds type that comprise parts of the boundaries of this survey were actually located from a pipe in Granite Street that is erroneously called to from the Northeast corner of said Section 17.

The main evidence to support this position is in the form of a granite boulder called for in many of the Deed Records in the vicinity. The Deed Records, as noted around the granite boulder as shown on the Map of Survey, Detail 'B', page 2 of 2, call for a granite boulder with an "x" chiseled into it. I found what

marked "BT" on a low blaze.

At the $\frac{1}{4}$ corner common to Sections 17 and 18, I found a $3\frac{1}{4}$ inch brass disc on an iron pipe marked as shown on the Map of Survey, Detail 'A' with a one inch iron pipe North of the corner and alongside thereof. From the found brass disc:

A root hole bears S $74^{\circ} 42' 47''$ W, 16.56 feet with the down and rotting remains of a madrona lying Northerly, no marks visible. (Record/ Bureau of Land Management's 1976 survey, S 70° W, 23 links.)

A 24 inch diameter badly decaying madrona snag shell 15 feet tall, bears S $14^{\circ} 28' 58''$ E, 31.00 feet, " $\frac{1}{4}$ L" visible on face. (Record/ Bureau of Land Management's 1976 survey S 15° E, 47 links, 28" diameter.)

I bark scribed a six inch diameter madrona which bears S $71^{\circ} 45' 37''$ W, 14.80 feet from the found $\frac{1}{4}$ corner. No other trees are available or large enough to be marked as witness trees at this time.

At the $\frac{1}{4}$ corner common to Sections 17 and 16, T. 39 S, R. 1 E, W.M., I found a $3\frac{1}{4}$ inch diameter brass cap marked as shown on the Map of Survey, Detail 'A', page 2 of 2 from which:

A 26 inch diameter maple bears S $30^{\circ} 58' 12''$ W, 76.46 feet. No marks are visible on an open blaze. (Record/ Bureau of Land Management's 1976 survey, S 31° W, 116 links.)

An 18 inch fir bears N $65^{\circ} 46' 49''$ W, 31.60 feet. No marks are visible. (Record/ Bureau of Land Management's 1976 survey, N 68° W, 47.5 links.)

A $25\frac{1}{2}$ inch cedar snag, 4 feet tall, bears N $4^{\circ} 21' 04''$ E, 168.24 feet. No marks are visible. (Record/ Bureau of

a granite outcropping, 5 feet long, 4 feet high, 3 feet wide bears N 74° 17' 55" W, 12.83 feet marked "B + 0." (Record/ Bureau of Land Management's 1976 survey, N 74° 40' W, 19.3 links.)

The Northwest corner of Brown's house bears S 83° 55' 58" E, 47.44 feet. (Record/ Bureau of Land Management's 1976 survey, S 83° 50' E, 72 links.)

At the $\frac{1}{4}$ corner common to Sections 8 and 17, I found a $2\frac{1}{2}$ inch brass disc set in concrete and marked as shown on the Map of Survey, Detail 'A' from which:

A granite boulder bears N 17° 51' 05" E, 25.57 feet to a "+" with "W C" chiseled below. (Record/ Bureau of Land Management's 1976 survey, N 18° E, 38.8 links.)

An eight inch diameter madrona tree bears S 32° 39' 06" E, 69.40 feet (measured side center.) (Record/ Bureau of Land Management's 1976 survey, S 32° 25' E, 106 links.)

An iron pipe with a $2\frac{1}{2}$ inch brass disc bears N 89° 16' 15" W, 10.00 feet marked: "T 39 S R 1 E REF MON $\frac{1}{4}$ S 8 17 CS 1973."

At the $\frac{1}{4}$ corner common to Sections 17 and 18, T. 39 S, R. 1 E, I found a $3\frac{1}{4}$ inch brass disc on an iron pipe marked as shown on the Map of Survey Detail 'A' from which:

A 40 inch Ponderosa pine bears S 35° 02' 31" E, 61.24 feet, scribing visible. (Record/ Bureau of Land Management's 1976 survey, S 36° E, 94 links with healed blaze.)

A 33 inch diameter Ponderosa pine snag bears N 38° 50' 00" E, 21.40 feet, scribing visible. (Record/ Bureau of Land Management's 1976 survey, N 40° E, 34 links with healed blaze.)

Also, I marked:

A 14 inch diameter fir bears N 21° 42' 43" W, 56.37 feet,

The first patent was issued on October 1, 1885, on the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 17. By this date of patent, the subdivision would have been subdivided by a procedure not using the West $\frac{1}{4}$ corner of said Section 17. The method used by the Bureau of Land Management is that of intersecting the $\frac{1}{4}$ corners as if it were a normal section. In February 1981, I approached the Bureau of Land Management, Medford District, to enquire if their procedure had overlooked the said patent. Upon examining the problem, they agreed that the patent was not included as a consideration of their survey, but that they could not resolve it at a district level. I then proceeded to contact William W. Glenn, Chief, Branch of Cadastral Survey, Bureau of Land Management, Oregon State Office. The results of this contact are as shown on the following copy of the letter I received from William W. Glenn. The original is on file in my office. From this letter, it is my opinion to hold that method used in the 1976 subdivision of said Section 17.

Due to the irregularity of the interior of the 1976 subdivision of said Section 17, I performed the partial retracement of said 1976 survey. The results are as shown on page 2 of 2 as Detail 'A' on the Map of Survey.

I held the pipe called for in the Bureau of Land Management's 1976 survey described as being the Northeast Section corner of Section 17, T. 39 S, R. 1 E, W.M., as found and referenced by C. Albert White in 1960. By record Survey No. 8239, surveyed in May of 1975, there is a possible corner location other than the one I used and described as at North East Section Corner of Section 17, T. 39 S, R. 1 E, W.M. I found a $2\frac{1}{2}$ inch outside diameter iron pipe from which:

SURVEY NARRATIVE TO COMPLY WITH ORS 209-250

For: Mark Cooper
538 Granite Street
Ashland, Oregon 97520

By: John S. Pierson, O.P.L.S.
1807 East Main Street
Ashland, Oregon 97520

Purpose: To establish the boundaries of Jackson County Deed Records 79-00427 and 81-01791.

Location: The NE $\frac{1}{4}$ of Section 17, Township 39 South, Range 1 East, Willamette Meridian.

Date: March 20, 1981

Basis of Bearing: Solar Observation taken on the North $\frac{1}{4}$ corner of Section 17, T. 39 S, R. 1 E, W.M., Sighting East Southeasterly

Procedure:

This survey of Jackson County Deed Records 79-00427 and 81-01791 involves a combination of metes and bounds, descriptions and the use of sectional calls. Dealing with the sectional work was the first endeavor. All the land involved in said Deed Records 79-00427 and 81-01791 by description was contained in the NE $\frac{1}{4}$ of Section 17, T. 39 S, R. 1 E, Willamette Meridian. In examining the survey performed by the Bureau of Land Management, in 1976, by Lynn M. Roseberry, it became apparent to me that the procedure used for the subdivision of said Section 17, T. 39 S, R. 1 E, was in error. Historically, the exterior of the said Section 17 was surveyed by three different surveyors:

1. The North and East boundaries of said Section 17 were surveyed in 1871 by Turner and Howard.
2. The South boundary of said Section 17 was surveyed in 1879 by McKenzie and Eckelson.
3. The West boundary of said Section 17 was surveyed in 1896 by Ormond Fletcher.

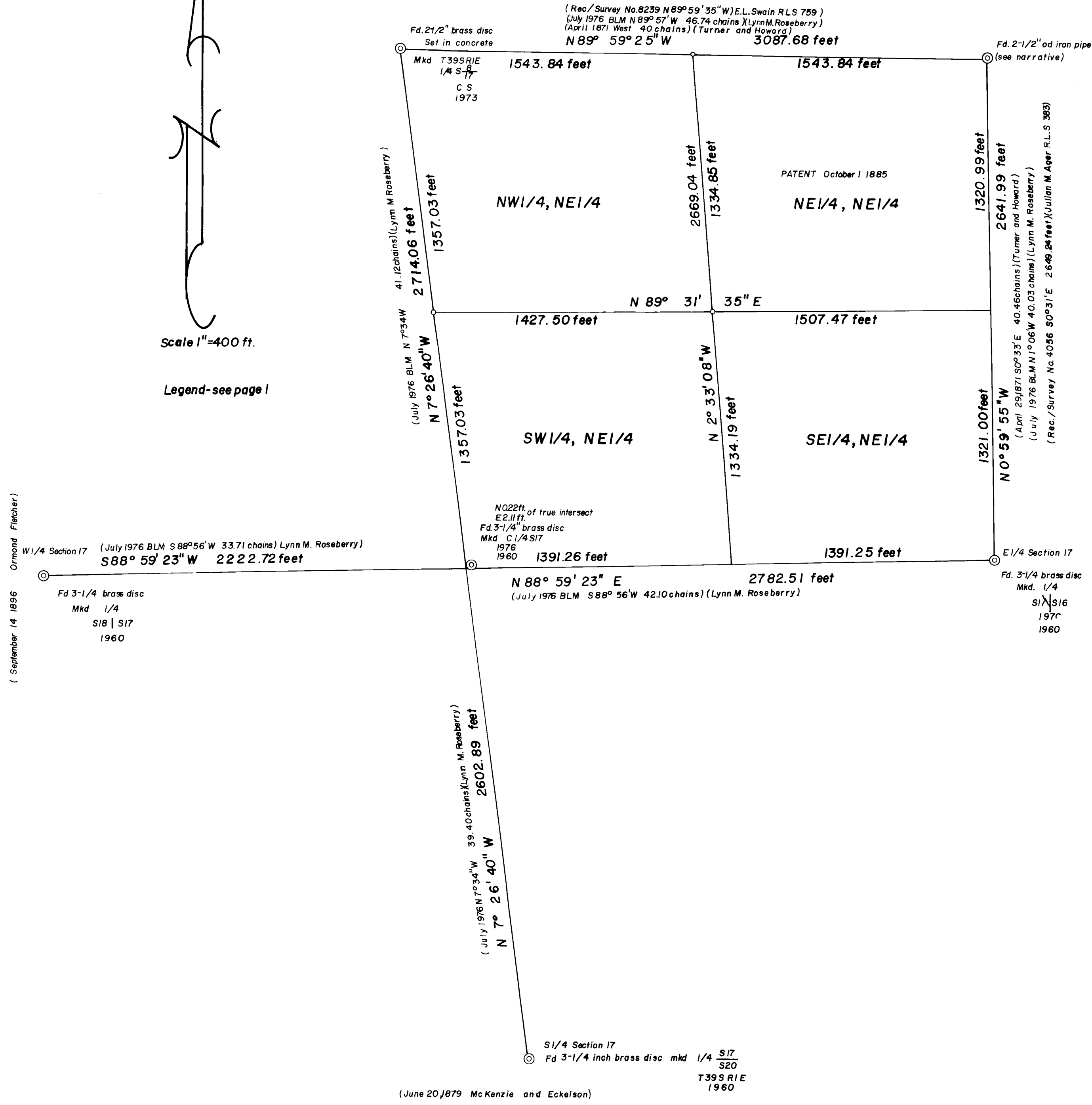
DETAIL "A"



Scale 1"=400 ft.

Legend-see page 1

(September 14 1896
Ormond F. Walker)

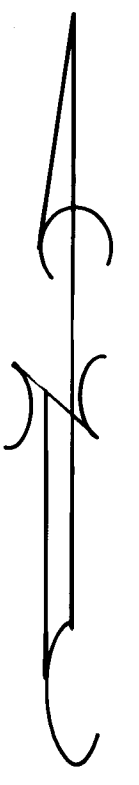


REGISTERED
PROFESSIONAL
LAND SURVEYOR
John Scott Pearson
C O R E G O N
MAY 14 1978
JOHN S. PEARSON
1850

JACKSON COUNTY
RECEIVED
MAY 24 1981
SURVEYOR

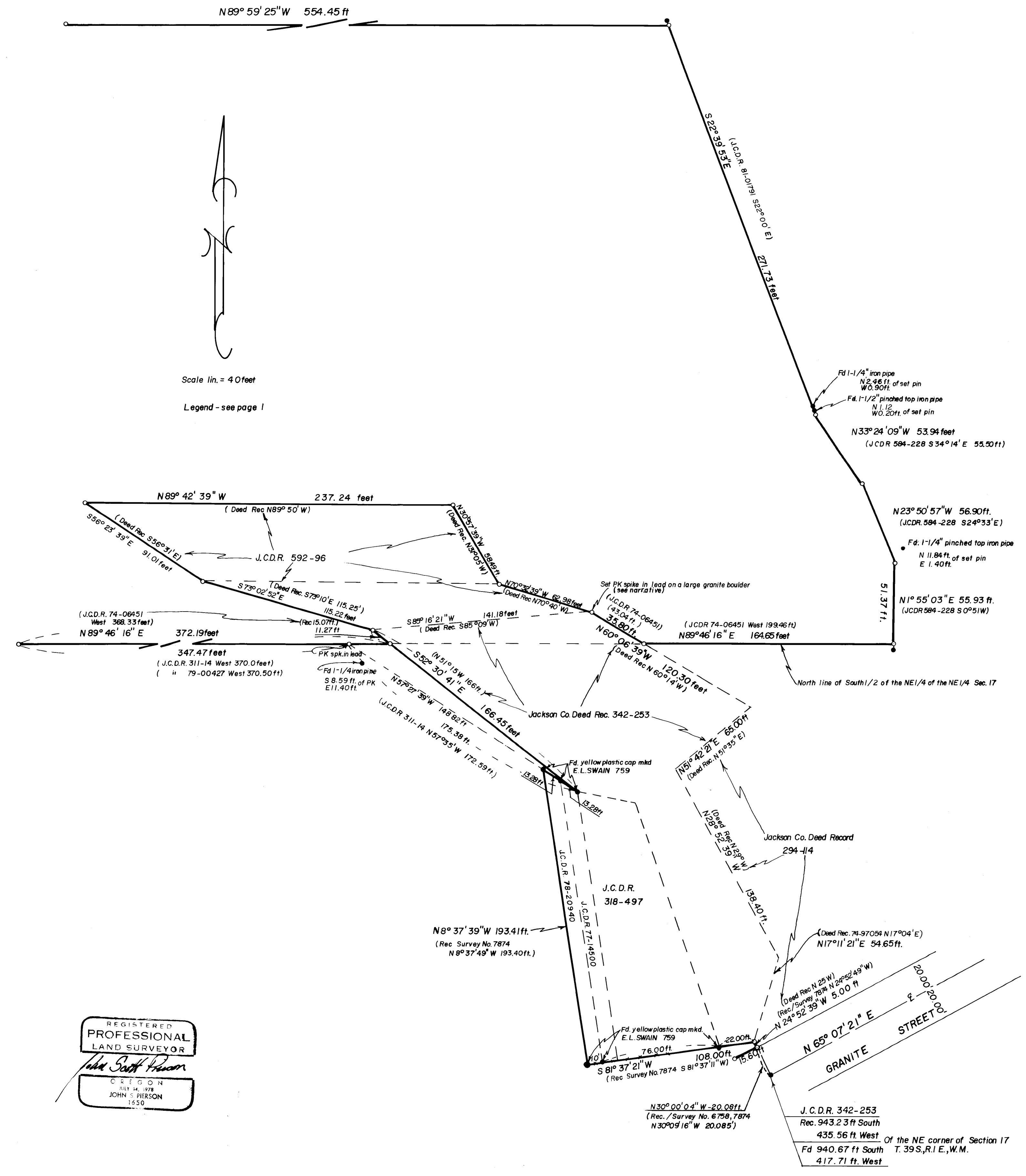
DETAIL "B"

N 89° 59' 25" W 554.45 ft



Scale 1 in. = 40 feet

Legend-see page 1



REGISTERED
PROFESSIONAL
LAND SURVEYOR
John Scott Pearson
C O R E G O N
MAY 14 1978
JOHN S. PEARSON
1850