

SURVEY FOR: PAULENA
ROSE MARIE DAVIS, KENNETH H. JONES & MICHAEL VERZEANO

LOCATED IN THE SE 1/4 OF SEC. 35 AND SEC. 36, T.385., R.1W., W.M.

BY: BOYDEN SURVEYORS
108 MISTLETOE STREET
MEDFORD, OREGON

DATE: DECEMBER 24, 1981

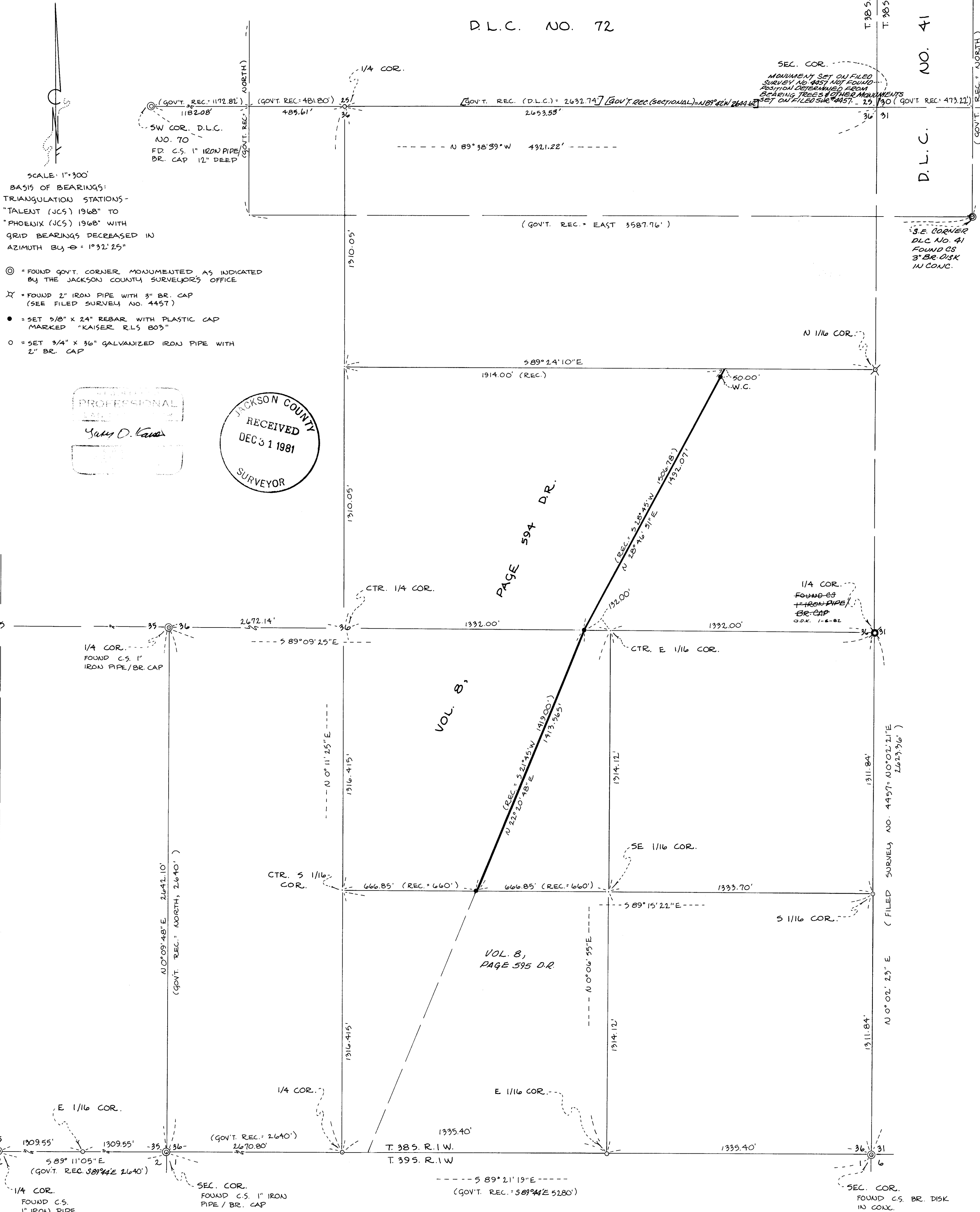
D.L.C. NO. 72

T.385. R.1W.
T.385. R.1E.

NO. 41

D.L.C.

S.E. CORNER
D.L.C. NO. 41
FOUND CS
3" BR. DISK
IN CONC.



SCALE: 1"=300'
BASIS OF BEARINGS:
TRIANGULATION STATIONS -
"TALENT (JCS) 1968" TO
"PHOENIX (JCS) 1968" WITH
GRID BEARINGS DECREASED IN
AZIMUTH BY $\theta = 1^{\circ}32'25''$

- ⊙ = FOUND GOV'T. CORNER MONUMENTED AS INDICATED BY THE JACKSON COUNTY SURVEYORS OFFICE
- ⊗ = FOUND 2" IRON PIPE WITH 3" BR. CAP (SEE FILED SURVEY NO. 4457)
- = SET 3/8" X 24" REBAR WITH PLASTIC CAP MARKED "KAISER RLS 803"
- = SET 3/4" X 3/8" GALVANIZED IRON PIPE WITH 2" BR. CAP

PROFESSIONAL
SURVEYOR
JAMES O. GARDNER

JACKSON COUNTY
RECEIVED
DEC 31 1981
SURVEYOR

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set a 3/4" x 36" galvanized iron pipe 34" in the ground with a 2" bronze cap marked:

RLS 803
S36
E 1/16 . S1
1981

from which;

A 22" Red Fir scribed "E 1/16 S1 - BT" bears S 26° E, 10.65 feet to the face of the lower blaze.

A 13" Red Fir scribed "E 1/16 S36 - BT" bears West, 51.0 feet to the face of the upper blaze.

South one-sixteenth corner common to Section 36, T38SR1W, W.M. and Section 31, T38SR1E, W.M.

set a 3/4" x 36" galvanized iron pipe 30" in the ground with a 2" bronze cap marked:

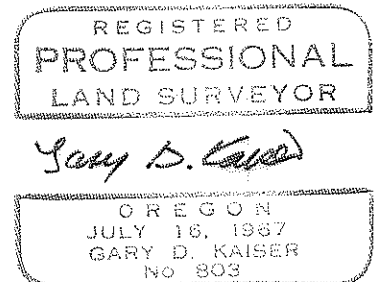
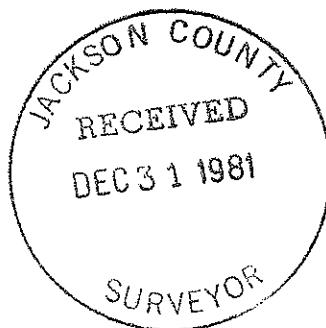
S 1/16
S36 . S31
RLS 803
1981

from which:

A 4" White Oak scribed "X - BT" bears S 25° E, 73.0 feet to the face of the lower blaze.

Basis of Bearings: N.G.S. Triangulation stations "TALENT (JCS) 1968" to "PHOENIX (JCS) 1968" with grid bearings decreased in azimuth by $\theta = 1^{\circ}32'25"$.

December 24, 1981



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The Northeasterly corner of a concrete foundation (residence) bears N 37 1/2° W, 66.0 feet.

The Northwesterly corner of a barn bears S 86° E, 91.2 feet.

Quarter corner common to Section 36, T38SR1W, W.M. and Section 1, T39SR1W, W.M.

set a 3/4" x 36" galvanized iron pipe 32" in the ground with a 2" bronze cap marked:

T38SR1W
S36
1/4 · S1
T39S RLS
803
1981

from which:

An 11" Red Fir scribed "1/4 S36 - BT" bears N 60 1/4° W, 22.2 feet to the face of the lower blaze.

12" Easterly branch of a twin Laurel scribed "1/4 S1 - BT" bears S 70 3/4° W, 57.1 feet to the face of the lower blaze.

East one-sixteenth corner common to Section 35, T38SR1W, W.M. and Section 2, T39SR1W, W.M.

set a 3/4" x 36" galvanized iron pipe 32" in the ground with a 2" bronze cap marked:

RLS 803
S35
E 1/16 · S2
1981

from which:

A 14" Y. Pine scribed "E 1/16 S35 - BT" bears N 84 1/4° W, 12.5 feet to the face of the lower blaze.

An 11" Y. Pine scribed "E 1/16 S2 - BT" bears S 17° W, 26.9 feet to the face of the lower blaze.

East one-sixteenth corner common to Section 36, T38SR1W, W.M. and Section 1, T39SR1W, W.M.

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dicating the primary purpose of the suit was to clarify the ownership, and not to move exterior boundaries. The subject boundary first appears in the Deed Records where a portion of the J. M. McCall property (Vol. 6, Page 309 D.R.) is conveyed to Albert G. Rockfellow and George W. Rockfellow (Vol. 8, Page 594 D.R.). In this conveyance "posts" are called for at some of the tract corners indicating the possibility of a survey. No post or any type of monument was found for any of the corners nor was there any fences or other physical evidence of the subject boundary line found. It should be noted, that along the majority of the "angling line" established, there has been considerable mining activity on both sides of the line, leaving no substantial line of occupation at this time. The boundaries described in Vol. 8, Page 594 D.R. were considered the original described line and were so established and monumented on this survey. Positions for interior one-sixteenth corners of said Section 36, called for in Vol. 8, Page 594 D.R., were computed as shown on the Annexed map. A witness corner was set near the Northerly end of the subject boundary to avoid probable laps that occur on the "East-West" boundary of the present described tracts. The Southerly end was monumented midway between the Center-South one-sixteenth corner and the Southeast one-sixteenth corner of said Section 36 (Record = 660 feet) as it appears was the intention of the original conveyances. The tract conveyed by Vol. 8, Page 595 D.R. verifies this in that the record distance is 660 feet for the Easterly half of this line also.

Quarter corners and one-sixteenth corners monumented on this survey were referenced as follows:

Quarter corner common to Sections 25 and 36, T38SR1W, W.M.

set a 3/4" x 36" galvanized iron pipe with the top 8" below the ground surface with a 2" bronze cap marked:

T38SR1W

S25

1/4 · S36

RLS 803
1981

from which:

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discredit the monumented position for the Southwest corner of DLC No. 72, but to give reason why it was disregarded in the final positioning of the desired Quarter corner. It appears that the strongest DLC combination available to position the North Quarter corner of Section 36 is the Southeast corner of DLC No. 41 and the Southwest corner of DLC No. 70 along with the Northeast corner of Section 36. Theoretical solutions for positioning the desired Quarter corner were narrowed down to two possibilities. The first being a broken boundary solution from the Southeast corner of DLC No. 41 to the Southwest corner of DLC No. 70. The second was a single proportion from the Northeast corner of Section 36 to the Southwest corner of DLC No. 70. This was computed using DLC record distance from the Northeast corner of Section 36 to the North Quarter corner to avoid mixing the DLC distances and sectional distances. After discussing these matters at some length with the County Surveyor, the second solution was considered the most practicable. It would be appropriate to mention that when the Northwest corner of Section 36 is positioned, the Southwest corner of DLC No. 70 will not necessarily be located on the Section line.

Turning our attention now to the most Easterly boundary of Tract "A" as described in Vol. 545, Page 193 D.R. This boundary (which is a common boundary between two of the clients properties), dates back to the 1870's. Since the original conveyance creating the subject boundary there have been several documents recorded which intended to run along this line, but because of certain inadequacies laps and gaps have been created. There has also been a "suit in equity to establish title by adverse possession" recorded in Inst. No. 67-05693 O.R. which was intended to run along this line but in actuality laps over onto the tract described in Vol. 8, Page 594 D.R. This suit was discussed with a title examiner and Boyden Surveyors' attorney. We also contacted Mr. Glenn Munsell, one of the attorneys for the plaintiff during this suit. The title examiner and Boyden Surveyors' attorney indicated that said suit would not affect the positioning of the adjoining boundaries, pointing out among other matters that "sufficient notice" was not given to the adjoining property owners. Even though Mr. Munsell did not have adequate time to review this matter, he concurred, in-

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falls in what is now a farmed field. The Northeast corner of Section 36 was monumented on Filed Survey No. 4457 from Donation Land Claim (DLC) corner ties. This corner position was reviewed and accepted. The monument set for the Northeast corner of Section 36 has apparently been destroyed. A position for this corner was computed from ties to bearing trees referencing the corner established on said Filed Survey No. 4457 and from the Southeast corner of DLC No. 41. The Northwest corner of Section 36 was originally monumented by 'Ives and Hyde' in 1854 with a post and referenced by 4 wild plum bearing trees. This corner was searched for and not found. With the North Quarter corner of Section 36 being prime control needed to complete the survey and the original corner not available and the possibility of a single proportion between Section corners not feasible, other alternatives of re-establishment were investigated. A search was made for a monument at the Center-North one-sixteenth corner to Section 36 (Vol. 8, Page 594 D.R. calls for a post) with nothing being found. Available survey records (post original surveys) revealed nothing to assist in positioning the corner. Re-established DLC corners in the area provide possible ways of re-establishment from ties to the desired Quarter corner made by Government surveyor 'Sewell Truax'. DLC corners re-established from original evidence by County Surveyor personnel are the Southeast corner of DLC No. 41, T38SR1^E~~W~~, Northwest corner of DLC No. 72 and the Southwest corner of DLC No. 70, T38SR1W. There is a 3" bronze disk marked "S.W. cor. DLC 72 CS 1972" set in concrete located at the recognized position for the Southwest corner of DLC No. 72. This monument was upgraded by County Surveyor personnel in 1972 at the exact location of a found 2" iron pipe with a 3/4" iron pipe inside for the purpose of tying to a future triangulation net. This net has not been accomplished and the corner has not to this day been re-established by the County Surveyor's department. The 2" iron pipe was found on Filed Survey No. 2886 and the 3/4" iron pipe inside was referred back to a 1925 survey. How the 3/4" iron pipe was set is not certain. There was no evidence found of the original bearing trees, nor any record of bearing tree evidence having been found to support the monument location. It is not the writers intention to

Survey No. 9154

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

GPK. 1-6-82

PAULENA

FOR: Rose Marie Davis Kenneth H. Jones ~~Michael~~ Verzeano
 1916 Talent Avenue 235 Terrace 265 Murphy Gulch Rd.
 Talent, Oregon Ashland, Oregon Rogue River, Oregon

BY: Boyden Surveyors
 108 Mistletoe Street
 Medford, Oregon

PURPOSE: 1. To monument and mark for fencing purposes the Easterly boundary of that tract described in Vol. 8, Page 594 D.R. being located in Section 36, T38SR1W, W.M.

 2. To monument certain Quarter-Quarter Section corners located in Sections 35 and 36, T38SR1W, W.M. as shown on the annexed map.

PROCEDURE: Government corners monumented by the Jackson County surveyor's office personnel and corners monumented on Filed Survey No. 4457 as shown on the annexed map were traversed through, utilizing a one-second theodolite and EDM equipment. The survey commenced at triangulation station "TALENT (JCS) 1968" using the line to triangulation station "PHOENIX (JCS) 1968" decreased in azimuth by $\theta = 1^{\circ}32'25''$ for bearing control. The control traverse was expanded to leave random control points in the vicinity of positions to be monumented and in the vicinity of controlling corner locations to be searched for.

The original Quarter Section corner post and bearing trees established in 1854 by Government contract surveyors 'Ives and Hyde' for the South Quarter corner to Section 36 were searched for and not found. The corner position falls in an area now occupied by a logging landing. A search was made for the post (or any monument) 132.0 feet East of the Quarter corner called for in Vol. 8, Page 595 D.R. with nothing being found. This Quarter Section corner was set by single proportion.

The original Quarter Section post and bearing trees also established by 'Ives and Hyde' in 1854 for the North Quarter corner to Section 36 were searched for and not found. This corner position