

TOWNSHIP 26 RANGE 03 POINT IDENTIFIER # 500540

PRIMARY CORNER DESCRIPTION 1/4 Cor. Secs. 10 & 11 (WC)

Alias _____	Description _____
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Original - W.H. Byars, Deputy, Under Contract #269 dated July 24, 1877 (DCSO records, Vol. 10 Page 4380)

Set an oak post, 4" dia., 40" long, 18" in the ground from which

A Fir 24" dia., bears N.55°E., 52 lks. dist.

A Fir 30" dia., bears N.68°W., 59 lks. dist.

J.W. Cole, County Surveyor - Present, C.W. Springer; M.L. Kimmel; Joe DeBernardi - July 1923 - Vol. 3 Pgs 163-164

No evidence of old BTs so set this cor. from tie given to river and line of old blazes to the south.

Set a WITNESS CORNER North 10 ft. and I.P. 5/8" x 30" from which

A Norway Pine 36" bears N.37°E., 60.6 ft.

Fir 40" N.74°45'W., 92.8 ft.

Ben B. Irving, Deputy Co. Surveyor -M.L. Kimmel; Fred Schmidt; N.E. Richardson, Witnesses. - Feb. 3, 1933 - C.S. File 37/155 and see "Old" corner book, Page 190.

BT's destroyed. Set new trees:

30" Fir N.82°13'W., 142.5 ft. WC ¼ S10 CS BT.

27" Fir N.85°37'E., 52.8 ft. WC ¼ S11 CS BT.

Doug. County Surveyors Office - James W. Byron, Deputy April 1, 1957 - C.S. File 47/168

5/8" Iron pipe set by Cole in 1923, not found.

Found - 40" Fir, old scribing (1923)

Position of Witness Corner determined by using Southeast corner Lot and Sec. corner to Secs. 2, 3, 10 and 11.

Set an Iron pipe with brass cap at point for WITNESS CORNER mkd: "Wit. Cor. 14.1 ft. North of ¼ S 10|11, T26S R3W, County Surveyor's Office, 1957" from which

40" Fir bears East 62.8 ft. bark scribe "Wit Cor. ¼ S11 CS BT".

6" W.Oak bears S.57°W., 73.2 ft. scribed "Wit. Cor. S10 CS BT".

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Glenn Baughman - For: Sun Studs - October 1974 - RM 2-69

NEW W 1/4 corner for Sec. 11.
Set - 5/8" Iron rod.
BTs - 7" Oak bears S.75°E., 12.3 ft. scribed WC ¼ S11 BT.
 8" Oak bears S.58°W., 18.6 ft. scribed WC ¼ S10 BT.
New W ¼ cor. bears North 16.0 ft.
(Old W ¼ cor. S11 bears South 14.1 ft. from Witness Cor.)

Doug. County Surveyors Office - Larry E Monrean, Deputy Karen
Cheney; Peter Earle - March 21, 1977 - C.S. File 59/31-13

Found - A 5/8" I.R. set as witness cor. to ¼ cor. (Baughman)
Also found 1957 DCSO brass cap mkd. in 1957. Brass
cap bears N.80°E., 84.0 ft. of witness cor. as
determined by Baughman.

Found from the Baughman Witness Corner:
A 9" Oak, rec. 7", bears S.75°E., 12.3 ft. scribed
"WC ¼ S11 BT". This tree is also the 1957 SW BT
An 8" Oak bears S.63°W., (Rec. S.58°W.) 18.6 ft.
Tree scribed "WC ¼ S10 BT".

Found from the 1957 DCSO brass cap:
A Fir 40" now 48" bears East 62.8 ft. Tree bark
scribed "Wit. Cor. ¼ S11 CS BT".
A W.Oak 6" now 9" bears S.75°W., 73.2 ft. Tree has
well healed blaze. We open & find good scribing
"Wit. Cor. ¼ S10 CS BT".
No other BTs found.

We replace Iron rod at Baughman Witness corner with a 2"x30"
I.Pipe, 27" in the ground with brass cap mkd. "County
Surveyors Office" W.C. T26S R3W North to ¼ S10 S11 16.0
ft. 1977"

Set 5/8" Iron rod along North side of cap.
I replace 1957 County Surveyor brass cap with a 5/8" Iron
rod.
We remove the scribing found on the 2 trees which reference
this monument.

NOTE: This renewal was done in accordance with Circuit Court
Decree #75-210. (See C.S. File 59/21)

Doug. County Surveyors Office - Larry E. Monrean, Deputy
S.J. Flauser; R.W. Smith - Dec. 21, 1984 - C.S. File 62/21-16

Found - 1977 County brass cap 2½" dia. on a 1¼" I.P., firmly
set, protruding 4" above ground, properly mkd.
continued next page

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A 5/8" I.R. is set protruding 3" above ground at N. edge of above brass cap monument.

Remaining BTs from Cole and Byron have effaced blazes, bearing & distances of these trees relate only to erroneous corner position (See CS File 59/21). They are not checked.

7" Oak now a 10" D.B.H. W.Oak with well healed double blaze bears S.80°E., 12.3 ft. (Rec. S.75°E. 12.3 ft.) Scribing & blaze from 1957 removed previously.

8" Oak, now a double trunk W.Oak with the most easterly & blazed trunk measuring 6" D.B.H.; has a partially healed double blaze with scribing WC ¼ S10 BT visible & bears S.60°W., 18.9 ft. (Rec. S.58°W., 18.6 ft.) This measurement is good to center of blazed trunk at breast height.

A 5/8" dia. I.R. (marking position of 1957 BC) bears N.77°E., 84.0 ft. (Rec. N.80°E., 84.0 ft.) firmly set & protruding 3" from ground.

New Bearing Object:
 A ½" dia. I.Rod firmly set & protruding 6" above ground bears S.66°W., 23.0 ft. (Rec. S.67½°W., 23.15 ft. (M85-58). This monument is the most easterly southeast corner of Parcel #1 of DCSO map file M 59-8.

Monument is located 8.3 ft. south of south guard rail of Hwy. #138 and just north of high bank of N. Umpqua River.

Fd. brass cap witness cor. to 1/4 cor. renewal in accordance with Circuit Court Decree, 75-210 - Donald Bentz, Oct. 1991, Partition 1992-0051

Fd. brass cap witness cor. to 1/4 cor. - by K.Degroot 9/95 - M 122-59

Douglas Co. Surveyors Office - Randall W. Smith, Deputy - Stephen J. Flause - 9/27/1999 - C.S. File 66/12-3

Found - 2½" dia., brass cap (properly mkd.) on a 1½" O.D. iron pipe, 1 ft below ground, in road shoulder. 1977 with a 5/8" I.R. along North edge. 1974

5/8" IR. Set at 1957 WC position found 18" below ground in road shoulder. 1977

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1957 Corner position

40" now 48" dia., D.Fir showing evidence of bark scribing removal by DCSO in 1977. We rebark scribed "WC ¼ S 11 CS BT" bears East 62.8 ft. (Agrees w/rec.) 1957

6" now 12" dia., W.Oak showing evidence of scribing being removed by DCSO in 1977 and a fully healed double blazed on West trunk. We double blaze East trunk and scribe "WC ¼ S10 CS BT" Note upper blaze 6 ft above ground, bears S.75°W., 73.2 ft. (agrees w/rec.) 1957

1974 BTs to Baughman's corner

SE BT is 12" W.Oak. {Also being the 1957 W.Oak, 6" now 12" dia.} 1974

SW BT now down & out of position. 1974

½" I.R. per 1977 is present.

Remove marks from 1977 brass cap

Set - A 5/8" by 5 ft. long iron rod is driven into ground along south edge of found 1977. I.R. protrudes 1 ft above road shoulder. DCSO yellow plastic cap placed on top.

Unmarked brass cap, as noted above per rec. bears S.77°W., 84.0 ft.

See sketch in file.

See BLM correspondence in CS File 59/21 & 63/166 on acceptance of corners. (Cont)



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
Oregon State Office
P.O. Box 2965
Portland, Oregon 97208

FILED

Date: 2/2/1999 By: JP

This survey consists of:

Map: _____

Narrative: _____

Corner Rpt: _____

DOUGLAS COUNTY
SURVEYOR

IN REPLY REFER TO:
9631 (OR 957)
Douglas Co., Or.

February 4, 1999

Harvey Christensen
Northwest Timberland Consulting, Inc.
4680 Britas Street
Eugene, Oregon 97404-1113

Dear Mr. Christensen:

This is in reply to your letter, dated January 26, 1999, concerning the 1/4 section corner of sections 2 and 11, T. 26 S., R. 3 W., Willamette Meridian, Oregon.

Upon reviewing the county records you've supplied, it is our opinion that Cole recovered the original 1/4 section corner of sections 2 and 11. This opinion is based on the definition of an existent corner as described in Section 5-5 of the Manual, which states that an existent corner is one whose position can be identified by verifying the evidence of the monument or its accessories, by reference to the description in the field notes. Cole indicates the corner was well marked, by a large pile of rocks and a stake at the corner position, and that he recovered the remains of the bearing tree accessory. We consider this evidence to be substantial and consistent with Flint's original corner description; therefore, meeting the Manual definition of an existent corner.

The county records document at least three official perpetuations, performed between 1955 and 1966, of Cole's recovered corner. In 1966, the county surveyor's office perpetuated Cole's corner with a brass cap monument. Although in 1966 there was no remaining original corner evidence, the records of the previous corner perpetuations clearly established a chain of evidence between the 1966 perpetuation and the original corner evidence reported by Cole. Therefore, in our opinion the 1/4 section corner re-monumented by the county, in 1966, is the original corner established by Flint, in 1882.

Since there is federal ownership in section 11, it is very possible that in the future a cadastral survey will be performed by the BLM to delineate this federal land. The position for the center 1/4 section corner would be established by the BLM based on the 1/4 section corner of sections 2 and 11 as re-monumented by the county in 1966. The 1975 decision by the Circuit Court of The State of Oregon for Douglas County pertained to the boundary between the private parties involved in that complaint, and did not extend to the federal lands in section 11.

Regarding the 1/4 section corner of sections 10 and 11, it is our opinion that if Cole's witness corner is extant, then the true point for the corner should be reestablished 10.00 feet south of the witness corner in accordance with Cole's record. In 1923, Cole evaluated the evidence and conditions evident at that time and made the decision to determine the 1/4 section corner based on recovered line blazes and the record call to the river. Original survey line evidence and topography is prescribed in today's Manual as being acceptable collateral evidence when certain criteria are met. We do not feel that the decision made by Cole in 1923 should be second guessed today when ground conditions and survey evidence are not the same as in 1923. Also, records you've provided show that the county was honoring Cole's corner on maps of deed descriptions as long ago as 1934. Considering the longevity and apparent reliance placed on Cole's corner we feel there is sufficient justification to accept it today, and therefore the position for the center 1/4 section corner of section 11 would be established by the BLM using his corner.

Regarding the corner of sections 2, 3, 10, and 11, Cole reestablished this corner by proportionate measurement based on the 1/4 section corners discussed above. Although this corner is not needed to control the BLM ownership in section 11, it is our opinion the corner reestablished by Cole should be accepted, providing the original corner is in fact lost.

We hope this information is helpful. We will forward a copy of this letter to the Douglas County Surveyor for his information.

Sincerely,

Wayne M. Gardner
Chief, Branch of
Geographic Sciences

cc: Douglas County Surveyor

C.S. File No. 59/21 & 63/166

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Fd. 1977 DCSO BCIP, now a reference mon to DCSO 1957 WC, by
K. DeGroot, 8/2008 - M156-61