

PRIMARY CORNER DESCRIPTION 1/4 Cor. Secs. 11 & 14

Alias _____	Description _____
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Leonard Herzstein, USFS - Letter dated Jan. 2006 - C.S. File 65/57-1A&B

I have found an error in the 1971 re-establishment of the one-quarter corner of sections 11 and 14, T32S R3W Willamette Meridian (Douglas County survey M43-53). However, because of the minor nature of the problem, the Forest Service and the Silver Butte Timber Company are in agreement to accept the 1971 monumented one-quarter corner position.

In 1971, the USDA Forest Service, contracted with Don E. Garrett, Oregon Registered Land Surveyor No. 544, to subdivide section 14, T32S R3W WM (M43-53). The NW¼ of the section is privately owned (Silver Butte Timber Company) and is surrounded by National Forest System land. During his survey, surveyor Garrett re-established the lost one-quarter corner of sections 11 and 14 by single proportion on a straight line using distances returned on the GLO 1913 township extension plat. The 1913 survey retraced the original GLO 1871 survey and reported new bearings and distances on the north line of section 14.

The 1973 B.L.M. "Manual of Surveying Instructions" sets forth the proper method for reestablishing a corner on a broken boundary as the irregular boundary adjustment method (sec. 5-36). There is a difference of 3.16 ft between surveyor Garrett's ¼ section corner and a calculated position using the irregular boundary adjustment. The move to the calculated position is due north of Garrett's corner, in the favor of the private parcel. The affect on the 1971 Center ¼ corner position is less than one-tenth of a foot. It was not determined what guidance the 1947 B.L.M. "Manual of Surveying Instructions" had on this situation. However, the BLM "1963 Restoration of Lost or Obliterated Corners and Subdivision of Sections. . . a Guide for Surveyors" describes the irregular boundary adjustment as the proper method (page 20).

Though the ¼ corner was re-established improperly, I accept the 1971 proportioned position, because

- Surveyor Garrett's corner is within a few ft of the mathematical re-position. The expected positional tolerances of a 1971 transit and tape survey are 1:1000 (±5 feet), which is a greater error than Garrett's use of the improper method of reestablishment.
- The re-position may not be any closer to the actual original corner than Garrett's 1971 corner.
- Surveyor Garrett's survey has been accepted and uncontested for 34 years. Landowners on both sides of the boundary have managed their properties to Garrett's corner.

Lew Howe, the Timber Lands Manager of the Silver Butte Timber Co. the affected private landowner, is in agreement with not altering the 1971 survey.