



M 90-50

IN REPLY REFER TO

United States Department of the Interior 9641.5 (942)

BUREAU OF LAND MANAGEMENT

OREGON STATE OFFICE
P.O. Box 2965 (825 NE Multnomah Street)
Portland, Oregon 97208

May 5, 1983

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COUNTY SURVEYOR
DOUGLAS COUNTY, ORE

Mr. Les Roberts
29 S. 29th St., Suite 2A
Eugene, Oregon 97405

Dear Mr. Roberts:

This is in response to your letter dated April 21, 1983, concerning the procedure for subdividing section 6, T. 20 S., R. 11 W., Willamette Meridian, Oregon.

First, a brief history of surveys for section 6. Harvey Gordon surveyed the line between ranges 11 and 12 west, in 1858. He established corners common to both townships. The north boundary was surveyed by R. O. Collier, in 1890. The fractional line between sections 6 and 7, the line between sections 5 and 6, and the meanders of Fiddle Creek and Siltcoos Lake, in section 6, were surveyed by William Thiel, in 1892, as shown on the official plat for T. 20 S., R. 11 W., approved May 6, 1893. Thiel surveyed the line between sections 6 and 7, West, 55.86 chains distance to Siltcoos Lake where he terminated the line; therefore, not establishing the southwest corner of section 6. With Thiel's survey, Gordon's corners on the range line became corners for R. 12 W. only. The positions for the $\frac{1}{2}$ section corner and S $\frac{1}{16}$ section corner on the west boundary of section 6 were protracted on the Thiel plat.

The manner in which a section would be subdivided is normally based on the lotting and areas returned on the record plat of survey(s). In this case, determining protracted distances and section corner positions within section 6 is difficult because of the fractional lotting and areas that are irreconcilable due to the meandering of Fiddle Creek and what we consider to be errors in the area calculations on the Thiel plat.

Establishing the center $\frac{1}{2}$ section corner necessitates determining the location of the east and west center line. Although a mean bearing method may be feasible, we feel a better solution would be to determine the proportionate protracted position for the $\frac{1}{2}$ section corner on the west boundary and to survey the center line between appropriate $\frac{1}{2}$ section corners. However, the protracted position for the west $\frac{1}{2}$ section corner is not definite because of the fractional lotting.

The problem with proportioning the corners for section 6 only, along the west boundary, is that the southwest corner of section 6 which would normally be the southerly control point for latitudinal proportioning, has not been established. In lieu of this, we feel the protracted corners on the west boundary should be established at proportionate positions between the corner of Tps. 19 and 20 S., Rs. 11 and 12 W. and the nearest found controlling corner to the south. The proportionate position would be based on record latitudinal distances of 50.75 chains and 70.75 chains, respectively, South from the township corner.

Once the position for the west $\frac{1}{4}$ section corner of section 6 is determined, the center $\frac{1}{4}$ section corner would be established at an intersection of the section center lines surveyed between exterior $\frac{1}{4}$ section corners. The center E 1/16 and center S 1/16 section corners would then be established at midpoint positions between the center $\frac{1}{4}$ section corner and the $\frac{1}{4}$ section corners on the east and south boundaries, respectively.

Determining the position for the SW 1/16 section corner is more difficult. The east and west center line of the SW $\frac{1}{4}$ is no problem, as it would be surveyed between appropriate 1/16 section corners that had been established as previously mentioned. The problem is in surveying the north and south center line. The center W 1/16 section corner cannot be determined with certainty because the irreconcilable areas do not provide a good basis for determining a record distance for the west one-half of the east and west center line of section 6. Also, the position for the W 1/16 section corner of sections 6 and 7 was not protracted on the Thiel plat; therefore, a basis for establishing it does not exist.

One method that may have merit is to establish the center W 1/16 section corner by surveying the north and south center line of the NW $\frac{1}{4}$ southerly from the W 1/16 section corner on the north boundary of section 6 on a bearing parallel with the north and south center line of the section to an intersection with the east and west center line of section 6. From this established point, the north and south center line of the SW $\frac{1}{4}$ would be surveyed on a continuous bearing parallel with the section north and south center line to an intersection with the east and west center line of the SW $\frac{1}{4}$ where the SW 1/16 section corner would be established. Although this is not a standard procedure, we feel that the intent of the plat was to protract parallel lines; therefore, as an alternative, this method should protect the plat areas relatively well.

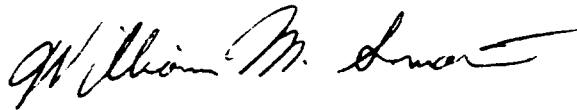
In view of this situation, it is important for us to point out that any of the aforementioned procedures are based on the assumption that the record surveys are reasonably accurate. Significant distortion found in the record surveys or local surveys used by landowners are both possible reasons for disregarding some or all of the procedures outline herein. We advise you to carefully evaluate the ground conditions before applying these procedures.

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Concerning your question on Thiel's meander courses, we agree that the original (also the duplicate) field notes are apparently in error and that those courses you mentioned should have been given a southeast direction. This opinion is based on the fact that the misclosure would be acceptable if the field note courses were different and that the north bank of Siltcoos Lake is drafted on Thiel's plat in a southeast-northwest direction from the meander corner between sections 1 and 6. This also generally agrees with the configuration as shown on the U. S. Geological Survey topographic map for this portion of the lake bank.

Sincerely,



William M. Smart
Acting Chief,
Branch of Cadastral Survey

M 90-50

Mr. Ellis Worthylake
87279 Hadsall Creek Road
Mapleton, OR 97453

December 13, 1983

Mr. Les Roberts
29 West 29th Street, Suite 2A
Eugene, OR 97405

RE: E-W Centerline of Section 6, T.20S., R.11W., W.M.

Dear Les:

I have looked for my notes on the work that I did for my uncle (A.G. Worthylake) and I can only find the notes for the property that pertains to Chet Worthylake's ownership; which is the first parcel West of the E1/4 of Section 6 being North of this E-W Centerline.

As we talked earlier, I did do some staff compass work on this E-W Centerline, but no tie was made to an established corner to the West (on the E-W Centerline). I do recall the axle at the edge of the swamp which was the N.W. corner of A.G. Worthylake's property. I do not recall an axle up on the hill for the point marking A.G. Worthylake's S.W. corner.

As I recall, I ran West from the E1/4 of Section 6 to a point for the proper distance for A.G. Worthylake S.W. corner, then I went to the axle marking the N.W. corner of A.G. Worthylake's property and projected a staff compass line Southerly, by utilizing the old line fence lying North of the axle marking the N.W. corner of A.G. Worthylake property, until its intersection with my E-W line.

It is possible that my uncle set the axle marking the point for his S.W. corner.

There are other ownerships involved along this E-W Centerline and those parcels were measured in on this same E-W Centerline at the same time; there again, I would have identified the points of ownership change with a temporary stake.

I conclude that any permanent object found along the E-W Centerline of this Section 6, T.20S., R.11W., W.M. probably relates to the work initially done by myself dating back to 1973-1974. My notes I did find are for February 16, 1974 and those were for the Chet Worthylake parcel. I am sorry I could not find my other notes, but if I do find them, I will let you know.

Yours truly,

U. S. File No. 50/2003d