



M 99-21 A+B

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

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

IN REPLY REFER TO

9600 (942)
Group 1212
Oregon

October 24, 1984 FILED RECEIVED *JK*

AUG 12 1985

COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.

Mr. Dennis Moonier
Regional Land Surveyor
U.S. Forest Service
P. O. Box 3623
Portland, Oregon 97208

Dear Mr. Moonier:

Enclosed is the report of retracement and investigation of survey conditions along a portion of the south boundary of T. 21 S., R. 11 W., and a portion of the meanders of the right bank of the Umpqua River in T. 22 S., R. 11 W., Willamette Meridian, Oregon.

The investigation finds an area of approximately 33 acres of unsurveyed public land on the north side of the river. Official identification will require a full survey and an accepted plat of the two townships involved.

Sincerely,

William W. Glenn

William W. Glenn
Chief, Branch of Cadastral Survey

Enclosure

C.S. File No. 63/21 A

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AUG 1 1925

COUNTY SURVEYOR,
DOUGLAS COUNTY, ORE

T. 21 S. R. 11 W. of sec 36 lots

Upon approval of Byars' plat in 1875, ownership of Lots 1 and section 36, T. 21 S., R. 11 W., was granted to the state. The state subsequently sold Lot 2 in 1884, and Lot 1 in 1887, and in 1891 selected 24.90 acres for the deficiency in Lots 1 and 2 caused by the Umpqua River passing through section 36. This deficiency selection was approved in 1892. In 1893 Thiel's survey plat was approved creating new Lots along the south boundary of section 36 (in conflict with Byars' Lots), which then were granted to the state. The state sold Lots 3, 4, and 5 in 1906, Lot 1 in 1912, and in 1940 sold 16.70 acres of Lot 2 which they determined was left as unsold land, the difference being the acreage differences between Byars' Lot 1 and Thiel's Lot 2. There is no way to determine where this 16.70 acres was intended to be located on the ground however.

As the unsurveyed, unreturned area located between the Byars north boundary of section 1, T. 22 S., R. 11 W., and the Thiel south boundary of section 36, T. 21 S., R. 11 W., is substantial (approximately 33 acres), it is recommended that the Special Instructions be supplemented to provide for the dependent resurvey and survey required to identify and mark its boundaries. As the area is located in neither T. 21 S., R. 11 W. or T. 22 S., R. 11 W., the customary method is to identify it as T. 21½ S., R. 11 W. Because of its proximity to section 1, T. 22 S., R. 11 W., and section 36, T. 21 S., R. 11 W., it is recommended that the area be designated Tract 37, T. 21½ S., R. 11 W. to avoid confusion. The supplemental instructions should authorize the dependent resurvey of that portion of the east boundary of section 1, T. 22 S., R. 11 W. between the recovered original meander corner of sections 1 and 6 on the left bank of the Umpqua River and the recovered original corner of Tps. 22 S., Rs. 10 and 11 W., reestablishing and remonumenting the lost meander corner of sections 1 and 6, on the right bank of the Umpqua River at proportionate distance, based on the Byars record for this line, and remonumenting the original township corner recovered during this investigation. Retrace and adjust the Whipple record meanders on the right bank of the Umpqua River, reestablishing both the Byars and Thiel meander corner of sections 1 and 36, based on Whipple's record. Resurvey the Thiel south boundary of section 36, establishing the W 1/16 section corner for section 36 only.

Survey the north boundary of section 1 from the township corner, westerly to the reestablished Byars meander corner of sections 1 and 36 on the right bank of the Umpqua River, establishing the point for Byars' southeast corner of Lot 1, section 36, T. 21 S., R. 11 W., at a proportionate distance, based on Byars' departure for the south boundary of section 36, as protracted on the plat for T. 21 S., R. 11 W. This corner will also function as the southwest corner of Tract 37, T. 21½ S., R. 11 W.

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DOUGLAS COUNTY, ORE.

To determine the west boundary of Tract 37, T. 21½ S., R. 11 W., it will be necessary to establish the point for the northeast corner of Byars' Lot 1, section 36, which can be accomplished by establishing the S 1/16 section corner of sections 35 and 36 at proportionate distance and surveying a line easterly 40 chains in departure to intersection with a line surveyed northerly 20 chains in latitude from the previously established southeast corner of Byars' Lot 1, section 36. The point for the northwest corner of Tract 37, T. 21½ S., R. 11 W., is at the intersection of the east boundary of Byars' Lot 1 and the Thiel south boundary of section 36, T. 21 S., R. 11 W.

The Forest Service has reacquired Lots 3, 4, and 5 (Thiel) in section 36, which further complicates the problem, as it appears from coordinates developed during this investigation that a small area in the southwest corner of Lot 3 is in conflict with the northeast portion of Byars' Lot 1, which has senior title. This situation was not anticipated or specifically addressed in the instructions authorizing this investigation, but consideration should be given to surveying the west boundary of Lot 3, section 36 in order to identify the area in conflict.

(S) Glenn F. Goodson

Glenn F. Goodson
Cadastral Surveyor

942:GFGoodson:es:7/30/84

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July 30, 1984

COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.

Memorandum

To: William W. Glenn, Chief, Branch of Cadastral Survey

From: Glenn F. Goodson, Cadastral Surveyor

Subject: Report of Investigation of Survey Conditions Along a Portion of the South Boundary of T. 21 S., R. 11 W., a Portion of the North Boundary of Section 1, and Meanders of the Right Bank of the Umpqua River, T. 22 S., R. 11 W., Willamette Meridian, Oregon.

This investigation was authorized under Special Instructions dated June 7, 1984, and Assignment Instructions dated June 11, 1984, under Group No. 1212. The field examination was executed from June 25, 1984 through June 29, 1984, the results of which are contained in the investigation field notes and sketch plat accompanying this report. The history of surveys is contained in the field notes.

This investigation confirms the existence of an unsurveyed, unreturned area of approximately 33 acres between the north boundary of section 1, T. 22 S., R. 11 W. (Byars), and the south boundary of section 36, T. 21 S., R. 11 W. (Thiel), and easterly of Byars' Lot 1, section 36.

The problem originated in 1874 when Byars erred in both his bearing and distance tie across the Umpqua River between the meander corner of sections 1 and 2, T. 22 S., R. 11 W., on the left bank, and the meander corner of sections 35 and 36, T. 21 S., R. 11 W., on the right bank. (Record, North, 39.82 chs.; actual, N. 22° 14' W., 37.89 chs.). The error was discovered by Thiel in 1891 when he surveyed the south boundary of section 36, T. 21 S., R. 11 W., intersecting the right bank of the river not at S. 65° E., 35.20 chs. dist., as Byars reported but at S. 76° 03' E., 5.22 chs. dist. from the Byars meander cor. of secs. 35 and 36. In his quest for the problem, he did discover and report a distance error in Byars' triangulation across the river. Thiel then set a new meander corner for sections 1 and 36, ignoring the discrepancy between the Byars north boundary of section 1 and his new south boundary of section 36, creating new lotting for section 36 which in reality partially overlaps the Byars Lots 1 and 2 in section 36. In 1893-94 Williams R. Whipple, under instructions issued by Byars, who was now the Surveyor General for Oregon, conducted an examination of a portion of the Byars meanders and east boundary of T. 22 S., R. 11 W., and the Thiel south boundary of section 36, T. 21 S., R. 11 W., and his report reflects the conditions pretty much as they exist today.

C.S. File No. 63/210

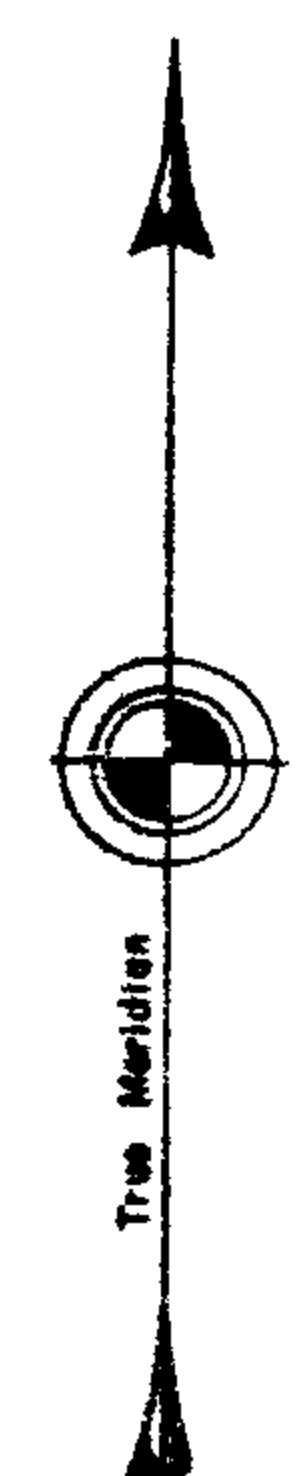
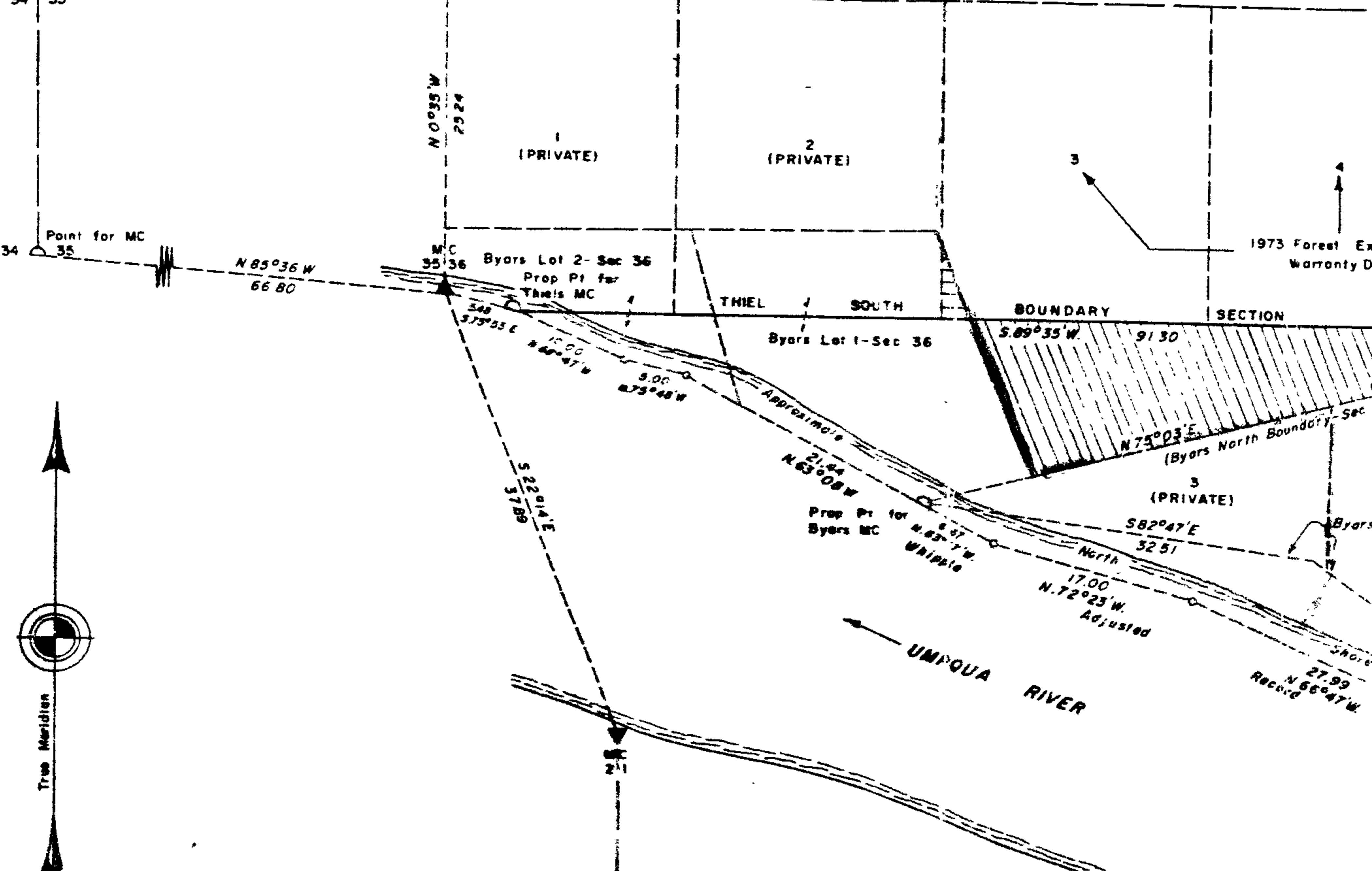
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DIAGRAM TO ACCOMPANY INVESTIGATION REPORT GROUP No. 1212 T.21 and 22S., R.11W., W.M., OR.

1/4 Cor
34 35
Fd by Prochnou

Local 1/4 Cor Secs 35 and 36, reestablished by Harold Lewis, Registered Engineer No 772, in 1939



LEGEND



Unreturned Area



Area in Conflict with
FS. Exchange Deed

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Group 1212, Tps 21 and 22 S., R. 11 W.

Meeting on May ~~16~~ 1985, was attended by

Larry Hunnimmuller, F.S.
Jim Prochnau, Private Land Surveyor
Glenn Goodson, BLM
Dan Berry, BLM

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COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.

Forest Service has decided to contract with Prochnau to delineate F.S. lands in section 36, T. 21 S., R. 11 W., and section 1, T. 22 S., R. 11 W. Their contract will be based on the diagram submitted with the report dated July 30, 1984, by Glenn Goodson. Procedures discussed are as follows:

Section 36, T. 21 S., R. 11 W

1. Northeast corner of lot 5--will be established at record latitudinal distance north as shown on plat approved May 6, 1983; i.e., 26.40 chains. Alignment will be controlled by nearest found corners on range line (Mensch plat)
2. Northwest corner of lot 3 would be proportioned between northwest corner of lot 1 and northeast corner of lot 5, based on 60 chains west departure from northeast corner of lot 5.
3. Thiel's lost meander corner on the south boundary of section 36 would be reestablished, by proportion, along meanders as resurveyed by Whipple.
4. The southwest corner of lot 3 would be reestablished at proportionate distance between Thiel's meander corner on the south boundary of section 36, and the southeast corner of section 36, based on 60 chains west departure.
5. The west boundary of lot 3 would be surveyed between established northwest and southwest corners of lot 3.
6. Byars' lost meander corner on the north boundary of section 1 would be reestablished at proportionate distance along adjusted meanders as resurveyed by Whipple.
7. The southeast corner of Byars' lot 1, section 36, would be established at proportionate distance between Byars' meander corner on the north boundary of section 1, and the northeast corner of section 1, based on record 40 chains east departure (Byars' plat for T. 21 S., R. 11 W.) Total record distance for the line between sections 1 and 36 will be different depending on which of the two Byars' plats are used. The plat used should be the one that creates the least amount of unsurveyed area as determined by the proportionate position of the southeast corner of lot 1, section 36.
8. The northeast corner of Byars' lot 1, section 36, would be determined at intersection of a line extended 40 chains east departure from the northwest corner of Byars' lot 2, section 36, and a line extended 20 chains north latitude from Byars' southeast corner of lot 1, section 36.

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Section 1, T. 22 S., R. 11 W.

1. The north boundary of section 1 would be surveyed between the northeast township corner and Byars' reestablished meander corner (No. 6 above)
2. The northwest corner of lot 2 (being acquired by F.S.) would be established at proportionate distance along the north boundary of section 1, based on record distance of 20 chains west departure. (Byars' plat for T. 22 S., R. 11 W.)
3. The line between lots 2 and 3 would be surveyed from the northwest corner of lot 2, parallel with the east boundary to an intersection with Byars' adjusted meander line.
4. Area between Byars adjusted meander line and present shore would be apportioned for lots 2 and 3, section 1, by extending a partition line perpendicular to the river, to the southeast corner of lot 3.

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