

Survey Narrative to Comply With Paragraph

209.250 Oregon Revised Statutes

Survey For: Umpqua National Forest
2900 Stewart Pkwy.
Roseburg, OR 97470

FILED *JP*

JAN 19 1993

and

Geoffrey A. Stark, DDS
2020 Stewart Pkwy.
Roseburg, OR 97470

COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.

Location: Northeast one-quarter, Section 33, Township 30 South, Range 2 West, Willamette Meridian, Douglas County, Oregon.

Purpose: The first purpose of this survey was to establish the south half of the north-south centerline of the Northeast quarter of Section 33, ie; to establish monuments and post a portion of said North-South centerline to define the boundary between land acquired by the U.S.D.A. Forest Service at the Tiller Ranger Station Administrative Site as described in document number 90-10489, book 1106, page 629 of the Deed Records of Douglas County, Oregon and the adjacent private land.

The second purpose of this survey was to verify the recovery of corner point evidence established by Forest Service "Land Examiner" Woodward in 1926. The corner point is described in Volume 89, Page 388 and Volume 97, Page 276, Deed Records of Douglas County, Oregon. The land described within these deeds refer to "Woodward's Northeast one-sixteenth corner" as the point of commencement for the described land. Following verification of the recovered corner point evidence, I determined the relationship of the land described within deed document 90-10489 and the parcels described using Woodward's corner point as a point of commencement. The deeds overlap indicating the Forest Service acquired portions of the same land twice. Forest Service ownership extends (Ref. 90-10489) to the north-south centerline of the northeast one-quarter of Section 33. The east line is controlled by the subdivision of section performed by Shaner in 1967. Shaner's subdivision of Section 33 appears to be correct. Shaner's survey inaccurately defines the parcels described within deed documents Volume 89, Page 388 and Volume 97, Page 276. As previously stated these parcels are described commencing from Woodward's Northeast one-sixteenth corner however, using Shaner's one sixteenth corner as the point of commencement, the deed courses are placed to the south of the Tiller-Trail highway rather than along the northerly right-of-way line.

Shaner's survey indicates a Forest Service building to encroach on to private land. The purchase of the land described within deed document No. 90-10489 was made to remove the indicated trespass of the building.

The third purpose of this survey; under cooperative agreement between the U.S.D.A. Forest Service and Geoffrey A. Stark, DDS, the center-east one sixteenth corner and a portion of the north-south centerline of the Northeast one-quarter, Section 33 lying South of Elk Creek described in document number 91-15631, book 1153, page 839, Deed Records of Douglas County, Oregon was located.

History of Surveys:

The first subdivision of Township 30 South Range 2 West, was executed in 1858 by Dennis Hathorn under Contract Number 73 dated June 8, 1857. Hathorn's survey covered only a portion of the township and included the exterior of Section 33.

In 1902 the Northeast one-sixteenth corner and the Northwest one-sixteenth corner of Section 33 were established by Douglas County Surveyor C.E. Roberts, apparently without subdividing the section. (Vol. 2, Page 122, County Surveyor's Records, Douglas County, Oregon.)

In 1909 the remainder of the township was surveyed by Fred Mensch, including a resurvey of the West line of Section 33, under contract number 782 dated December 1, 1908.

In 1926 Douglas County Surveyor H.L. Eppstein reestablished the East one-quarter of Section 33 from original evidence and established the North one-sixteenth corner between Sections 33 and 34 and the North one-sixteenth corner between Sections 33 and 32. (Douglas County Surveyor file number 14/8.)

Also in 1926 the Northeast one-sixteenth corner of Section 33 was established by "Land Examiner" Woodward, apparently in response to the allegation that Forest Service improvements encroached on private land. Woodward monumented the corner position with a stone, referenced with three bearing trees as documented in Volume 89, Page 388 of the Deed Records of Douglas County, Oregon. The aforementioned document and the document described as Volume 97, Page 276 of the Deed Records of Douglas County, Oregon make calls from Woodward's corner to fence lines, fence corners, and a County Road crossing, hereinafter described.

In 1967 Section 33 was subdivided by Bruce Shaner, P.E. Number 4906. He reestablished the East one-quarter corner of Section 33, the North one-sixteenth corner to Sections 33 and 34, and the Northeast one-sixteenth corner of Section 33. He established the center-north one-sixteenth corner of Section 33 and the East one-sixteenth corner to Sections 28 and 33. He also monumented certain deed corners of National Forest System Land, documenting an encroachment of U.S.D.A. Forest Service improvements onto private land. Reference record survey number RM1-62, Douglas County Surveyor's records.

In 1979 William Ruppert established the center one-quarter corner of Section 33. He also established a witness corner to the East one-quarter corner of Section 33, unable to find Shaner's 1967 monument, but using Shaner's accessories to position the witness corner monument. Reference record surveys number M70-61 and M101-57 Douglas County Surveyor's records.

No other surveys of record were located.

Procedure:

I began this survey with an investigation of the controlling corner points. I performed an evaluation of the recovered evidence of Woodward's 1926 Northeast one-sixteenth corner to Section 33 as described in Volume 89, Page 388 and Volume 97, Page 276 of the Deed Records of Douglas County, Oregon. The corner position was restored using recovered bearing tree stumps described in the deed. The corner point was further verified by correlating the corner position with fence lines and remains of the old county road, particularly the location where the road crossed the South Umpqua River. In addition I utilized several historical site maps of the area clearly showing the improvements, deed lines and the position of "Woodward's Corner" (the site maps are on file with the U.S.D.A. Forest Service). The Woodward corner point is situated North $58^{\circ}42'25''$ East, 66.21 feet from Shaner's 1967 position of the northeast one-sixteenth corner. I monumented Woodward's corner point with a 5/8 inch diameter, 8 inch long iron pin set flush with the asphalt surface with a 1 1/2 inch diameter aluminum cap marked, "LS 1071 1992." It is my opinion that this corner point does not mark the position for the Northeast one-sixteenth corner of Section 33 but does mark the point of commencement for the parcels of land described within Volume 89, Page 388 and Volume 97, Page 276.

I ran a closed traverse tying the Northeast one-sixteenth corner (Shaner, 1967), the center one-quarter corner (Ruppert, 1979), and the East one-quarter corner (Shaner, 1967) of Section 33. I set the center-east one-sixteenth corner of Section 33 at midpoint between the East one-quarter corner and the center one-quarter corner of said section. Alignment for the north-south centerline of the northeast quarter was held between my center-east one-sixteenth corner the northeast one-sixteenth corner established by Shaner.

I set two witness point monuments on line between the Northeast one-sixteenth corner (Shaner 1967) and the center-east one-sixteenth corner of Section 33. The first witness point is situated South $00^{\circ}05'25''$ East, 775.97 feet from the Northeast one-sixteenth corner of Section 33 and North $00^{\circ}05'25''$ West 41.81 feet from the existing centerline of the Trail-Tiller Highway. The paved portion of the highway is 20 feet wide and bears South $82^{\circ}15'$ East and North $82^{\circ}15'$ West. I marked this 775.97 foot segment of line with six foot long aluminum posts, with metal signs attached, indicating U.S.D.A. Forest Service ownership to the west. Trees along the line were blazed and painted with red timber marking paint. The second witness point is situated North $00^{\circ}05'25''$ West, 136.00 feet from the centereast one-sixteenth corner of Section 33 and South $00^{\circ}05'25''$ East, 100 feet +/- from the deed call to the center of Elk Creek, and serves to define the East boundary line of the tract described in document number 91-15631, book 1153, page 839, Deed Records of Douglas County, Oregon.

Basis of Bearing:

Solar observation from survey number RM1-62, Douglas County Surveyor's records; East-West centerline of the Northeast one quarter of Section 33 as measured between the Northeast one-sixteenth corner of said section and witness corner lying North $89^{\circ}37'00''$ West, 50.00 feet from said Northeast one-sixteenth corner. Basis of Bearing was verified by ties to monuments from survey number M70-61 and survey number M101-57, Douglas County Surveyor's Records.

Equipment:

Wild T-2 Theodolite and Sokkisha Red 2L Distance measuring Meter.

Corners accepted for control

One quarter corner common to Sections 33 and 34, Township 30 South, Range 2 West.

At the corner point I found an "X" carved in bedrock on the South bank of Elk Creek set by Bruce Shaner, P.E. 4906 in 1967, reference record survey number RM1-61, Douglas County Surveyor's Records. At the exact center of the carved "X" I cemented a 3-inch diameter brass disk marked:

T30S R2W
1/4
S33 + S34
1992
LS1071

From which the following references :

An 18-inch diameter fir bears N 19°07'E, 98.80 feet. (Record N 16° E 98.60 feet.) Healed blaze.

A 20-inch diameter cedar bears N 65°23' E, 87.40 feet. (Record N 65°E, 86.80 feet.) Healed blaze.

A 14-inch diameter fir bears N 51° 51'W, 111.70 feet. (Record N 53° W, 111.70 feet.) Healed blaze.

A 2 inch diameter iron post with a 2 1/2 inch diameter brass cap marked, "T30SR2W, WC 1/4 S33-S34, PLS 866, 1979, 94.77." bears S00°28'19"W, 94.70 feet. (Record S 00°10'17" W, 94.77 feet.)

Center one Quarter corner of Section 33, Township 30 South, Range 2 West.

At the corner point I found a 2 1/2 inch diameter iron post with a 2 1/2 inch diameter brass cap (projecting one inch from a mound of stone) established by William Ruppert, LS 866 in 1979, reference record survey number M70-61, Douglas County Surveyor's Records, marked;

T30S R2W
C 1/4
S33
RLS 866
1979

From which the following references:

An 18-inch diameter fir bears N 07°06' W, 27.90 feet. (Record N 07°38' W, 27.80 feet.)

An 11-inch diameter cedar bears N 56°54' E, 26.50 feet. (Record N 56°46'E, 26.30 feet.)

Northeast one-sixteenth corner of Section 33, Township 30 South, Range 2 West.

At the corner point I found a 2-1/2 inch brass disk set flush in a 6-inch diameter concrete cylinder established by Bruce Shaner, P.E. 4906 in 1967, reference record survey number RM1-62, Douglas County Surveyor's records, marked:

U.S.D.A. A.S. Boundary
NE
1/16 S33
1967
ORE. 4906

From which the following references:

A 36-inch diameter fir bears N 24°33'W, 14.40 feet. (Record N 27°W, 12.7 feet.)

A 22-inch diameter fir bears S 77°20'W, 10.80 feet. (Record S 75°W, 12.0 feet.)

A 2 1/2 inch diameter brass disk set 6 inches below the surface bears N 89°37' W 50.00 feet distance.

Woodward's Northeast one-sixteenth corner, Section 33

At the corner point as determined from the remaining bearing trees I set a 5/8 inch diameter , 8 inch long iron pin flush with the pavement of the U.S.D.A. Forest Service Administrative Site parking area with a 1 1/2 inch diameter aluminum cap marked:

LS 1071
.
1992

From which the following references marked by Woodward in 1926:

A rotted stump of indeterminate species bears S 69° W, 30.0 feet

A 24-inch diameter fir stump with an "X" carved in the Northwest face bears S 58° 30' E, 27.0 feet to the "X".

No evidence of the remaining original northeast BT.

Corners Established This Survey

Center East 1/16 corner of Section 33, Township 30 South, Range 2 West.

At the corner point I set a 2-1/2 inch diameter, 30-inch long iron post, with a 2-1/2 inch brass cap marked:

T30S R2W
E 1/16
C---C
S33
1992
LS 1071

From which the following references:

A 9-inch diameter fir bears S28° 25' E, 16.00 feet.
Scribed: CE 1/16 S33 LS1071BT

A 7-inch diameter fir bears S31° 42' W, 9.60 feet.
Scribed: CE 1/16 S33 LS1071BT

Witness point on the south half of the north-south centerline of the northeast quarter, Section 33, Township 30 south, Range 2 west, north of the Trail-Tiller Highway, herein before described.

At the corner point I set a 2-1/2 inch diameter, 30-inch long iron post in a collar of stone with a 2-1/2 inch brass cap marked:

T30S R2W
S33
W P
-|-
1992
LS1071

From which the following references:

A 5-inch diameter fir bears N 76°15'E, 4.10 feet.
Scribed: WPS33LS1071BT

A 7-inch diameter madrone bears S 13°40'W, 4.40 feet.
Scribed: WPS33LS1071BT

The existing centerline (painted line) of the Tiller-Trail highway bears S 00°05'25"E 41.81 feet distance.

Witness point on the south half of the north-south centerline of the northeast quarter, Section 33, Township 30 south, Range 2 west, south of Elk Creek, hereinbefore described.

At the corner point I set a 5/8-inch diameter, 24-inch long iron pin, 24 inches in the ground, with a 1-1/2 inch diameter aluminum cap marked:

1992
W · P
LS1071

From which the following references:

An 22-inch diameter hemlock bears S 43°16'W, 26.80 feet.
Scribed: WP BT

A 13-inch diameter hemlock bears N 86°14'W, 15.70 feet.
Scribed: WP BT

The center of Elk Creek bears N 00° 05' 25"W, 100.00 +/- feet distance.

Date of Survey: Survey Commenced - August 8, 1992
Survey Completed - November 25, 1992

Survey consists of One (1) sheet map and eight (8) pages of narrative.

HAROLD L. CENTER
Registered Professional Land Surveyor
Oregon Certificate No. 1071
Rogue River National Forest
P.O. Box 520
Medford, Oregon 97501
(503)776-4253

(SEAL)



Certificate expires December 31, 1993