



United States Department of the Interior

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

IN REPLY REFER TO

9631 (OR-957)
Douglas Co., OR

APR 07 2010

FILED
Date: 5/5/2010 By: JC
This survey consists of:
Map: M157-24
Narrative: _____
Corner Rpt: CS 65/70-S
DOUGLAS COUNTY
SURVEYOR

Mr. Kris DeGroot, PLS
BTS Engineering and Surveying
P.O. Box 222
Roseburg, OR 97470

Dear Mr. DeGroot:

This is in response to your letter received March 23, 2010, requesting advice on the acceptance or rejection of the Thompson $\frac{1}{4}$ section corner of sections 26 and 27, T. 31 S., R. 3 W., WM, Oregon.

When evaluating local corners established under State authority, and duly filed in the county records, we attempt to apply the same standard as when evaluating surveys executed by this office under Federal authority. The following guidelines are used by this office:

1. Was the corner established by a surveyor who was qualified to perform land surveys according to State regulations?
2. Is the record complete or are there ambiguities which cannot be satisfactorily resolved?
3. Was the corner established using proper control and proper procedures? Were the areas returned on the official plat of survey protected?
4. How long has the corner been in place and has it been relied upon by local landowners to mark their boundaries?
5. Has the corner been used by other surveyors?
6. Has the corner been used in deeds to convey land?
7. Are errors in positioning minor technical errors or gross errors?
8. Is the Federal land public domain, acquired, or re-conveyed?
9. Can you defend your decision if challenged? On what basis?

The answers to the above questions for the $\frac{1}{4}$ section corner of section 26 and 27 are:

1. The surveyor was qualified and the record is filed in the county records.
2. The record is complete and the procedure is clear.
3. The control and procedure are correct, but you could argue that the plat was not protected because the corner is out of position.
4. The corner has been in place for 50 years. It has been relied upon by the U.S. Forest Service for their boundary with BLM and has probably been relied on for timber cutting in section 26.

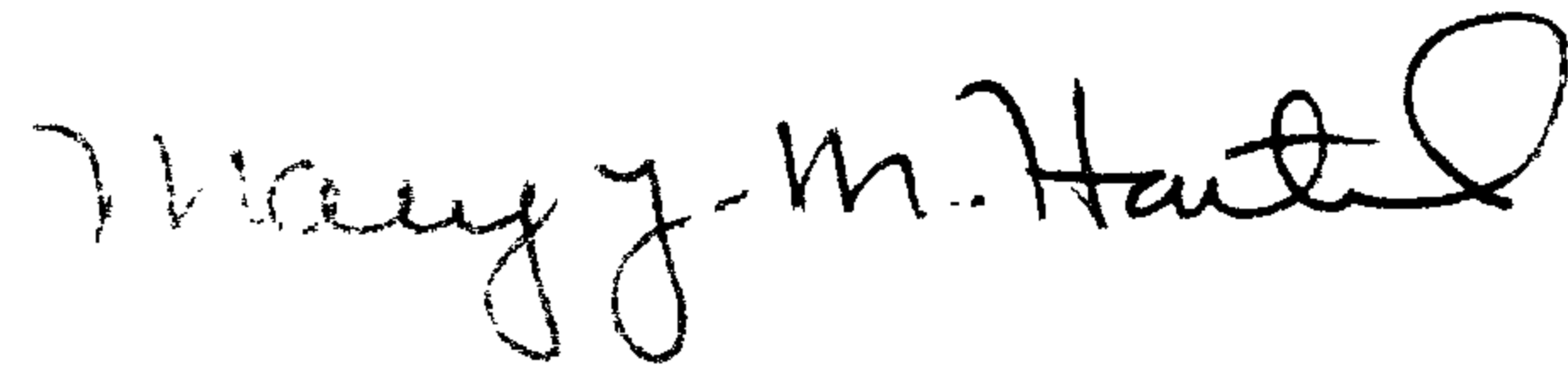
C.S. File No 65/70-S

5. The corner was remonumented by Glenn Baughman in 1979. There are no records of either section being subdivided.
6. Due to the ownership pattern, it is highly unlikely that any deed has referenced the monument. Everything in these sections appears to be aliquot part descriptions.
7. This is the tough one. We have accepted corners with larger errors but generally there was substantially more use by land owners or surveyors.
8. The O & C land is re-vested and the U.S. Forest Service land is reserved public domain.

This is a difficult call. On one hand, 31 feet is a significant error, but the corner has been in place for 50 years. In a similar situation involving a BLM corner, this office recently corrected the earlier survey. The key factor in that decision was the fact that correcting the survey had no significant negative effect on the government, private land owners or local surveyors. I believe the same can be said about the $\frac{1}{4}$ section corner of section 26 and 27.

Without actually conducting an official resurvey we have no authority to make the final decision on this corner point, and this letter should not be construed as direction to you, but is advisory only. If you have questions or need additional information please contact Ron Scherler at 503-808-6147.

Sincerely,



Mary J.M. Hartel
Chief Cadastral Surveyor of Oregon