

COUNTY SURVEYOR'S RECORD, DOUGLAS COUNTY, OREGON

BUSHONG & CO. PORTLAND ORE. S7545

Survey No. Made on
In Town. Range Sec.
Made for
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From the 1/4 section cor. on the East side of Sec. 12 I run a traverse West through the center of said section to a post setting in a fence corner, which, it appeared, has been used for the 1/4 sec. cor. on the west side of sec. 12. A pine snag may possibly have been an old BT. No evidences of trees of record could be found. This point is on a North and South blazed line and, from the topography, is probably the original corner. I consider it the best evidence available as to the location of said corner. This gives a line East and West through the center of sec. 12 as bearing N 87°13' W 81.337 chs.

At the intersection of this line with the west line of the nemick Cowles DLO #37 I set the SE corner of Lot 2 of said section 12 a 3/4" x 36" G. I. P., from which a white oak 10" in dia. bears N 87° W 52 lks. and a white oak 8" in dia. bears N 37° E 19 lks, and at the intersection of said East and West line with a North and South line between the S 1/4 corner of sec. 12 and the N 1/4 corner of sec. 1, I set for the center 1/4 cor. of sec. 12 a 3/4" x 36" g. I. P., from which a black oak 14" in dia bears N 85° E 25.8 ft. and a black oak 12" in dia. bears S 46° E 30 ft.

In regard to the corners North of the South line of section 12 and West of the range line between ranges 5 and 6, I find it impossible to make any of these agree with the corners as shown in the records of the Public Survey Office in Portland. At every location a very diligent and extensive search was made in an endeavor to find traces which might lead to the discovery of corners as of record. In so far as line notes of the original survey were concerned the topography checks reasonably close as did bearings and distance. The bearing trees were marked at the time called for for making of original surveys. This I determined from a count of the annual growth rings. I wrote to the Public Survey Office explaining the situation to them and received the following letter:

May 1, 1929

Mrs. Ben B. Irving, Deputy County Surveyor, Roseburg, Oregon. Dear Sir:

Receipt is acknowledged of your letter of April 30th, making inquiry relative to a survey you have been making and transmitting a sketch in regard thereto. In reply you are advised that we are restrained by Departmental Order from giving technical advice of a legal nature, therefore, the questions submitted by you are not in line for answer by this office.

Under the contract system of making public land surveys, many surveys were made and rejected and on some occasions surveys were made in anticipation of an award of contract. In such instances the surveys are invalid and have no official status and consequently are not recognized. Our engineers are frequently confronted with just such problems as you have encountered, and it is the uniform practice for them to reject all corners that do not qualify as acceptable and in reasonable agreement with the record description. No other course is justifiable. In the absence of a corner monument, where could you establish a corner with reference to bearing trees that are not of record, Your problem is for solution according to the existing evidence of the survey of record, and if the parties of interest are not satisfied, they must then appeal to the local Court of competent jurisdiction.

The sketch submitted with your letter is herewith enclosed.

Yours truly,
Joseph A. Canong
Office Cadastral Engineer

After completing the map I consulted with the district attorney regarding the ~~renewal~~ of corners as found and he expressed it as his opinion that the method followed was the best under these circumstances as noted in the letter from the Public Survey office. This is as high a decision as is obtainable without an appeal being made to the Circuit Court.

References made to the attached map which is a part of this record.

In regard to the 1/4 sec. corn. between sections 1 and 12 it will be noted that the original BT's are located a considerable distance off of a true line between the section corners. In as much as this corner had no material effect upon the West property line I decided to omit the renewal of this corner.

Ben B. Irving
Deputy County Surveyor

May 25 1925