

MAP FILE M99-418

FILED CMO
RECEIVED *jh*

SEP 18 1985

COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.
CMO

DESCRIPTIONS:

PARCEL ONE:

A parcel of land being a portion of Lot 1 of Block 2 of "MARION ACRES" as recorded in Volume 6, Page 32 in the Plat Records of Douglas County, Oregon, all lying in Section 21, Township 28 South, Range 6 West, Willamette Meridian, said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod at the northwest corner of the above said Lot 1 from which point the northwest corner of the above said Block 2 bears N88°34'35"W 280.00 feet; thence along the north line of said Lot 1 S88°34'35"E 49.05 feet to a 5/8" iron rod; thence leaving said north line S1°25'45"W 130.06 feet to a 5/8" iron rod in the northerly line of Oak Street; thence along said northerly line N88°34'15"W 83.12 feet to a 5/8" iron rod at the southwest corner of said Lot 1; thence along the westerly line of said Lot 1 N16°06'28"E 134.44 feet to the point of beginning and containing 0.197 acres of land, more or less.

PARCEL TWO:

A parcel of land being a portion of Lot 1 of Block 2 of "MARION ACRES" as recorded in Volume 6, Page 32 in the Plat Records of Douglas County, Oregon, all lying in Section 21, Township 28 South, Range 6 West, Willamette Meridian, said parcel being more particularly described as follows:

Beginning at a 5/8" iron rod in the north line of the above said Lot 1 from which point the northwest corner of the above said Block 2 bears N88°34'35"W 329.05 feet; thence along said north line S88°34'35"E 105.97 feet to a 5/8" iron rod in the westerly line of the Old Pacific Highway (U.S. No. 99); thence along said westerly line along the arc of a spiral curve to the right (the long chord of which bears S19°16'04"W 45.14 feet) 45.14 feet to a 5/8" iron rod at Station 1155+81.0 P.C.S. and along the arc of a 2794.8 foot radius curve to the right (the long chord of which bears S20°40'07"W 92.25 feet) 92.25 feet to a 5/8" iron rod at the southeast corner of said Lot 1; thence along the northerly line of Oak Street N88°34'15"W 61.75 feet to a 5/8" iron rod; thence leaving said northerly line N1°25'45"E 130.06 feet to the point of beginning and containing 0.252 acres of land, more or less.

NARRATIVE:

Survey for the purpose of partitioning into two parcels Lot 1 of Block 2 of "MARION ACRES" as recorded in Volume 6, Page 32 in the Plat Records of Douglas County, Oregon. It should be noted that there is an excessive amount of distance (over record) along the north line of Block 2 and the north line of Oak Street. It is this surveyors opinion that a mistake was made on the original plat in intersecting the westerly line of the Old Pacific Highway and that it was the original surveyors intent that Lots 2 & 3 be 140 feet in width. Improvements throughout the subdivision substantiate this, along with the location of the original 1" iron pipe found at the northwest corner of Lot 6. If proportioning was used, houses and fences in Lots 2 & 3 would overlap into adjacent properties. In reference to "Boundary Control and Legal Principles" (2nd addition) by Curtis M. Brown it states on Page 191 - Principle 2 "Proportionate measurement can not be used to distribute a mistake that can be proved to exist in one place; i.e., the rule of a blunder". Therefor, it is this surveyors opinion that in this case the excess distance should fall within Lot 1. Record Surveys: Plat of "MARION ACRES" (Vol. 6, Page 32), and M 61-4. Field Crew: Romey Ware and Mike Radcliffe. Equipment: Wild T-16 theodolite mounted with a Nikon N.D. 160 E.D.M. Office: Romey Ware.

APPROVALS:

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Romanso E. Ware

OREGON
NOV 16, 1973
ROMANSO E WARE
1005

Floyd R. Stutzman
Chairman - Winston Planning Commission

David R. Waffle
City of Winston - Administrator

Francis L. Ingram
Douglas County Surveyor

9/11/85
Date

9-4-85
Date

9-18-85
Date

STATE OF OREGON)
COUNTY OF DOUGLAS) SS.

I, DORIS L. WADSWORTH, COUNTY CLERK AND RECORDER OF CONVEYANCES, IN AND FOR SAID COUNTY, DO HEREBY CERTIFY THAT THE WITHIN INSTRUMENT WAS RECORDED THIS DAY:

SEP 19 11 18 AM '85

BY *Mary L. Keel*
DEPUTY
NO. _____ FEE *12.00 Pd*

DOUGLAS COUNTY OFFICIAL RECORDS

85-11718

M99-418