

RECORD OF SURVEY

LOCATED IN
NW1/4, SECTION 15, T.26S., R.6W., W.M.
DOUGLAS COUNTY, OREGON

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO LOCATE, RESOLVE, AND MONUMENT THE DEED BOUNDARIES OF THE OSHELL FAMILY TRUST PROPERTY AS DESCRIBED IN DEED INSTRUMENT NO. 2011-009978 OF THE OFFICIAL RECORDS OF DOUGLAS COUNTY, OREGON, AND THE LATALL-OSHELL BOUNDARY AGREEMENT LINE RECORDED AS INSTRUMENT NO. 2015-005212, ALSO THE MICHAEL & CHERRY OSHELL PROPERTY GRANTED BY HENRY UNDER THE LISTED DEED INSTRUMENTS AND BY THE QUIET TITLE ACTION OF DOUGLAS COUNTY CIRCUIT CASE NO. 19CV32638, AND ALSO TO SURVEY AND MONUMENT A NEW BOUNDARY AGREEMENT LINE BETWEEN OSHELL AND BRUMFIELD.

BOUNDARY RESOLUTION:

WEST BOUNDARY: THE WESTERLY BOUNDARY OF OSHELL TRUST PER INSTRUMENT NO. 2011-009978 IS CONTROLLED BY THE VOL. 8, PG. 248 ROAD RECORD, WHICH IN 1917 DEEDED A 40' R/W FROM W.R. VINSON ET AL TO DOUGLAS COUNTY AND ALSO VACATED THE OLD COUNTY ROAD ON THE EAST SIDE OF THE PROPERTY. I HOLD THE RECORD ROAD DESCRIPTION COURSES ON THE SECTION CORNER AND ROTATE 1°59'08" TO THE RIGHT UNTIL THE INITIAL POINT MATCHES THE EXISTING AS-BUILT CENTERLINE OF ROAD NO. 89 BROZIO RD AT POINT "A". THE 12'-14" WIDE AS-BUILT ASPHALT ROAD FALLS MOSTLY WITHIN THE ROAD DESCRIPTION THROUGHOUT THE OSHELL PROPERTY, AND THE COMMON OSHELL-BRUMFIELD DEED POINT "G" FALLS CLOSE TO THE AS-BUILT CENTERLINE. THE ROAD CENTERLINE AND 40' R/W NORTH OF POINT "A" WAS RESOLVED BY HOLDING THE AS-BUILT CENTERLINE AND TERMINATING ON THE SECTION LINE. EAST BOUNDARY OSHELL TRUST-FAURTOT SURVEY: THE EASTERLY DEED LINE IS CONTROLLED BY A 1921 DEED FROM SCOTT HENRY TO LAURA FAURTOT, VOL. 82, PG. 578, WHICH DEEDED TO FAURTOT 35.09 ACRES IN THE NORTH HALF OF THE NORTHWEST 1/4 OF SECTION 15. THE ORIGINAL RECORDED FAURTOT DEED DESCRIPTION HAS OBVIOUS TRANSCRIPTION ON THE FACE OF THE DOCUMENT, AND A CLOSURE ERROR OF 98 FEET IN 6335 FEET OF BOUNDARY, OR CLOSURE RATIO OF 1:64. BECAUSE OF THESE OBVIOUS ERRORS, EXTRINSIC EVIDENCE IS REQUIRED TO RESOLVE THE AMBIGUITY IN THE ORIGINAL DEED DESCRIPTION. IN THE COURSE OF MY RESEARCH AT THE DOUGLAS COUNTY SURVEYORS OFFICE I DISCOVERED C.S. FILE NO. 1/62 AND ORIGINAL FIELD BOOK 17=54, WHICH CONTAINED A LETTER FROM LAURA FAURTOT REQUESTING A SURVEY, THE ORIGINAL SURVEY NOTES AND COMPUTATIONS BY H.L. EPPSTEIN, AND AN ORIGINAL CARBON-COPY TYPED LEGAL DESCRIPTION. THIS SURVEY WAS PERFORMED ON 6/11/1921 BY H.L. EPPSTEIN, N.E. RICHARDSON, AND SCOTT HENRY & SON, WHICH SURVEYED THE ENTIRE EXTERIOR BOUNDARY OF THE PARCEL, BEGINNING AT THE ORIGINAL SECTION CORNER AND WITH BEARINGS BASED ON A SOLAR OBSERVATION. THE FINAL ADJUSTED SURVEY DESCRIPTION ALONG WITH THE ACREAGE COMPUTATIONS FOR 35.09 ACRES WAS FOUND ON PAGE 4 OF THE EPPSTEIN SURVEY CALCULATION SHEETS, WHICH WAS COMPUTED IN SURVEY FEET AND HAD A CLOSURE RATIO OF 1:2500. I NOTED 6 SEPARATE ERRORS IN BEARING AND DISTANCE FROM THIS ADJUSTED DESCRIPTION TO THE VOL. 82, PG. 578 DESCRIPTION; TRANSPOSITION IN BEARINGS AND WRONG CONVERSIONS FROM FEET TO CHAINS. THEREFORE I ACCEPT THE ADJUSTED DESCRIPTION FOUND IN C.S. FILE NO. 1/62 AS THE TRUE AND CORRECT DESCRIPTION, CLARIFYING THE AMBIGUITIES IN VOL. 82, PG. 578, AND HOLD THIS DESCRIPTION ON THE SECTION CORNER, WITH NO ROTATION. THE FAURTOT DEED CALLS COURSES "DOWN THE ABANDONED COUNTY ROAD". MOST ALL OF THE UPPER SECTIONS OF THE OLD ROAD BED HAVE BEEN DESTROYED, BUT AS SHOWN ON THE MAP, A LARGE PORTION OF WHAT APPEARS TO BE THE ORIGINAL ROAD BED IS STILL IN PLACE THROUGH THE BRUMFIELD-HENRY PROPERTY. AT THE 3 EASTERLY DEED POINTS THE CENTER OF THE OLD ROAD IS BETWEEN 28' TO 40' AWAY. THE STATUTORY WIDTH FOR A COUNTY ROAD OF THIS PERIOD WAS 60' WIDE, 30' EACH SIDE OF CENTERLINE. AFTER CAREFUL ANALYSIS IT IS MY OPINION THAT IT WAS THE INTENT OF MR. HENRY TO RESERVE THE ROAD, AND DEED THE PROPERTY THAT WAS WESTERLY AND SOUTHERLY OF THE ROAD R/W LINE TO FAURTOT. THIS IS BASED ON THE FACT THAT MR. HENRY WAS PRESENT WITH THE SURVEYORS ON THE GROUND DURING THE COURSE OF THE SURVEY, AND MOST PROBABLY DIRECTED THEM AS TO THE LOCATION OF THIS BOUNDARY LINE. OSHELL FAMILY TRUST-BRUMFIELD RESOLUTION: THE OSHELL-BRUMFIELD DEEDS MATCH BOTH AT THE VOL. 8, PG. 248 ROAD RECORD CENTERLINE POINT "F", AND THE FAURTOT-HENRY MAIN ANGLE POINT, BOTH CALLING A COURSE "NORTHEASTERLY (SOUTHWESTERLY) 345 FEET, MORE OR LESS" BETWEEN SAID POINTS. THE OSHELL DEED MAKES SPECIFIC MENTION AND BOUNDING CALLS TO THE VOL. 82, PG. 578 FAURTOT DEED; THE BRUMFIELD DEED MAKES BOUNDING CALLS TO THE HENRY PROPERTY AND THEN LISTS THE VOL. 82, PG. 578 COURSES TO THE ANGLE POINT. I DO NOT ACCEPT THE BRUMFIELD DEED TO LOCATE THE FAURTOT-HENRY CORNER POINT BECAUSE IT ERRANTLY PLACES THE FAURTOT DEED COURSES ON THE HENRY-LARAUT FENCE CORNER RATHER THAN THE SECTION CORNER. THE OSHELL FAMILY TRUST-BRUMFIELD BOUNDARY WAS RESOLVED BY THE LATALL-OSHELL BOUNDARY AGREEMENT RECORDED AS INSTRUMENT NO. 2015-005212. AS SPECIFIED ON PAGE ONE OF THAT DOCUMENT DETAILING THE LONGSTANDING FENCE LINE, IT IS STATED "THIS FENCE MAY EXTEND PAST THE PARTIES COMMON BOUNDARY", OF WHICH POINT "B" IS THE LIMIT OF OSHELL FAMILY TRUST TITLE, AND THE ACTUAL TERMINUS OF 2015-005212. OSHELL-HENRY RESOLUTION: TO PROPERLY ESTABLISH THE N-S CENTERLINE OF THE NW 1/4 OF S15, I SET THE W 1/16 CORNER OF S10/S15, AND HOLD THE CW 1/16 CORNER MONUMENTED UNDER M 126-9. THE LISTED OSHELL-HENRY DEEDS ARE QUALIFIED TO THE ROAD R/W ON THE WEST, THE OSHELL TRUST DEED INSTRUMENT 2011-009978 ON THE WEST, AND THE BRUMFIELD DEED INSTRUMENT 2016-002544 ON THE SOUTH. THE LEGAL DESCRIPTION OF THE QUIET TITLE ACTION 19CV32638 IS QUALIFIED TO THE FAURTOT DEED VOL. 82, PG. 578. IT IS MY OPINION THAT THE OSHELL TITLE RECEIVED FROM HENRY EXTENDS INTO THE CONFLICTED TITLE AREA BOUNDED BY POINTS "B"- "C"- "H", AND THAT BRUMFIELD HAS NO TITLE (OTHER THAN OCCUPATION) NORTHERLY OF POINT "F", AND CLOUDED TITLE IN THE AREA BETWEEN POINTS "C" AND "F" CAUSED BY THE DISPARATE LOCATIONS OF THE DEED COURSES BEING CONTROLLED BY POINT "E" (WHICH HAS MERIT BECAUSE IT IS A PHYSICAL MONUMENT THAT IS CALLED IN THE DEED AND NOTIFIED INTENT) OR IN MY OPINION THE CORRECT RESOLVED LOCATION OF THE FAURTOT DEED CORNER AT POINT "D".

BOUNDARY NOTES:

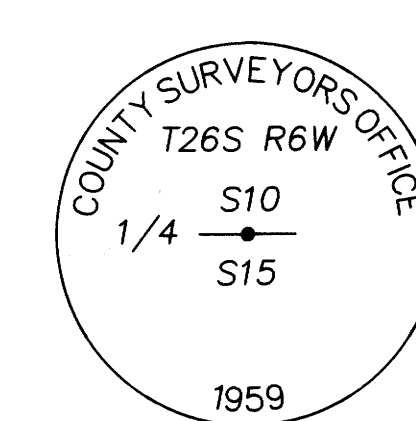
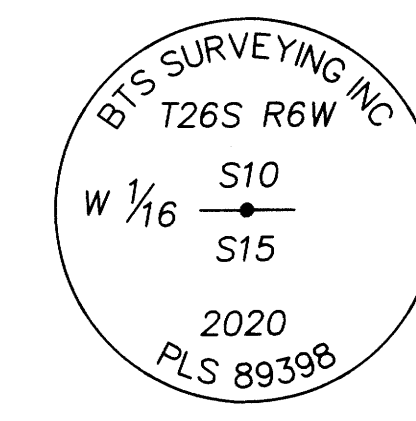
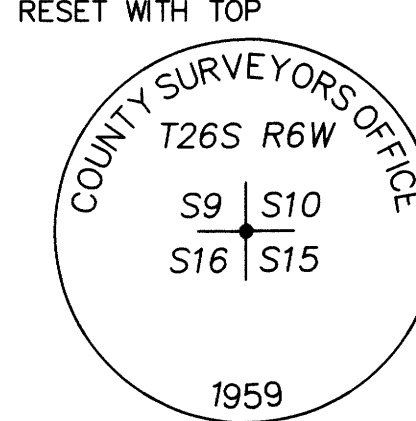
- A. INITIAL POINT OF ROAD RECORD VOL. 8 PAGE 248 ~ "942.8 EAST & 237.4 SOUTH OF SEC. COR. 9-10-15-16"
- B. INTERSECTION OF OSHELL DEED INST. NO. 2011-009978 AND BOUNDARY AGREEMENT INSTRUMENT NO. 2015-005212. THE LIMIT OF THE OSHELL FAMILY TRUST TITLE.
- C. "WESTERN MOST SOUTHWEST CORNER OF THE LAND OWNED BY SCOTT HENRY"...AND ALSO BEING THE INTERIOR CORNER OF PARCEL CONVEYED TO LAURA A FAURTOT CALLED IN OSHELL FAMILY TRUST DEED 2011-009978.
- D. SOUTHEAST CORNER OF FAURTOT DEED - COMPUTED AND RESOLVED PER SURVEY C.S. FILE NO. 1-26
- E. 12" ANCIENT CEDAR CORNER POST HENRY-LARAUT COMMON CORNER CALLED IN BRUMFIELD DEED INSTRUMENT NO. 2016-002544
- F. ERRANT LOCATION OF MOST NORTHERLY CORNER OF THE ORIGINAL BRUMFIELD DEED, PLACING RECORD DEED COURSES ON THE CALLED FENCE CORNER AT POINT "E"
- G. COMPUTED CENTERLINE POINT AND "TRUE POINT OF BEGINNING" OF BRUMFIELD DEED INSTRUMENT NO. 2016-002544 ALSO A COMMON POINT WITH THE ORIGINAL OSHELL FAMILY TRUST DEED INSTRUMENT, NO. 2011-009978
- H. POINT-OF-BEGINNING (POB) OF OSHELL-BRUMFIELD BOUNDARY AGREEMENT INSTRUMENT NO. 2021-012572.

CORNER DESCRIPTIONS:

ALL NEW BEARING TREES HAVE DOUBLE BLAZED FACES WITH A 1" BRASS WASHER STAMPED "DEGROOT PLS89398" NAILED INTO THE LOWER BLAZE. ON ALL NEW AND EXISTING BEARING TREES, BEARINGS ARE TAKEN TO THE CENTER OF THE TREE AT THE ROOT CROWN AND DISTANCES ARE MEASURED TO A 6" CHAINING NAIL IN THE ROOT CROWN AT THE SIDE AND CENTER OF THE TREE WITH A TOTAL STATION. ALL BEARING TREES HAVE A 6" RED BAND PAINTED AROUND THE TREE AND THE BLAZED FACES PAINTED RED, WITH BEARING TREE SIGNS.

- 1. S9/S10/S15/S16 PLS ID NO. T26SR6W 400500 FOUND A 1 1/4" IRON POST BY DCSO IN 1959 PER C.S. FILE NO. 49/121, LOOSELY SET 18" OUT OF GROUND AND LEANING SEVERELY NORTHERLY DOWNHILL. I REFERENCE BASE OF POST AT THE FLANGES AND RESET WITH TOP PROJECTING 14" ABOVE THE GROUND, WITH 2 1/2" BRASS CAP STAMPED:
FROM WHICH BEARING TREES BY JAMES BYRON IN 1959:
A 43" CEDAR BEARS N.57°30'E., 51.3 FT WITH HEALED BLAZE
A 18" D.FIR STUMP BEARS N.46°30'W., 20.6 FT WITH HEALED BLAZE
A 20" D.FIR STUMP BEARS S.78°W., 30.0 FT WITH HEALED BLAZE
AND A BEARING TREE BY MILO GODFREY IN 1964 PER C.S. FILE NO. 52/87:
A 15" W.OAK BEARS S.53°30'E., 95.4 FT WITH HEALED BLAZE (BTS WERE MEASURED FOR NEW DIAMETERS IN 2013, WITH DCSO RECORDS LISTED)

- 2. W 1/16 S10/S15 PLS ID NO. T26SR6W 420500 SET A 5/8" x 30" IRON ROD, 30" IN THE GROUND, W/A 2" ALUMINUM CAP STAMPED:
FROM WHICH NEW BEARING TREES:
A 8" D. FIR BEARS N.29°30'E., 29.9 FEET SCRIBED "W 1/16 S10 BT" ON DBL BLAZE
A 8" D. FIR BEARS S.56°30'E., 25.7 FEET SCRIBED "W 1/16 S15 BT" ON DBL BLAZE
A 6" WOOD FENCE CORNER OF FENCES WEST & SOUTH BEARS N.80°W., 1.0 FEET
- 3. 1/4 S10/S15 PLS ID NO. T26SR6W 440500 FD. A 1 3/8" IRON POST, BY DCSO IN 1959 PER C.S. FILE NO. 49/121, FIRMLY SET & PROJECTING 15" ABOVE THE GROUND, WITH A 2 1/2" BRASS CAP MARKED:
FROM WHICH THE ORIGINAL BEARING TREES:
A 30" W. OAK BEARS N.11°E., 35.0 FT W/HEALED LOWER AND ROTTED UPPER BLAZE [N.12 1/4"E., 52 LKS]
A ROOT HOLE OF DOWN 28" W. OAK BEARS S.75°30'E., 154.3 FT [S.75 1/4"E., 232 LKS]
AND A BEARING TREE BY DCSO IN 1959:
A 14" W. OAK BEARS S.61°45'W., 28.9 FT W/HEALED DBL BLAZE [S.61°W., 28.6"]
AND NEW BEARING TREES:
A 11" D. FIR BEARS S.5°E., 34.2 FT SCRIBED "1/4 S15 BT" ON DBL BLAZE
A 12" D. FIR BEARS N.61°45'W., 71.2 FT SCRIBED "1/4 S10 BT" ON DBL BLAZE

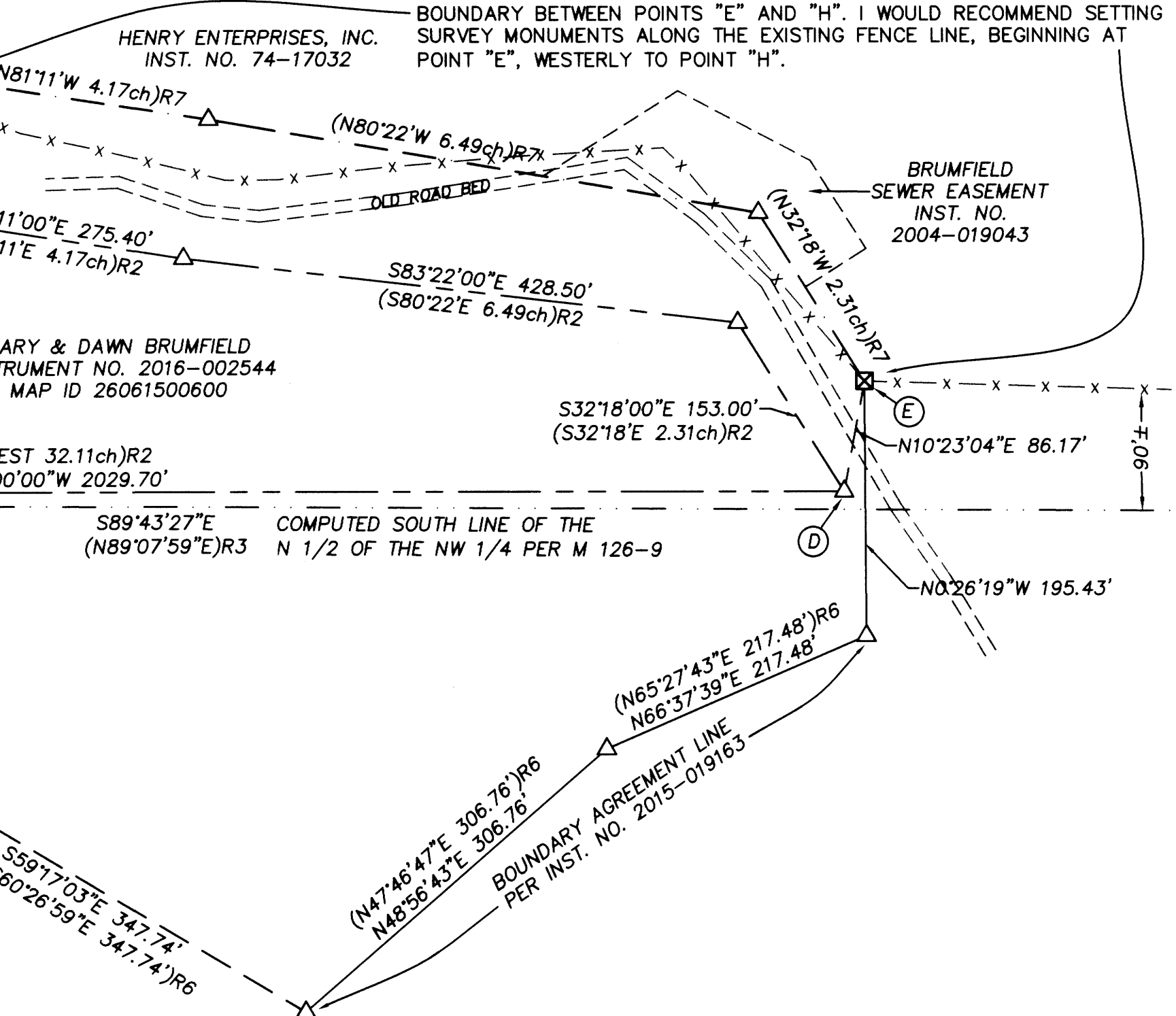


SURVEY CONTROL PROCEDURE:

A STATIC GPS NETWORK SURVEY WAS PERFORMED IN JANUARY 2013 AND PROCESSED HOLDING THE CORS STATIONS "DCSO" AND "YONG" FIXED. THE RESULTING GEODETIC COORDINATES WERE THEN PROJECTED ONTO THE OREGON COORDINATE REFERENCE SYSTEM, COTTAGE GROVE-CANYONVILLE ZONE. CLOSED LOOP TRAVERSES WERE RUN AND ADJUSTED BY THE METHOD OF LEAST SQUARES IN LEICA GEO OFFICE. ALL SURVEY OBSERVATIONS WERE TAKEN USING LEICA SYSTEM 1200 GPS RECEIVERS AND A LEICA TORP 1203 AND LEICA TS15 TOTAL STATIONS.

THIS ORIGINAL FIELD WORK WAS PERFORMED IN JANUARY 2013 BY LESTER FANNING AND ADAM DEGROOT. THE CURRENT FIELD WORK WAS COMPLETED BETWEEN JANUARY 2020 AND JUNE 2021 BY ADAM DEGROOT AND RUSSELL BADGLEY, WITH COMPUTATIONS AND DRAFTING BY ADAM DEGROOT.

NOTE: IT IS RECOMMENDED THAT A BOUNDARY AGREEMENT AND SURVEY BE PURSUED BY BRUMFIELD OR THEIR SUCCESSORS IN TITLE WITH HENRY ENTERPRISES, INC. TO RESOLVE THE AMBIGUOUS LOCATION OF THE BOUNDARY BETWEEN POINTS "E" AND "H". I WOULD RECOMMEND SETTING SURVEY MONUMENTS ALONG THE EXISTING FENCE LINE, BEGINNING AT POINT "E", WESTERLY TO POINT "H".



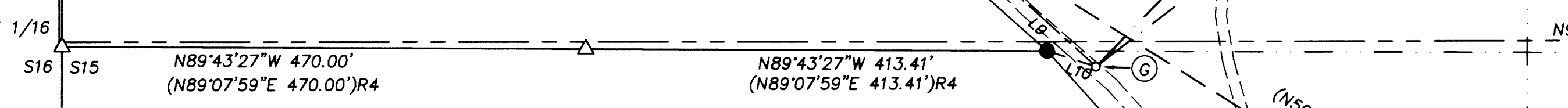
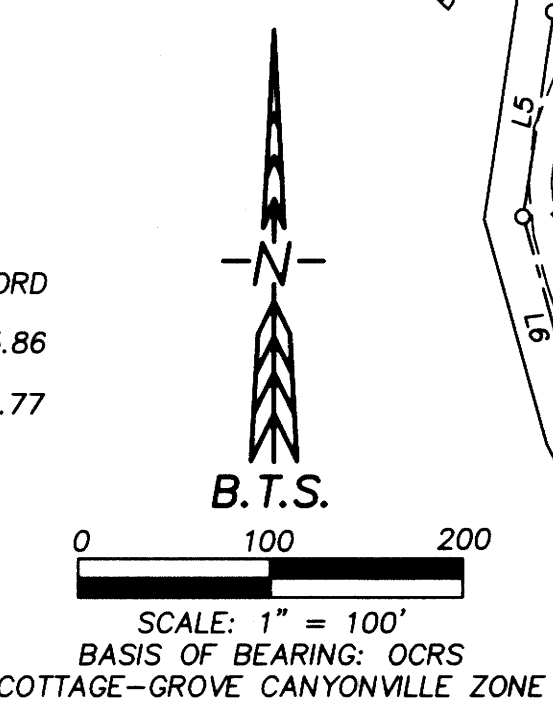
OCSR ZONE: COTTAGE GROVE - CANYONVILLE
REFERENCE DATUM: NAD83(CORS96) EPOCH 2002.00

REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON
MAY 26, 2015
ADAM DEGROOT
89398
RENEWS: 12-31-2021

POINT	LATITUDE	LONGITUDE
DCSO	43°12'39.61530"N	123°20'29.39067"W
YONG	43°38'02.78458"N	123°17'53.82524"W
400500	43°18'58.58738"N	123°24'22.88373"W
420500	43°18'58.54418"N	123°24'05.06448"W
440500	43°18'58.50021"N	123°23'47.24524"W
420440	43°18'32.43126"N	123°24'05.08730"W

NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
L1	S0°51'08"W	191.00 (S1°08'E 191.0')R1	L27	N41°08'52"W	71.25
L2	S6°47'08"W	150.00 (S4°48'W 150.0')R1	L28	N27°45'52"W	60.33
L3	S20°44'08"W	148.20 (S18°45'W 148.2')R1	L29	N15°37'52"W	109.08
L4	S35°19'08"W	212.30 (S35°20'W 212.3')R1	L30	N8°35'08"E	98.76
L5	S8°35'08"W	107.80 (S6°36'W 107.8')R1	L31	N35°19'08"E	210.11
L6	S15°37'52"E	115.50 (S17°37'E 115.5')R1	L32	N20°44'08"E	153.21
L7	S27°45'52"E	64.80 (S29°45'E 64.8')R1	L33	N6°47'08"E	153.48
L8	S41°08'52"E	78.80 (S43°08'E 78.8')R1	L34	N0°51'08"E	84.92
L9	S47°43'52"E	125.50 (S49°43'E 125.5')R1	L35	N0°51'08"E	110.29
L10	N72°11'29"W	46.21 (S43°16'39"E 149.25')R4	L36	S17°12'02"E	153.18
L11	S42°08'05"E	149.23 (S61°57'00"E 91.98')R4	L37	N17°12'02"W	150.00
L12	S60°53'07"E	91.90 (S83°17'59"E 107.27')R4	L38	S13°57'00"E	49.40
L13	S82°07'29"E	107.35 (S83°17'59"E 107.27')R4			
L14	N47°16'36"E	5.92 (N46°06'40"E 50.54')R5			
L15	N47°16'36"E	44.62 (N46°20'56"E 56.67')R5			
L16	N47°30'52"E	56.67 (N46°20'56"E 56.67')R5			
L17	N45°48'01"E	62.33 (N44°38'05"E 62.33')R5			
L18	N46°51'29"E	97.26 (N45°41'33"E 97.26')R5			
L19	N47°10'27"E	68.04 (N46°00'31"E 68.04')R5			
L20	N48°13'12"E	74.48 (N47°03'16"E 74.48')R5			
L21	N46°51'34"E	42.99 (N45°41'38"E 58.40')R5			
L22	N46°51'34"E	15.41 (N45°41'38"E 58.40')R5			
L23	N49°38'56"E	57.54 (N48°29'00"E 57.54')R5			
L24	S24°19'14"E	40.45			
L25	S33°57'43"E	41.72			
L26	S44°38'42"E	66.76			

NO.	DELTA	RADIUS	ARC	BEARING	CHORD
C1	10°05'27"	715.54	126.02	N12°09'19"W	125.86
C2	9°52'42"	695.54	119.92	N12°15'41"W	119.77



- ### LEGEND:
- ⊙ = SET 5/8" x 30" IRON ROD w/PLASTIC CAP "BTS SURVEYING"
 - ⊕ = SET 5/8" x 30" IRON ROD w/ 2" ALUMINUM CAP STAMPED AS NOTED
 - ⊙ = FOUND PLS CORNER AS NOTED IN THE CORNER DESCRIPTIONS
 - = FOUND 5/8" IRON ROD PER M 126-9 OR LAND PARTITION 2007-0155 A & B
 - = COMPUTED CENTERLINE POINT PER ROAD RECORD VOL. 8 PG. 248
 - ◆ = COMPUTED RIGHT-OF-WAY POINT
 - △ = COMPUTED POINT ~ NOT SET
 - = SURVEYED AND RESOLVED OSHELL BOUNDARY LINE
 - - - = RESOLVED FAURTOT DEED AND SURVEY LINE PER C.S. FILE NO. 1/62
 - · - · - = RESOLVED CENTERLINE BROZIO ROAD PER ROAD RECORD VOLUME 8 PAGE 248
 - · - · - = RECORD BRUMFIELD DEED LINE PER INSTRUMENT NO. 2016-002544
 - · - · - = COMPUTED PLS SUBDIVISION LINE
 - · - · - = COMPUTED SURVEY TIE LINE
 - x - x - x = EXISTING FENCE LINE

- ### RECORDS:
- (R1) = RECORD PER ROAD RECORD VOLUME 8 PAGE 248 - DEED FROM W.R. VINSON ~ 1917 BROZIO ROAD CO. RD. NO. 89
 - (R2) = RECORD PER DEED VOLUME 82 PAGE 578 - HENRY TO FAURTOT ~ 1921 AND SURVEY C.S. FILE NO. 1/62 - H.L. EPPSTEIN ~ 1921
 - (R3) = RECORD PER SURVEY M 126-9 - DAVID EDWARDS ~ 1996
 - (R4) = RECORD PER LAND PARTITION 2007-0155 A & B - DAVID EDWARDS ~ 2007
 - (R5) = RECORD PER INSTRUMENT NO. 2015-005212 ~ LATALL-OSHELL BOUNDARY AGREEMENT
 - (R6) = RECORD PER INSTRUMENT NO. 2015-019163 ~ LATALL-BOGGS BOUNDARY AGREEMENT & SURVEY M 170-36 - F. NEIL HIBBS ~ 2016
 - (R7) = RECORD PER INSTRUMENT NO. 2016-002544 ~ LATALL TO BRUMFIELD STATUTORY WARRANTY DEED

BTS SURVEYING, INC.
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SCALE: 1" = 100'	FOR: MICHAEL & CHERRY OSHELL 1892 BROZIO ROAD ROSEBURG, OR 97471	JOB #: 20-002 FILE: OSHELL_PLAT.DWG SHEET 1 OF 1
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