

NARRATIVE OF SURVEY

This survey was performed at the request of Mr. Mike Williams. The purpose of the survey was to locate the boundaries of that tract of land described in Morrow County Deed 2008-21344 and to show the location of the existing structure.

A review of the prior deeds for this property and the adjoiner deeds show that there is an overlap in the legal descriptions. In 1943, the deed to F.C. Tolleson and Jess Bearsley was an aliquot part description. Their subsequent deed to Mr. Vernon Flatt (Book 48, Page 327) cut out a tract of land, 38 rods on a side, having bearings of "North on Section line", "East", "South", and "West.. to the place of Beginning". This description may have been interpreted as "at right angles" to the section line with 90 degree corners. When Mr. Flatt subsequently sold a tract to ODOT in 1952, ODOT survey 1R-1-445 laid out their boundary using just that method. However, subsequent deeds from the Tollesons indicate that the "Flatt" tract was supposed to be bounded by the section and 1/16th lines. Also, in 1974, when the remainder of the "Flatt" tract was conveyed to Norman Paulus by deed M-7042, the deed called for the 1/16th line to be the south boundary of the property.

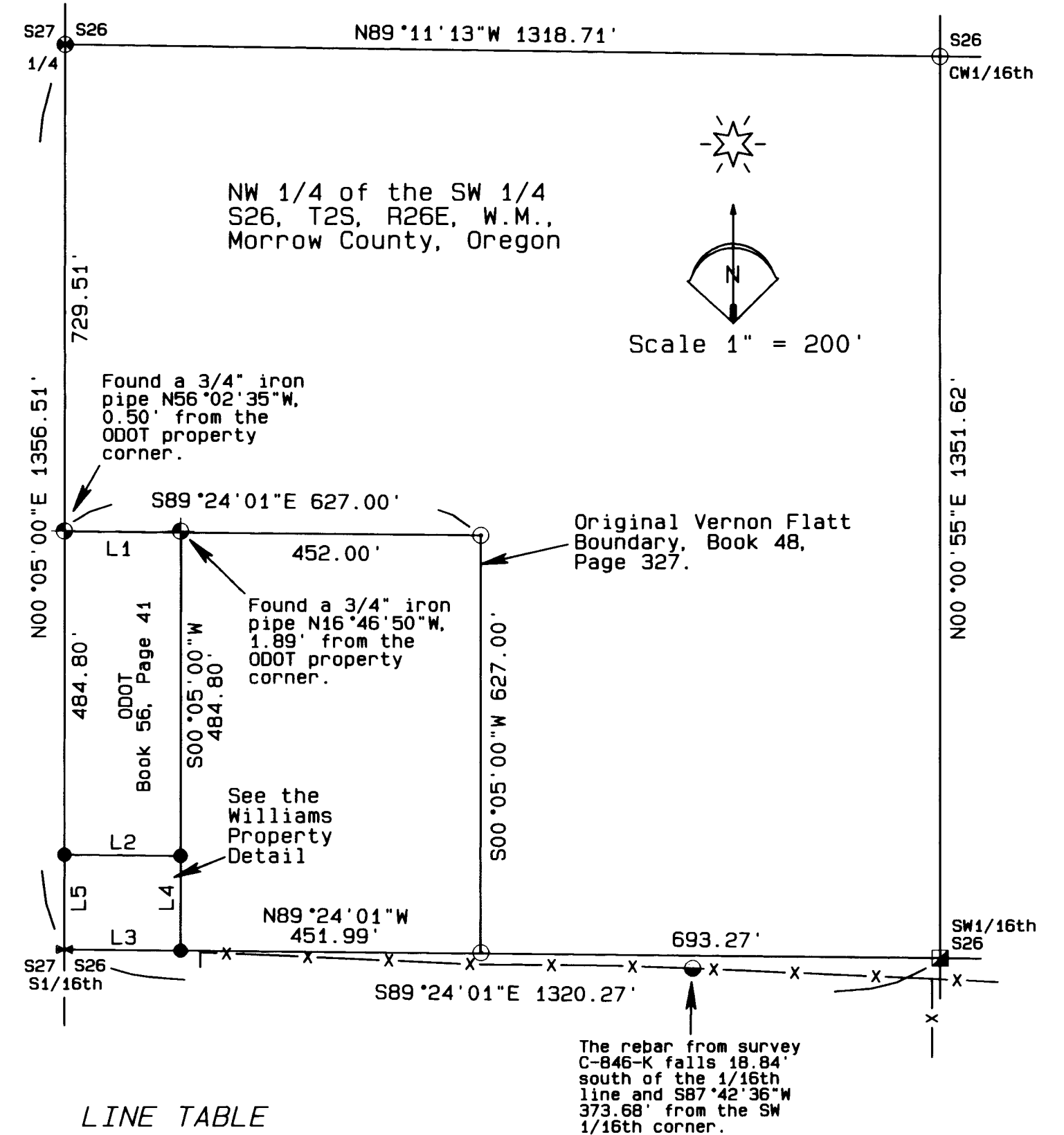
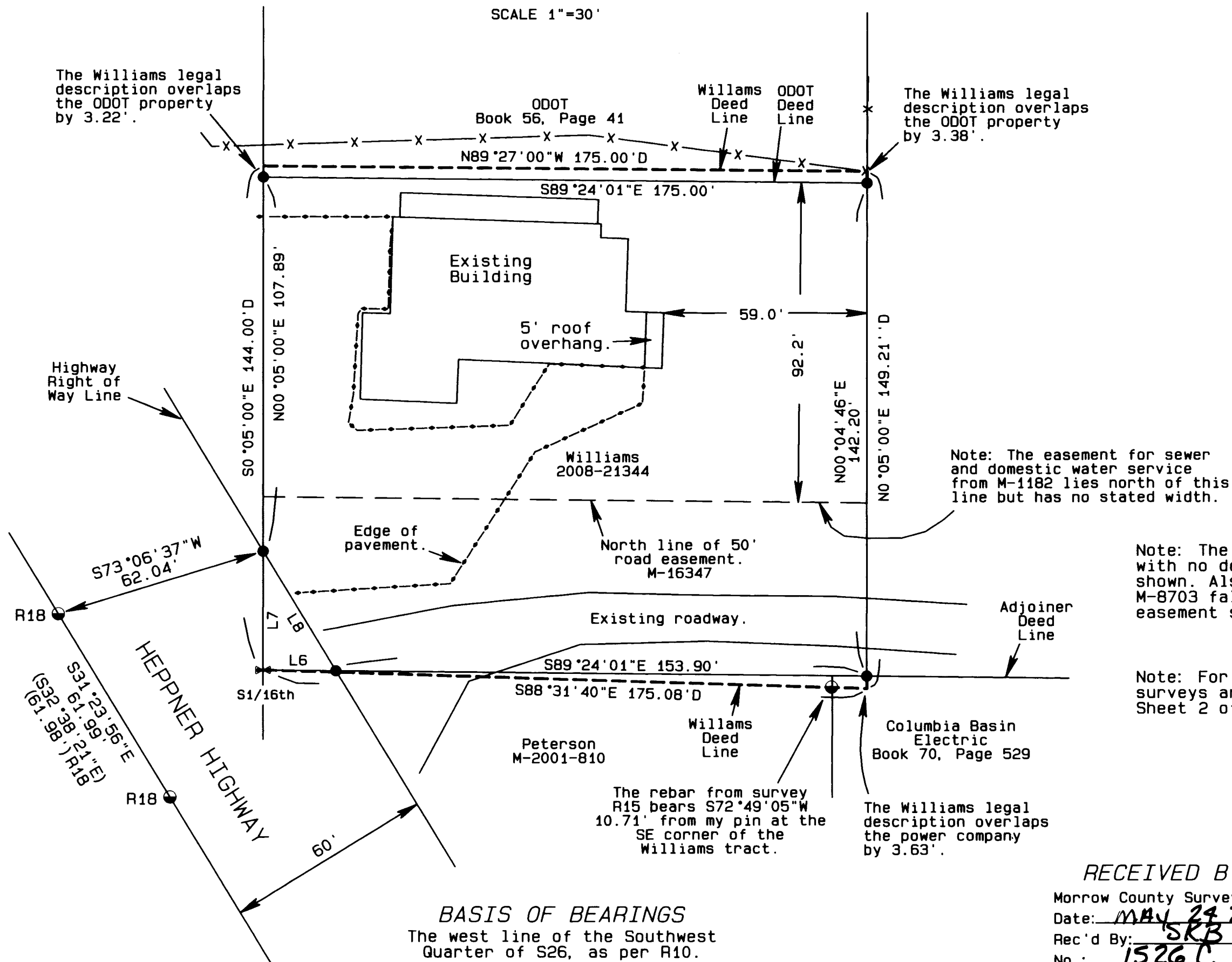
In 1975 the Paulus property was surveyed by Mr. Chris Palmer (C-56-K). Mr. Palmer failed to properly locate the boundaries of the Paulus property and the lines he monumented included more land than the Paulus description contained. Subsequent divisions of the Paulus property use descriptions that appear to be based on the Palmer survey. These descriptions also overlap the properties to the south.

In prior surveys by Mr. Denny Edwards, (C-846-K & D-805-K), done for the adjoiners to the south, notes that the 16th line has not been properly established and that the section should be subdivided. He states that the North line of the Campbell Addition is supposed to be on the 1/16th line and he held a found Campbell Addition monument for the line. It appears that Mr. Palmer also made this assumption but he held a different monument from the addition. The Campbell Addition plat says nothing about the 1/16th line and the deed to the Campbells, prior to their subdivision, merely says "east along Morgan's fence".

To resolve these overlaps, I first held that, since there is no adverse possession against the State, and since the ODOT title is senior to the Williams title, the ODOT deed controls. I also held that the original "Flatt" tract was to be controlled by the aliquot part lines and not at right angles to the section line. Next I held that, since there is no indicator of possession along the south boundary other than the existing road and that road is in its described easement and does not overlap onto the lands of the adjoiners, the 16th line, as still called for in the adjoiner deeds, is the true boundary. I established the 16th section line location as described on Sheet 2 of this map.

The final item to locate was the State Highway Right of way. I used the monuments from survey D-1205-E to determine the proper location of the right of way.

WILLIAMS PROPERTY DETAIL  
SCALE 1"=30'



LINE TABLE

LINE No.	BEARING	DISTANCE
L1	S89°24'01"E	175.00'
L2	S89°24'01"E	175.00'
L3	S89°24'01"E	175.01'
L4	N00°04'46"E	142.20'
L5	N00°05'00"E	142.20'
L6	S89°24'01"E	21.11'
L7	S00°05'00"W	34.31'
L8	N31°22'32"W	40.44'
L9	S00°05'00"W	34.31'
L10	N31°22'32"W	40.44'
L11	N31°22'32"W	40.44'

- LEGEND
- FOUND THE BRASS CAP FROM SURVEY C-289-K
  - FOUND 5/8" IRON REBAR ON R/W FROM SURVEY D-1205-E OR AS NOTED
  - FOUND 3/4" IRON PIPE FROM ODOT SURVEY 1R-1-445
  - SET A 1"x24" IRON REBAR WITH A 2" ALUMINUM CAP STAMPED WTS AND 56295LS
  - SET A 5/8" x 24" IRON REBAR W/ A 1 1/8" ORANGE PLASTIC CAP STAMPED WTS AND 56295LS
  - ⊗ SET A PK NAIL WITH A 2" BRASS WASHER STAMPED WTS AND 56295LS
  - COMPUTED POINT ONLY

Note: The "over and across" easements with no defined location have not been shown. Also, the 20' road easement from M-8703 falls inside of the 50' road easement so it has not been shown.

Note: For a list of reference surveys and deeds see Sheet 2 of this survey.

REGISTERED PROFESSIONAL LAND SURVEYOR  
*Stephen K. Haddock*  
OREGON  
JULY 9, 2001  
STEPHEN K. HADDOCK  
56295LS  
RENEWS 6-30-09

Sheet 1 of 2

<p><b>SURVEY FOR</b> Mr. Mike Williams P.O. Box 404 Heppner, OR 97836</p>	PROJECT DATE: April 25th, 2008	
	Project No. 08-12	SCALE: 1" = 200'
LOCATION: SW1/4. S26, T2S, R26E, W.M., Morrow County, Oregon.	<p><b>WITNESS TREE SURVEYING</b> Stephen K. Haddock, PLS P.O. Box G Pilot Rock, Oregon 97868 (541) 443-2922</p>	

RECEIVED BY  
Morrow County Surveyor  
Date: MAY 29 2008  
Rec'd By: SKB  
No.: 1526C

NARRATIVE OF SURVEY

This survey was performed at the request of Mr. Mike Williams. The purpose of the survey was to identify the boundaries of his property as shown on Sheet 1 of this survey.

The proper location of the Williams boundary necessitated the subdivision of Section 26. I was unable to find any record where this had been done before.

The examination of the corner status for Section 26 revealed the following information: The west 1/4 corner, and both the SW and SE section corners are the long standing corners of record. The south 1/16th corner between 26 & 27 is not at the midpoint as it should be but it has a history of long use and I held its location. The monument for the west 1/16th corner between 26/35 is not on the line between the section and 1/4 corner but is within 1/2 foot of midpoint for departure. I did not completely research its origin but have held it because of its record use. The south 1/4 corner is monumented with a 2 1/2" iron pipe. In survey B-517-K, Dave Krumbain stated that he replaced this pipe with a brass cap but he apparently did not. I located the pipe from ties to that survey and confirmed that it is in its record location. Mr. Krumbain also stated in that survey that the pipe had no record. I must assume that he meant prior to 1952 as this pipe is called the 1/4 corner and is the initial point for both the Heppner Heights and Barratt Park Additions.

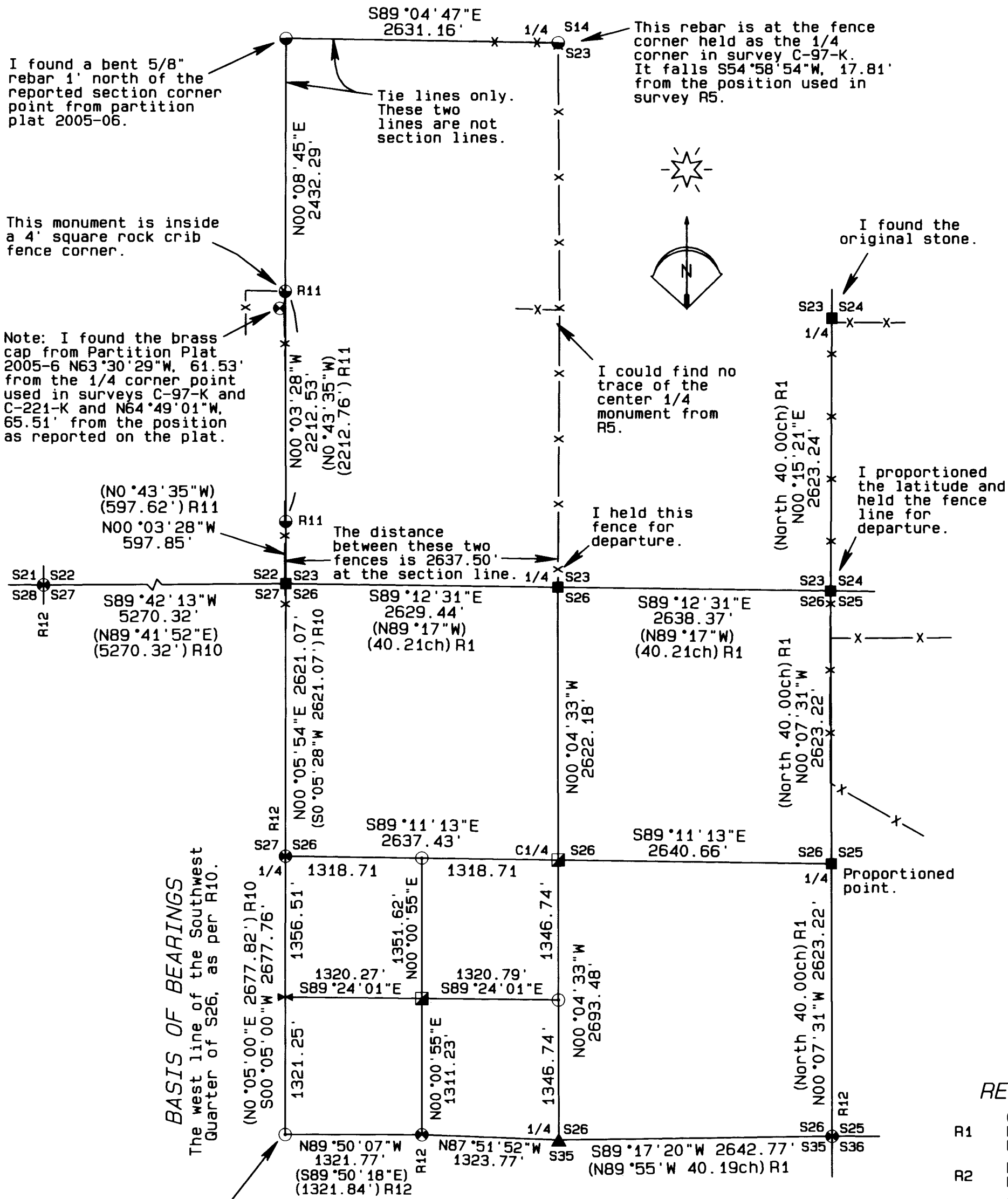
The northwest corner of the section has no monument. Its position was re-established by proportion in 1976 by Krumbain Engineering in survey C-97-K. The corner has since been used by a subdivision and partition in Section 22 and several surveys in Section 27. Its location has been primarily calculated by projecting the section line north from the 1/4 corner to Sections 26/27. I computed its location by distance - distance intersect from the E1/4 and NW corner of Section 27 to harmonize the surveys in Sections 22 & 27. This point falls on the line projected south from the monuments from survey C-221-K. I did not hold the distance from C-221-K because the monument closest to the north was bent and slightly disturbed.

In survey C-97-K, Mr. Krumbain held multiple fence corners as the best evidence. It is not clear to me why he skipped over the fences along the north line of Section 26 as his corner point for the NW corner of S26 falls only 8' from the fence. Also, I found the original stone at the E1/4 corner of Section 23 and it was in line with the fence to the south.

To re-establish the north and east 1/4 corners and the NE corner of Section 26, I proportioned the latitude between the southeast corner of S26 and the E1/4 corner of S23 and held the existing fence for departure at the NE corner of S26. I then proportioned the E1/4 of S26 on line between the section corners. (This position fell within 3 feet of what I believe is the record original stone. This stone was lying on its side and had no visible markings but was the record size. There was only one other stone within 70' bigger than a softball. Also, a projection of the fence from the north would hit this stone.) I then calculated the location of the N1/4 of S26 by holding the north line for latitude and the existing fence for departure.

I believe that the northwest corner of S26 should have also been in the fence. The agreement between the fences and the record dimensions show that they are the best evidence of the original survey. However, since the proportioned point has been used in so many surveys, it must be considered as the legal corner.

Partition Plat 2005-6 rejected the fence corner held as the N1/4 corner of S23 by survey C-97-K and established a completely separate set of corners common to sections 10, 11, 14, 15, 22 & 23. The new corner locations vary by as much as 18 feet from the earlier survey. Because of the rejection of the corners of sections 22 and 23 and the missed monument at the E1/4 corner of S23, I did not hold the corners from the partition plat as controlling for Section 26.



REFERENCE SURVEYS

- R1 GLO CONTRACT #119 DATED FEBRUARY 15, 1867 BY DAVID P. THOMPSON
- R2 BARRATT PARK ADDITION BOOK 2, PAGE 11
- R3 CAMPBELL ADDITION BOOK 2, PAGE 12
- R4 HEPPNER HEIGHTS ADDITION BOOK 2, PAGE 13
- R5 PARTITION PLAT 2005-6
- R6 ODOT MAP 1R-1-445
- R7 COUNTY SURVEY A-28-K
- R8 COUNTY SURVEY C-56-K
- R9 COUNTY SURVEY C-97-K
- R10 COUNTY SURVEY C-146-K
- R11 COUNTY SURVEY C-221-K
- R12 COUNTY SURVEY C-289-K
- R13 COUNTY SURVEY C-379-K
- R14 COUNTY SURVEY B-517-K
- R15 COUNTY SURVEY D-805-K
- R16 COUNTY SURVEY C-846-K
- R17 COUNTY SURVEY A-880-K
- R18 COUNTY SURVEY D-1205-E
- R19 ODOT R/W MAP No. 88-35-16

REFERENCE DEEDS

- BOOK 46 PAGE 541
- BOOK 48 PAGE 45
- BOOK 48 PAGE 327
- BOOK 56 PAGE 41
- BOOK 61 PAGE 151
- BOOK 70 PAGE 529
- M - 5412
- M - 6917
- M - 7042
- M - 7391
- M - 8703
- M - 16347
- M - 17096
- M - 17300
- 2000-2819
- 2001- 810
- 2005-14460
- 2008-21344

REGISTERED PROFESSIONAL LAND SURVEYOR

*Stephen K. Haddock*

OREGON JULY 9, 2001 STEPHEN K. HADDOCK 56295LS RENEWS 6-30-09

RECEIVED BY

Morrow County Surveyor  
Date: MAY 24 2008  
Rec'd By: SKB  
No.: 1526-C

Sheet 2 of 2

SURVEY FOR

Mr. Mike Williams  
P.O. Box 404  
Heppner, OR 97836

LOCATION: SW1/4, S26, T2S, R26E, W.M., Morrow County, Oregon.

PROJECT DATE: April 25th, 2008

Project No. 08-12

SCALE: 1" = 1000'

WITNESS TREE SURVEYING

Stephen K. Haddock, PLS  
P.O. Box G  
Pilot Rock, Oregon 97868  
(541) 443-2922

1526