

BASIS OF BEARING
 N 89° 10' 15" E BETWEEN THE E 1/2 ²⁹ AND THE S.E. CORNER OF SEC. 29, T. 6 S., R. 44 E., W.M., AS SHOWN ON BAKER CO. SURVEY NO. 6-44-13 (SURVEY FOR U.S. FOREST SERVICE, EAST EAGLE CADASTRAL SURVEY, BY WILLIAM L. HANLEY, FILED APRIL 28, 1986)

- LEGEND**
- FOUND MONUMENT AS DESCRIBED
 - SET 5/8" x 30" IRON ROD (CONCRETE REINFORCING ROD) WITH YELLOW PLASTIC CAP ATTACHED, MARKED "A.P. & A"
 - () RECORD SURVEY DIMENSION
 - [] RECORD DEED DIMENSION

- REFERENCE MATERIAL**
- BAKER COUNTY SURVEY NO. 6-44-12 AND 6-44-13
 BAKER COUNTY DEED RECORDS:
- DEED BOOK 45, PAGE 259 - U.S.A. TO JOHN SULLIVAN, PATENT FOR THE E 1/2 OF THE SE 1/4, SEC. 29, T. 6 S., R. 44 E., 1895
 - DEED BOOK 45, PAGE 264 - JOHN SULLIVAN TO LUTHA RYDER, 1900
 - DEED BOOK 138, PAGE 495 - LUTHA RYDER TO VIRGIL AND LORENE RICHARDS, 1946
 - DEED BOOK 157, PAGE 407 - VIRGIL AND LORENE RICHARDS TO JOHN AND VELMA ALLEN, 1951
 - DEED BOOK 171, PAGE 1440 - VELMA ALLEN, A WIDOW, TO JAMES AND SARAH ALLEN, 1961
 - DEED BOOK 171, PAGE 1445 - VELMA ALLEN, A WIDOW, TO ROY AND BULAH CHADWELL, 1961
 - DEED BOOK 173, PAGE 148 - VELMA ALLEN, A WIDOW, TO ELI AND ROSE STANCIU, 1962
 - DEED 75 50 017 - VELMA ALLEN, A WIDOW, TO WILLARD AND NEVA BISON, 1975

SW CORNER OF THE SE 1/4 OF THE SE 1/4 (PER BAKER CO. SURVEY NO. 6-44-13)

FOUND ALUMINUM CAP MARKED AS SHOWN, BURIED 6" IN ROADWAY, 2 BEARING TREES PRESENT, BOTH IN GOOD CONDITION.
 NOTE: THE ORIENTATION OF THE MARKINGS SHOWN ARE AS FOUND IN FIELD. REFER TO BAKER CO. SURVEY NO. 6-44-13.

FOUND BRASS CAP MARKED AS SHOWN, ON A 1" GALV. IRON PIPE, FIRMLY SET. 5 BEARING TREES PRESENT, ALL IN GOOD CONDITION

NARRATIVE

This survey was performed at the request of Willard and Doris Bison for the purpose of marking the on-the-ground location of the parcel shown.

The first conveyance of the 300'x300' parcel shown was from John Sullivan to Lutha Ryder, dated 1900 (Deed Book 45, Page 264). The description of this parcel in this first conveyance reads as follows: "Beginning at a point 600 feet East of the SW corner of the SE 1/4 of Section 29, T6S, R44E, W.M., running thence North 300 feet, thence East 300 feet, thence South 300 feet, thence West 300 feet to the place of beginning." This descriptive wording was utilized in subsequent conveyances as recorded in Deed Book 138, Page 495 and Deed Book 157, Page 407.

In 1961 and 1962, Velma Allen conveyed three parcels out of her 300'x300' ownership. The descriptions for these three parcels, described in Deed Book 171, Page 1440, Book 171, Page 1445, and Book 173, Page 148, read in part: "Commencing at a point ... feet West of the Southeast corner of Section 29, Township 6 South, Range 44 East..." The fourth parcel, described in Deed Number 75-50-017, which constitutes the remainder of the Allen ownership, utilizes the identical descriptive wording as recited in the deed contained in Book 45, Page 264, that is, "Beginning at a point 600 feet East ... of the SW corner of the SE 1/4 of the SE 1/4 of Section 29 ..." Additionally, several other legal descriptions were reviewed which described various parcels located in the SE 1/4 of Section 29. These descriptions convey the impression that prior to recent surveys, the SE 1/4 of the SE 1/4 of Section 29 was a rectangular parcel, being 1,320' long on each side.

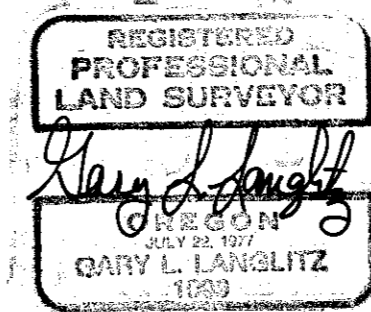
In 1979, Baker County Survey No. 6-44-12 was performed. This survey reported a distance of 3,015.98 feet across the South line of the SE 1/4 of Section 29, as compared to the original General Land Office survey distance of 39.83 chains (2,628.78 feet), indicating in excess of nearly 387 feet over the dimension reported in the original GLO survey. Proper survey procedure would divide this excess equally between the South lines of the E 1/2 and the W 1/2 of the SE 1/4 of Section 29, consequently establishing the South line of the E 1/2 of the SE 1/4 of Section 29 to be 1,507.99 feet in length as compared to the original GLO survey length of 1,314.39' (39.83 chains divided by 2).

The discussion thus far in this narrative has been given to summarize the existing deed and survey information concerning the 300'x300' parcel originally conveyed to Lutha Ryder and to develop a basis for locating our client's parcel at a location which conflicts with the specific dimensions given in their deed (Deed 75-50-017). By inspection of the information given above, the location of the four parcels shown by strict use of the deed dimensions will result in placing three parcels within the confines of a 300'x300' area, and placing the fourth parcel to the West and completely removed from the 300'x300' area. It is our opinion that, from evaluation of the deed records listed hereon, the four parcels shown were intended to exist within and completely occupy the 300'x300' parcel as originally conveyed to Lutha Ryder in 1900.

It cannot be reliably determined from the records alone, if the SW corner of the 300'x300' parcel should be located 600' East of the SW corner of the SE 1/4 of the SE 1/4 of Section 29, or if the SE corner of Section 29. After a thorough field investigation, we conclude that placing the SE corner of the 300'x300' parcel at 420' West from the SE corner of Section 29 establishes the 300'x300' parcel in its intended location. We also feel that this location is proper since throughout the period of time from the original patent (1895) to the present, the only survey monument physically in existence which was referred to in the cited deeds is the SE corner of Section 29. This location for the 300'x300' parcel also minimizes the extent of the encroachments by the existing structures in the area. We feel that these structure encroachments are more the result of topographic constraints than uncertainty in the location of boundaries.

Therefore, after consideration of the evidence as discussed in this narrative, we have located our client's parcel at its intended location relative to the other parcels in the area and to the SE corner of Section 29. This location is in conflict with a strict interpretation of our client's deed. We have advised our client of this situation and suggested that procedures such as boundary line agreements or the exchange of Quitclaim Deeds may be used to make the existing legal descriptions conformable with actual conditions on the ground. It is unknown at this time if any corrective procedure will be initiated.

FILED 2-4-88
 BAKER COUNTY SURVEYOR
 SURVEY NO. 6-44-69



SURVEY OF PARCEL LOCATED IN THE SE 1/4 OF THE SE 1/4, SECTION 29, T. 6 S., R. 44 E., WILLAMETTE MERIDIAN, BAKER COUNTY, OREGON

FOR: WILLARD & DORIS BISON, P.O. BOX 284, RICHLAND, OR 97870

SCALE: 1" = 50'

DATE: NOV. 1987

JOB NO. 2702-80

Anderson & Associates, Inc.
 engineering • surveying • materials testing
 LA GRANDE, ORE. & WALLA WALLA, WASH.

SHEET NO. 1/1