

NARRATIVE TO ACCOMPANY SURVEY

This survey was made for the purpose of defining the original boundaries of Russell's Addition as established in 1898.

The plan of the addition, prepared by C. M. Foster in 1898, shows the Southeast corner of the addition is 30 feet West and 50 feet North of the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16, T. 9 S., R. 40 E., W.M. The drawing shows the $\frac{1}{4}$ section line North and South and the middle of a county road are coincident. The true location of the mid-section line is actually 21.75 feet East of the center of the Baker-Homestead Highway, measured at the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, according to the highway centerline monuments established in 1942, and the "City Survey of 1970" which shows sectional subdivision lines. Since an obvious error was made in the 1898 plan of the addition regarding the tie to "middle of county road" or the said Southeast corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$ it is necessary to interpret the subdivider's intent.

Russell's Addition is the Easterly part of a parcel described in Deed Book O, Page 161, recorded in 1889. The description for this parcel is an exception from a larger tract purchased by the Baker City Real Estate Company for the subsequent platting and subdividing into Mix's Addition. The plat and description are found in Book O, Page 227 of Deeds, recorded April 9, 1889. Mix's Addition was then platted over the above described parcel although not owned by that subdivider or acknowledged by the record owner.

Old fences marking the Westerly boundaries of the two parcels (O-161 and O-227) provide the only reliable evidence available for determining the intent of the original grantors. These existing old fence lines are fairly straight. The original North property boundary of Russell's Addition is accepted as adjoining the South line of Blocks 40 and 45 of Mix's Addition, based on prior surveys filed March, 1979, for Harvey Ewing and Phil Shankle and April, 1981 for John Weitz estate.

The former county road marking the East boundary of the parcel is now a part of the Baker-Homestead Highway, known as Cedar Street within the city limits, monumented by the Oregon State Highway Department. The West line of the highway right of way includes a slight portion of the Easterly tier of lots in Russell's Addition. The county road has undoubtedly shifted somewhat since 1898, and in the absence of any reliable documentation, the highway is accepted as located by the O.S.H.D., and shown on their Drawing No. 6B-6-15, of 1942.

It appears the true location of the Southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ was not correctly located for the preparation of the earlier deeds and plats of these parcels. I believe the accompanying map of survey shows Russell's Addition in its original position, as nearly as now possible.

FILED June 20, 1983
BAKER COUNTY SURVEYOR
SURVEY NO. 9-40-201 BC

