

SECTIONS 8, 9, 16 & 17, T9S, R40E, WM,  
BAKER CITY, BAKER COUNTY, OREGON

The history of surveys in Sections 8, 9, 16 and to a lesser extent 17, T9S, R40E, within the limits of Baker City has been subject to conflict since before 1970 and the survey problems have escalated in recent times. I do not know all the details as to the basis for the conflicts, but I do know that section and quarter corner positions have been relocated. In some cases deed descriptions no longer correspond with the existing lines of occupation due to the relocation of control points. Numerous property line adjustments and property line agreements have been done in recent years in an attempt to resolve the various problems that may not have occurred if the section and quarter corners had not been relocated or had been reestablished based on the lines of occupation. It is fairly certain that no original evidence would still exist of the 1864 GLO survey of these sections where wood post, pits and mounds were the monumentation, so it is necessary to rely on perpetuation of corners done by others.

A determination of the location of section and quarter corners in any developed area is to rely heavily on collateral evidence in every direction. I have anguished for 3 to 4 years over the problem as to why the lines of occupation and the lines being surveyed based on current corner positions had about a 30 foot difference, primarily in the SE1/4NE1/4 of Section 9. Based on the evidence I have accumulated, this difference began about 1970. This would naturally extend over into the surrounding areas. I have gathered all the surveys that I could find in this area to assist me with a comprehensive review in how to accomplish what I would consider the most correct division of lands based on some of the data from those surveys and the very apparent lines of occupation. Many of the lines of occupation predate the 1950s.

The first evidence of the cause is shown on map of surveys, of which I have been given copies, done by Philo Anderson, PE 1257 in 1959-60 and by Harry Swan, PLS 72, in 1965. These surveys are not listed in the official Baker County Survey Records and I have attached a copy of each to this report. Philo's survey is primarily South of the line between Sections 9 and 16, and Harry's is North. Both Philo and Harry were respected surveyors and their maps of survey show a lot of detail. Each of them show the quarter corner as reestablished by Philo in 1960 to be 45.35 feet North of the NW corner of Block 4 of Faull's Addition. Upon reviewing the original plat of Faull's Addition, I find no street platted or dedicated along the North or South sides of the addition. And I find that Faull's Addition was platted and not vacated, as near as I can tell, in the NE1/4NE1/4 of Section 16. However, numerous surveys and partitions have been done in this area without any recognition that the plat exists. Portions of Faull's in the NW1/4NE1/4 was vacated around 1912 and the map attached to the vacation deed shows an 80 feet wide H Street as not vacated. There is not any found justification for that width except maybe wishful thinking by early City fathers because H Street was dedicated 80 feet wide along the North side of Mix's Addition.

As I review the maps of survey, it appears that Philo reestablished the quarter corner between Sections 9 and 16 by measuring 1320 feet South from the Center-South one-sixteenth corner of Section 9 which is 226.95 feet South of the Southwest corner of Lot 48 of Cedar Acres Addition. This one-sixteenth corner is shown on Baker County Map of Survey No. 9-40-12BC which is dated in August, 1954 and the Plat of Cedar Acres Subdivision dated July, 1955, both done by Jim Hanley, PE 2808. It is not clear as to the origin of this corner monument, but on Map of Survey No. 545MP there is a statement about a March 21, 1954 survey by Philo Anderson and a May 4, 1956 survey by Emil Melton which may be the origin. These plats are not in the official Baker County Survey Records and I have not seen a copy of