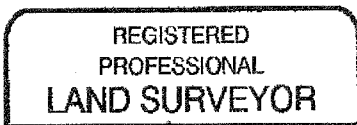


and 9 so he set it which has been placed in a monument box probably during the reconstruction of Hughes Lane. A recent subdivision named Elkhorn Vista has on the plat that the corner set by Lagier 35 years ago is 6.26 feet East and 5.56 feet North of the "true" corner. I don't know which corner may be the most correct as neither survey shows a complete procedure to justify the corner position, but I do not think it is appropriate to change fairly long standing monuments. Part of the problem is there is no new monument and the old one is still an official looking monument. Three or four surveys have been done using the Lagier monument. Based on the actions of some, Cedar Acres Subdivision should be relocated based on the newer position of the C-S1/16 corner, but I certainly would not advocate that.

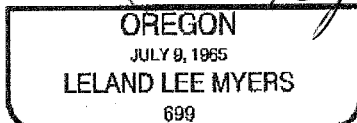
It seems there has not been a consistent and uniform pattern: 1) as to what on early surveys or found on the ground to accept or reject; 2) in the method or procedure for the reestablishment of lost corners; 3) in the interpretation of record data from original plats and other pre-1960 surveys most of which are not in the public record but they contain important historical information and should be a part of that record; 4) in the monumentation of particularly section corners so that retracements can be done within 0.10 of a foot where calls have been made to a fence post as representing the corner or a controlling corner which is calculated but not monumented; 5) as to whether a new determined controlling corner position is monumented or not; 6) in monumenting other section subdivisional corners that may be affected by relocation; and 7) in the documentation of monument positions that are not accepted but the position is not changed (or are they, even though the record is fairly silent to this matter).

So what now! I would never propose wholesale adjustments of well developed subdivisions though in my opinion some may be subject to minor exterior adjustments. Any survey that I do in the area of concern here will be based upon the control which was used to originally describe the property with senior rights being superior. There are other discrepancies that will need resolution on an individual basis such as in the W1/2SW1/4SE1/4 the North half was deeded as the NW1/4SW1/4SE1/4 and the South half as a 40 rod square. I believe the intent was to deed the SW1/4SW1/4SE1/4 but that is not what the deed says.

A pet peeve of mine is the declaration on plats at various corners that state the monument is out of position by minor amounts. A monument should be accepted or rejected, not shown out of position. By Oregon law any monument within a positional tolerance of 0.1 of a foot is a legally established and positioned monument, so it should not be shown out of position. Even larger variations can be the correct position if the monument was set in accordance with the standards of the day. They are not out of position unless they were grossly originally mistakingly set or have been physically moved. The distances between monuments may be more accurately measured with newer equipment, but monuments that were correctly set are always to take precedence over any measurement.



*Leland Lee Myers*



Renewal Date 1/1/2009

Respectfully submitted,  
Leland Myers PLS 699

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Baker County Surveyor  
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