

LOT LINE ADJUSTMENT

REFERENCE MATERIAL

Survey Number 10-38-09
 Survey Number 10-38-10
 Survey Number 10-38-12
 Survey Number 10-38-133
 Survey Number 48-67

DEED REFERENCES

Book 114, Page 181
 66 50 045
 68 10 009
 69 13 061
 70 09 024
 78 48 001
 86 20 026
 B06 07 0278
 B10 38 0168
 B21 36 0189

BASIS OF BEARING

True geodetic North at the quarter corner common to Sections 19 and 20, Township 10 South, Range 38 East of the Willamette Meridian, as determined by GPS observation

SCALE: 1" = 60'

LEGEND

- ⊙ Found monument as described, set by unrecorded Bureau of Reclamation survey
- Found 3/8" iron pin, set by Survey Number 10-38-09
- ⊙ Found 2" iron pipe in mound of stone, accepted by Survey Number 10-38-09
- Found 5/8" iron pin, set by Survey Number 48-67
- Set 5/8"x30" iron pin with plastic cap marked BGB SURVEY MARKER
- Centerline
- () Record measurement as per Survey Number 10-38-09
- [] Record measurement as per Survey Number 10-38-10

NARRATIVE

This survey was done at the request of Mike Merrill, owner of the land within. Mr. Merrill wanted to adjust the property lines with the adjoiner as shown. I recover monuments as shown. The East quarter corner was presumably set by James Hambleton in Survey 10-38-009, in 1973. Though not explained in a narrative, it appears as though he used the intersection of the county roads and a fence line heading to the East. He then stubs the Center-East 1/16th corner a nominal 1320 feet to the West.

At the Center East 1/16th position, I do not find the 1/16th corner set by Hambleton, but do find a Bureau of Reclamation 3" brass disc in concrete dated 1966 about 10 feet farther to the West than the Hambleton position. This monument is called for by Leland Meyers in Survey 10-38-012 and utilized as a 1/16th corner. I was unsuccessful in attempting to find the original Bureau of Reclamation survey. Fencelines to the North have been constructed to this corner. Because this monument was extant at the time of the conveyances of these properties, I feel like this was likely the monument that may have been utilized at the time that many of these properties were created. I therefore hold this monument as the Center-East sixteenth corner.

Survey 10-38-012 accepted a Bureau of Reclamation corner as a witness to the South 1/16th on the East line of Section 19. At the SE corner of Section 19, I recover a 2" pipe, and find that the BOR corner does not fit well with the 1/16th corner position. As the Hambleton survey came after the Bureau of Reclamation survey, it is possible a different East quarter corner position was used by the BOR, however, it is either been destroyed or is nonferrous and cannot be searched for without excavating Hudspeth Road. As there is no survey associated with the BOR corner, it is unknown how far the corner was witnessed. I therefore hold a line between the Hambleton quarter corner and the 2" iron pipe at the Section corner as the East line of the Southeast quarter of Section 19.

The original deed to the Merrill tract was conveyed in Book 114, Page 181 (filed 1930), which cited a point of beginning 26.5 feet farther to the West than the current legal description (274 feet West of the West line of Hudspeth Road for the NE corner). In the original deed for the Ego tract, recorded in deed 68 10 005, it is described by metes and bounds in a clockwise direction. The course where it falls in common with the South line of the Merrill Tract is given as 67.50 feet. It makes a call at the East end of this line to the 'Southeast corner of that tract described in deeds 114 at page 181'. Comparing the legal descriptions of the two deeds, a distance of 41 feet would have been more accurate for the call along this line to get to the true SE corner of Book 114, Page 181 if the original distances of this deed are held.

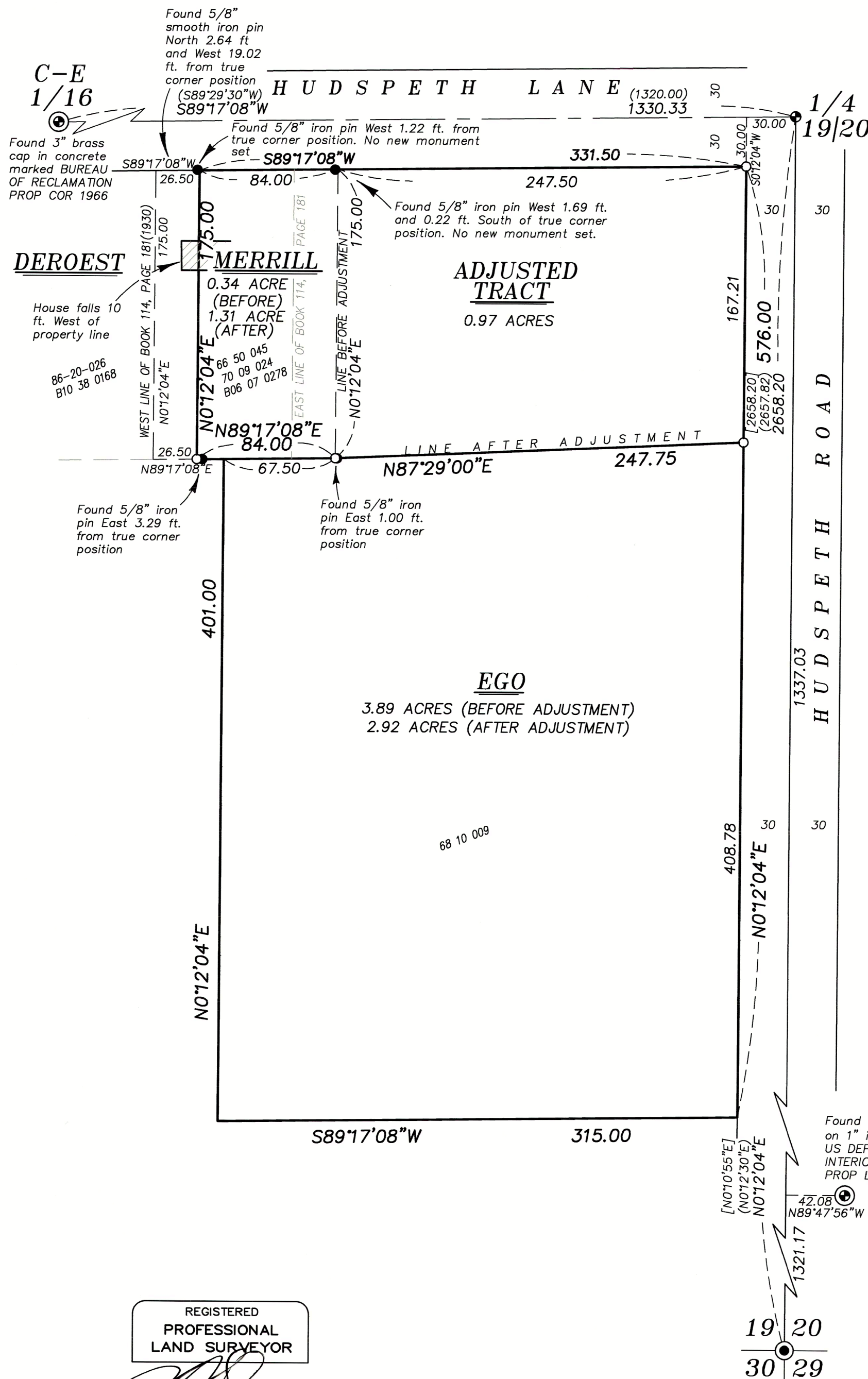
In 1966, the Merrill Tract was conveyed from Hudspeth to Case in deed 66 50 045, which used a point of beginning 250 feet from the quarter corner, using not only a different distance that the original 274 foot call, but also disregarding the right of way calls. As this creates a blatant patent ambiguity, a correction deed was issued in deed 70 09 024 from Hudspeth to Case using the description as it is written in current deeds, moving the POB 26.5 feet to the East and holding the course of 61.5 feet along the common line between the Ego and Merrill tracts, thereby removing any gaps in title between the two. It adjusts the point of beginning to the current 247.50 feet from the West line of Hudspeth Road but maintains the 84 foot width.

The relevance of this history is that the building that sits on the Merrill tract falls approximately 10 feet West of line onto the adjoining tract. And the line of occupation falls another 15 feet to the West of the house, more in line with the West line of the original Book 114, page 181. Aerial photography shows that in 1967, a house on this tract was in existence and was likely the only house constructed in immediate area. This may be explained by either a different monument being in place at the East quarter corner position, or, more likely, that the attempted correction of the legal description of the Merrill tract to fall in line with the Ego tract (done by correction deed 70 09 024) was erroneous.

Without doing a chain of title on the Deroest tract, it is unclear whether they have clean title to the 26.5 feet strip on the West side of the Merrill tract, or whether this strip is potentially vested in the heirs of the Hudspeth's (owner at the time of Book 114, page 181). This is beyond the scope of this survey, but I have referred Mr. Merrill to a title company to check whether the Deroest's do have clean title to this strip or not. Depending on what this research reveals, a lot line adjustment or quitclaim deed may be necessary to clean up any encroachment issues.

I find no other unusual conditions with this survey.

BAGETT, GRIFFITH & BLACKMAN			
2006 Adams Avenue, LaGrande, Oregon			
Map of Survey			
Sited in the Southeast quarter of Section 19, Township 10 South, Range 38 East of the Willamette Meridian			
BAKER COUNTY, OREGON			
SURVEYED FOR	Mike Merrill		
SURVEYED BY	J. S. H.		
Scale: 1" = 60'	Drawn by:	J. S. H.	August 2022



REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 JUNE 2, 2010
 JEFFREY S. HSU
 83571

Renewal Date: June 30, 2023

FILED August 3, 2022
 BAKER COUNTY SURVEYOR
 SURVEY NO. 10-38-173