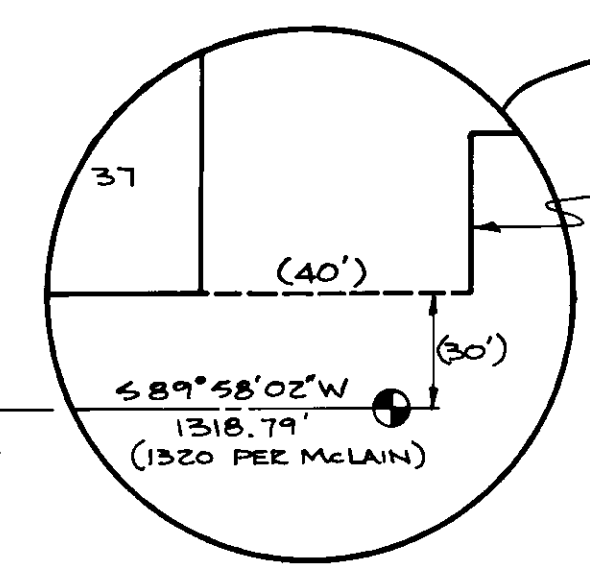
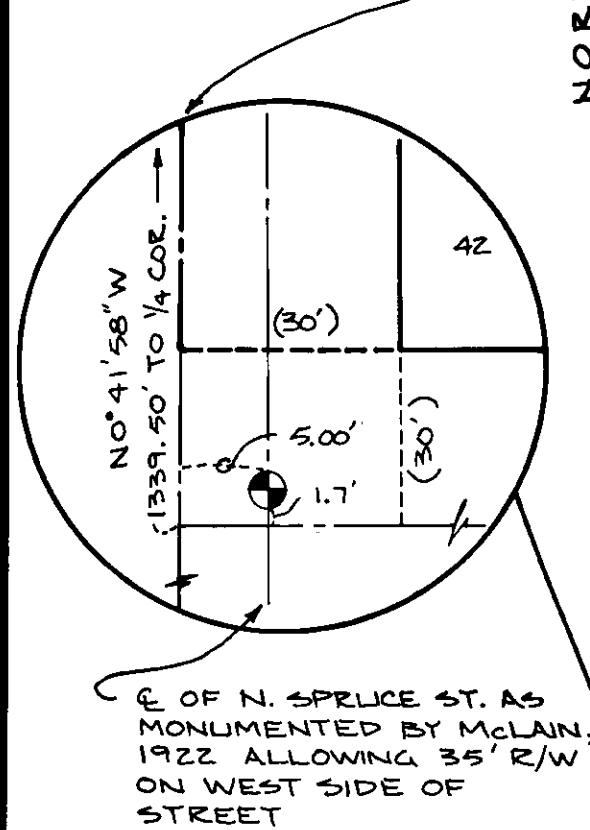


- ① 3/8" IRON ROD (SURVEY 39-72) LOCATED 13.36' SOUTH & 19.37' EAST.
- 3/8" IRON ROD (SURVEY 2-73) LOCATED 0.72' NORTH & 0.39' EAST.
- ② 3/8" IRON ROD (SURVEY 39-72) LOCATED 11.68' SOUTH & 3.65' WEST.
- 3/8" IRON ROD (SURVEY 2-73) LOCATED 1.58' NORTH & 0.37' EAST.



REGISTERED PROFESSIONAL LAND SURVEYOR
DUANE I. GRIFFITH
644

REGISTERED PROFESSIONAL LAND SURVEYOR
GARY L. LANGLITZ
1099

REGISTERED PROFESSIONAL LAND SURVEYOR
HOWARD L. PERRY
1294

UNION COUNTY SURVEYOR
Date Received 6-12-81
Date Filed 6-12-81
By G. LANGRIZ
File No. 63-80

PROPERTY SURVEY
PART OF TRACT "D" OF PARK ADDITION TO THE CITY OF LA GRANDE NE 1/4 SECTION 5, T3S, R38E, W.1M. UNION COUNTY, OREGON

SURVEYED FOR CIRCUIT COURT OF STATE OF OREGON FOR UNION COUNTY

SCALE: 1" = 100'

DATE: JULY 1980
JOB NO. 2683-70

anderson perry & associates, inc.
engineering • surveying • materials testing
LA GRANDE, ORE. & WALLA WALLA, WASH.

SHEET NO. 1/1

63-80

CIRCUIT COURT
NARRATIVE OF SURVEY

This survey was performed at the request of the Circuit Court of the State of Oregon for Union County concerning the case of Michael R. and Patricia Ruth, Husband and Wife; Plaintiff versus Frank N. and Dorothy Lovely, Husband and Wife; Defendants. At the Court's direction, Howard L. Perry, Duane I. Griffith and Gary L. Langlitz, all being Registered Professional Land Surveyors in the State of Oregon, were appointed Commissioners of the Court for the purpose of surveying and marking on the ground with proper monuments the boundary lines as determined and described by the Court as follows: Beginning at the Southwest corner of Tract "D" of Park Addition to the City of La Grande, Union County, Oregon; Thence East along the South line of said Tract D 185 feet; Thence at right angles North 120 feet; Thence at right angles West 120 feet to the West line of said Tract D; Thence South 120 feet to the point of beginning.

Park Addition was platted and filed in April 1914 immediately following the platting of Sugar Addition which is located along the westerly side of the South boundary of Park Addition. New Haven Addition, platted in 1902, is located to the West and Pratt's Addition, platted in 1924, is located to the South of Park Addition and East of Sugar Addition. Interstate Hwy 84 now runs NE and SW through the middle of Park Addition.

Two surveys have been made which attempt to define part or all of the lands described above. These surveys were made in 1972 by James G. Voelz (Record Survey 39-72) and in 1973 by Duane I. Griffith (Record Survey 2-73). Survey 39-72 places the South line of Tract D approximately 13 1/2 feet South of the lot line as determined by Survey 2-73.

In our effort to locate the lines of the above described lands, several factors must be considered. First, the exterior boundaries of the subdivision, Park Addition, must be determined. Reference must be made to the adjoining subdivisions, surveys of record and any information which can be used to define the necessary boundaries. Due consideration must be given to patterns of occupation and use as these patterns may indicate the best practical location of the various subdivision lines on the ground.

The North 1/4 corner of Section 5, which is the NW corner of Park Addition, was positioned by the record tie to a brass cap reset incorrectly by the Oregon State Highway Dept. The record tie used is shown on Survey 18-74 and is based on the 1/4 corner position as found and tied by the O.S.H.D in 1965 before the construction of I-84. Field notes and computation sheets were obtained from the O.S.H.D and Duane Griffith and checked concerning the location of this corner. O.S.H.D right-of-way marker at Station 127+10 90 feet Rt. used by D. Griffith

to position the 1/4 corner could not be found; however, Griffith's 1/4 corner position is in agreement with the dimensions East to the NE corner of Section 5 as shown on Survey 2-73 and with dimensions shown on the McLain 1922 Remonumentation Surveys of the City of La Grande to the West and South.

The NE & SE corners of Section 5 are defined by monuments that have been accepted and used for a long period of time. Lines between the N 1/4 corner, the NE and SE corners of Section 5 determine the North and East boundaries of Park Addition.

The SW corner and West boundary of Park Addition is defined by the found monument at the intersection of N. Spruce Street and Z Avenue (West) and record centerline offsets as shown on the McLain 1922 surveys. The McLain survey (1922) shows the width of Z Avenue East of N. Spruce Street to be 58.8 feet instead of the dedicated width of 60 feet as shown on the plat of Sugar Addition. We were unable to locate McLain's original field notes or information which would specifically explain this procedure. Please note that McLain's distance from the North line of Section 5 to the North line of Z Avenue is identical to the distance shown on the plat of Park Addition; however, to maintain the intended width of Z Avenue, we establish the south boundary of Park Addition parallel to and 30 ft. north of the centerline of Z Avenue as defined by the intersection of the original centerlines of N. Spruce Street and Z Avenue and the found monument at the intersection of Z Avenue and N. Cherry Street. The easterly end of Z Avenue is located at record distance from the original centerline of N. Spruce Street and at right angles and record distance (30 ft.) relative to the North right-of-way line of Z Avenue.

The location of the SE corner of Park Addition which will complete the subdivision exterior and the allocation of any excess or deficiency which may occur within the subdivision are based primarily on evidence of use and occupation within the subdivision.

Orthophoto maps derived from aerial photographs taken prior to 1965 were obtained from the O.S.H.D. Several well-defined fence lines are evident on these orthophoto maps and agree well with the scaled positions of the lot lines of Park Addition. In order to confirm the actual relationships of the fence lines, measurements were taken to several of these fences and also to the actual location of the irrigation ditch which is shown on the original plat and located in Lots 48 and 49 and along the east boundary of the subdivision.

The actual field position of the fences shown on accompanying survey map are in substantial agreement with the positions of the subdivision lot lines when the lot lines are located at record distances from the West boundary and proportioned along the East line of N. Cherry Street utilizing the record N-S dimensions shown along the West line of N. Cherry Street. The dimensions along the West line of N. Cherry Street are specified here since the sum of the plat distances along the East line of N. Cherry St. North of Russell Avenue is 10 feet less than the sum of the distances along the corresponding segment of the West line of N. Cherry Street. This identical 10 foot distance

discrepancy is also evident when comparing the overall length of the original West and East boundaries of Park Addition. The relationship of actual lines of occupation and record subdivision lines shows that the West line of Tract A should be 517 feet in length, not 507 feet as shown on the plat. Please refer to the attached copy of the Narrative of Survey for Survey 39-72 and the copy of the letter from the Abstract and Title Company for additional discussion of the 10 foot distance discrepancy.

An excess distance of 20-30 feet exists between the East and West boundaries of the subdivision. This excess distance is placed along the easterly tier of lots (Lots D, 49, 50 and 62). The allocation of this excess distance by a different method in some other part of the subdivision would be in disagreement with the pattern of occupancy and use that exists within the subdivision.

The SE corner of Park Addition is located at record plat distance (1,270 feet) southerly along the East line of Section 5 from the NE corner of the section. The N-S location of an existing irrigation ditch which is described on the plat of Park Addition and the location and projection of existing fencelines along the East boundary of the subdivision show a pattern of occupancy consistent with the record dimensions shown along the East boundary of the plat of Park Addition. Please note that the location of the SE corner of the Subdivision as described above does not include the additional 10 feet of distance which was included along the West line of Tract A. Although this allocation may seem inconsistent, its use results in a good relationship between plat and field conditions.

A thorough search was made at the various street intersections within the subdivision for the possible existence of unrecorded monumentation, but none was found.

We have attempted to locate the exterior boundaries of Park Addition in such a way that reasonable harmony can be obtained between record evidence and ground evidence both within the subdivision and with the various subdivisions and lands adjoining Park Addition. The relationship between the location of the previously described parcel according to this survey and the locations determined by Surveys 39-72 and 2-73 is shown on the accompanying survey map.

The accompanying survey map graphically portrays the results of our survey and gives additional explanatory information including a complete listing of the various reference materials consulted.

UNION COUNTY SURVEYOR
Date Received <u>6-12-81</u>
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By <u>G. LANGLITZ</u>
File No. <u>63-80</u>