



BASIS OF BEARING

Solar observation taken at a point 3550 feet South and 3360 feet West of the Northeast corner of Section 22, Township 6 South, Range 39 East of the Willamette Meridian

SCALE: 1"=100'

LEGEND

- Found monument as noted, marked as per Union County monumentation records
- Found 5/8" iron pin with plastic cap marked HANLEY ENGR PLS 1817, set by Survey Number 043-2006
- ◆ Found 5/8" iron pin set by Survey Number 026-1999
- Found 2" Brass cap set by Survey Number 65-77
- ▲ Found railroad spike, accepted as CL monument as per Surveys 026-1999 and 039-1997
- Set 5/8" x 30" iron pin with plastic cap marked BGB SURVEY MARKER
- - - Fenceline
- () Record measurement as per plat of North Powder
- [] Record measurement as per Survey Number 026-1999
- | | Record measurement as per Survey Number 043-2006
- / / Record measurement as per Book 100, Page 245

NARRATIVE

This survey was done at the request of North Powder Rural Fire District, potential purchaser of a portion of the land within. The purpose of this survey is to monument the exterior of the ownership in preparation for a partition. I locate the monuments at the intersections of Fifth and C, D and E streets. I find these harmonious with platted dimensions of the town of North Powder as well as previous surveys that also tied these pins.

NORTH LINE OF NORTH POWDER
 The history of the plat of North Powder is a curious one and makes the North line of the Town subject to much ambiguity. The first plat of North Powder was dated August 17, 1881, and originally did not have the most Northerly tier of blocks (Blocks 36-44). Blocks shown in the Northern part of the townsite have a nominal width of 320 feet (150 ft lot length with 20 ft alley). On this plat it is noted the survey and platting is done at the request of James G. Welch, who does not actually acquire title to the land until March 2, 1882 (Book 'E', Page 571). Regardless, Mr. Welch does convey several lots based on this plat between 1882 and 1885. In 1885, the townsite was replatted. Blocks 36-44 are later seen on this plat, filed in Book 1 of Plats, Page 17 on September 16, 1885. The latter plat does not have any dimensions of the blocks. The key source of confusion as to the location of the North line of North Powder, is both this lack of dimensions of lots and blocks on the replat of North Powder, as well as the lack of a surveyor's certificate with a legal dimensions of the exteriors of the platted area.

In Surveys 65-77 and 51-79, Barry Barbour uses a distance of 375 feet from the centerline of Fifth Street to the North line of North Powder. He relies primarily on the existing fenceline for his justification for this. Curiously, he prorates the excess into the lots in block 42 and opts to add the excess to the alley in block 43. His decision to use a 375 foot dimension appears to be somewhat arbitrary, as it does not appear to exactly match the fenceline. Based on his calls to the fenceline at the time, it most likely represent some kind of best fit scenario to existing lines of possession. James Hanley, in Surveys 036-1995, 039-1997 and 026-1999 opts to use the nominal dimension of a 320 foot block width to establish the dimensions of these blocks, the same dimension shown on all blocks in the North half of North Powder on the 1891 plat. As mentioned in his narrative in Survey 036-1995, he finds little justification to depart from the nominal dimensions of the blocks of North Powder, and he holds these dimensions to establish the block exteriors. This would put the North line 360 feet from the centerline of Fifth Street.

The only clue to the location of the North line of North Powder on the face of the plat falls in a ray tie from the North quarter corner of Section 22 to the NW corner of Block 41 on the 1885 replat of North Powder. This tie is more harmonious with the placement of blocks as per the Hanley surveys than the method used by Barbour. I therefore find that Hanley's conclusion is more sound than Barbour's, as I can only determine that if there was to be any departure from a nominal dimension in the North tier of blocks, it would have been explicit on the face of the plat. As I can find nothing to this effect I give a nominal 320 foot width to the North tier of Blocks and establish the North line of North Powder at a 360 foot offset from the centerline of Fifth St.

DETERMINATION OF THE POINT OF BEGINNING
 The lands North of the town of North Powder were conveyed from James Welch to M.M. Marshall, O.N. Ramsey and Thomas A. Hall on July 19, 1886 by deed recorded in Book I, Page 684. This uses an aliquot description and excepts certain lots and blocks of North Powder, including Blocks 36-44. The parent tract from which this tract was created from was a deed to Ross Jones (Book 99, page 569) in which the legal description was bounded by the North line of the City of North Powder on the South and the county road on the West. The creating deed for this parcel utilizes a metes and bounds description commencing at the Northeast section corner, coming West 1320 feet, thence South 51' West, 1566 feet to the Point of Beginning. It then commences with courses and distances with the only bounding call being the county road; whether right of way line or centerline is unspecified. There is some ambiguity concerning the point of beginning. In Survey 037-1999, Rod Lewis concludes that the Point of Beginning is coincident with the NE corner of Block 40 and cites the harmony of the distance of the first course of the description to the county road. A 1953 engineer's rendering of the town of North Powder seems to show that these points are also coincident. The 1320 foot call in the metes and bounds description can be interpreted in several ways. First, one interpretation would imply that the intersection of the North line of North Powder and the Section line occurs 1320 feet West of the section corner. I find no evidence either in the plat, or subsequent deeds that would imply that this is the case. In fact, the creating deed is the first instance I can find of anything resembling a dimension from the section corner to the North line of North Powder. Glancing at historical aerial photos from 1942 indicates that this area of the town of North Powder has never been developed into residential lots. I therefore conclude that the true intersect of the North line of North Powder and the section line has never been truly physically realized. I believe that courses were, at some level, measured on the ground. And even though the courses given seem to imply that the courses are coincident with both the section lines as well as the North line of the townsite of North Powder, it is more likely that the measurements were run independent of a true and accurate establishment of the North line of North Powder. To retrace the original metes and bounds description, I rotate the bearings of the courses to the Point of Beginning to the bearing of the Section line. As this puts the Point of Beginning South of the North line of North Powder, I move it perpendicular to the North line of North Powder. I find that the Point of Beginning, as established by this method, falls much closer to the lines of possession.

COUNTY ROAD
 I can find no legal petition or dedication for Oregon Trail Road in this area. Old Book Survey Page 142, dated March 8, 1889 mentions a county road in this area. Petition number 598 did attempt to open this road, however, I find no record of a formal opening. In the petition, a 1907 affidavit by S.C. Mann noted that this road was in existence for 12 years had been commonly used as a right of way, though this was disputed by remonstrator Andrew Lun. Union County Road deed records appear to show that legal descriptions were composed to acquire right of way from landowners in the area, though I can find no record of any road deeds being recorded in this specific area. Due to long term use, there is almost certainly a road by prescription as it is a road maintained by the county. I set pins based on a 60 foot wide right of way centered on the constructed road. As a condition of the pending partition is a dedication of this portion of road, I set pins at 30 feet from the constructed centerline along the West boundary.

EXTERIORS
 After placement of the Point of Beginning and the North line of North Powder as described, I place the East line at record distance as per deed call, perpendicular with the North line of North Powder. The North line of the property, I run parallel with the North line of Block 40. This makes the North line very harmonious with the pin set by Survey Number 037-1999 as well as the record distance deed call along the North line (when measured to the East right of way line).

I find no other unusual conditions with this survey.

REFERENCE MATERIAL

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| Union County Monumentation Records | DEED REFERENCES |
| Survey Number 043-2006 | Book E, Page 571 |
| Survey Number 037-1999 | Book I, Page 681 |
| Survey Number 026-1999 | Book L, Page 507 |
| Survey Number 039-1997 | Book L, Page 522 |
| Survey Number 036-1995 | Book Q, Page 174 |
| Survey Number 023-1995 | Book 90, Page 474 |
| Survey Number 129-78 | Book 99, Page 569 |
| Survey Number 65-77 | Book 100, Page 245 |
| Survey Number 51-79 | Book 100, Page 246 |
| Plat of North Powder 1881 | Book 108, Page 243 |
| Plat of North Powder 1885 | Microfilm Document Number 43428 |
| Partition Plat Number 20110013T | Microfilm Document Number 79959 |
| Old Book Page 142 | Microfilm Document Number 99093 |
| Road Petition Number 598 | Microfilm Document Number 20040112 |



UNION COUNTY SURVEYOR

Date Received: 5/31/17

Date Filed: 5/31/17

By: [Signature]

File No.: 016-2017

BAGETT, GRIFFITH & BLACKMAN
 2006 Adams Avenue, LaGrande, Oregon
 Map of Survey

Situate in the North half of Section 22, Township 6 South, Range 39 East of the Willamette Meridian, City of North Powder

UNION COUNTY, OREGON

SURVEYED FOR: Powder Valley Rural Fire

SURVEYED BY: J. S. H.

Scale: 1" = 100' Drawn by: J. S. H. Apr-May 2017