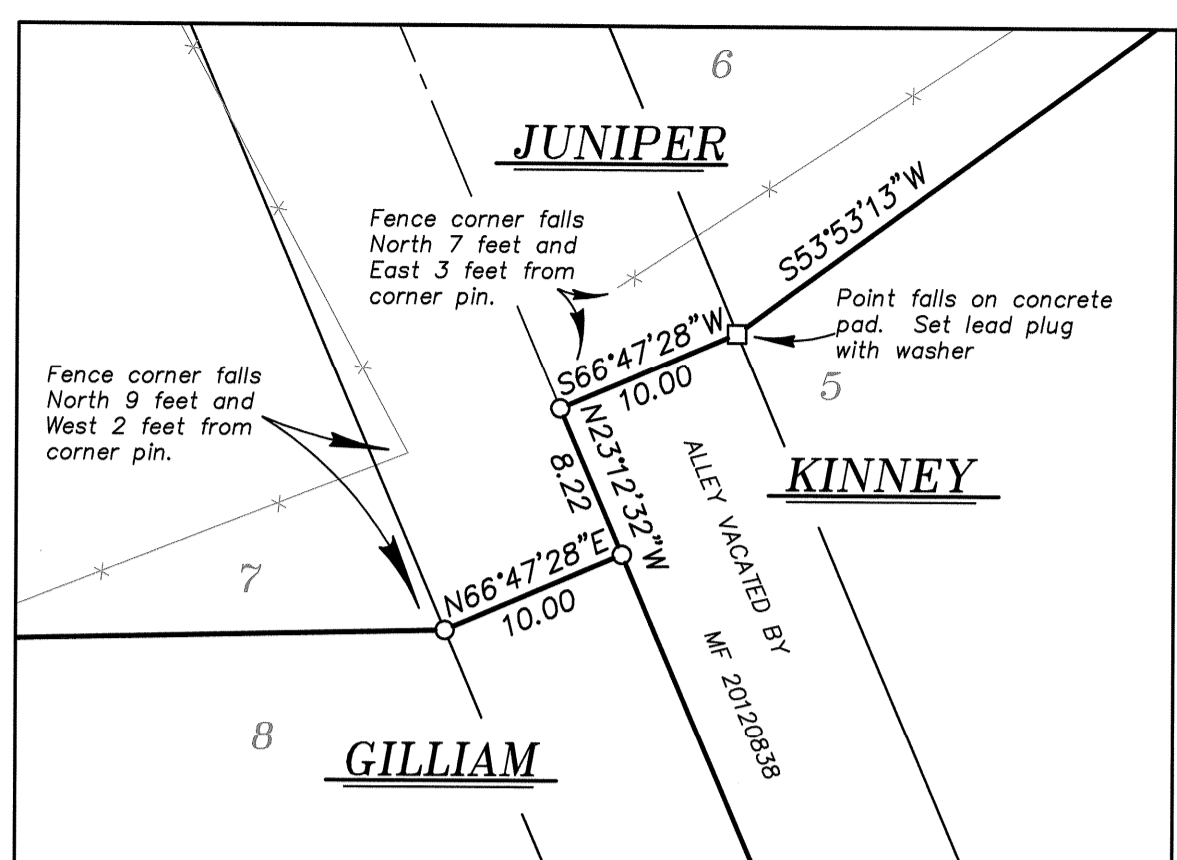


DETAIL -A- SCALE: 1"=40'

NARRATIVE

This survey was done at the request of Simon Kinney and Larry Gilliam, owners of the land within. The purpose of this survey is to mark the exteriors of their ownerships. The difficulties of surveying in Block 8 involve ascertaining the intent of the plat given the limited courses and distances listed on any of the original plats. Despite having an irregular skew in the North line of Block 8, the plat is devoid of adequate information to place the lot lines. Furthermore, there appear to be some discrepancies between the three plats of Shaw's Addition with regards to both the widths of the lots and the width of the right of way. In addition, it appears the surveyor that prepared the plat was unaware of the mathematical considerations necessary when offsetting lines on non-perpendicular angles. Since there is so much patent ambiguity within the plat itself, much of the intent of the plat must be gleaned from the information provided by original deeds from the tier of adjoining tracts to the North, described by metes and bounds, and as these tracts were conveyed prior to the conveyance of the lots of the plat. There are shown hereon as Tracts 'A' and 'B'. Additional consideration must be given to the deed to the West and to the North of the aforementioned tracts, as this was the first indication that something resembling a proper survey was conducted around the exteriors of Shaw's Addition, giving the first recorded record of bearings within the legal description. There are three different plats of Shaw's Addition, the first filed in 1884 the second in 1887. A latter map, titled 'Plan of Summerville' and filed in Book 1, Page 57 in 1897 shows Shaw's Addition and makes reference to a survey conducted by C.M. Foster in May of 1888 for the platting of Shaw's Addition. Widths of lots differ on all three maps, however, there is consistency within the widths along the East and South side of the Block in all three plats. On both of the plats of Shaw's Addition, the reference to the roads are that they are all 60 feet wide, though no specific width of Summerville Road was given. This portion of Summerville Road was created by Petition Number 68, and ordered opened by Commissioner's Journal Book A, page 710 in 1875. Having no specified width, the road would have a width of 60 feet. The later plat of the 'Plan of Summerville', however, shows a width of 70 feet. As the North portion of the block sits in a non-cardinal direction, the effect of the using of a 70 foot right of way versus a 60 foot one would have an effect on the widths of the lots. Having identical widths for the frontage on Summerville Road on all three plats, I do believe the intent of the original plat was to utilize the standard 60 foot right of way width for a county road. The history of deeds indicates that the metes and bounds tracts lying North of Block 8 to have been conveyed prior to the lots within Block 8. These were conveyed by Book X, page 136 and 137 in 1888. Legal descriptions for these lots make begin at corners within Lots 6 and 7, and give general courses (no specific bearings) and distances. I do believe there to be a scrivener error in the legal description for Tract 'B', giving the point of beginning at the Northwest corner of Lot 7 instead of the Northeast corner. This is later corrected in deed Book 105, page 146. Angus Shaw, the original subdivider of Shaw's Addition, continues to retain title to the lands immediately North and West of this Block and these two tracts until his death. In the deed from his heirs (Book 53, Page 80), the legal description of this surrounding tract appears to have survey information, and appears to be the first and only instance of explicit courses of the exteriors of this portion of Shaw's Addition. It begins at a 2" pipe 1882 feet North of the Southwest corner of Section 12 and runs East to a point 2320 feet from this pipe. I make a diligent search for the 2" pipe but can find no remains of it. However, the point 1882 feet North and 2320 feet East of the SW corner of the section was determined in Survey Number 46-76 by Duane Griffith in resolving the exteriors of Coleman's Addition. I therefore hold the Northeast corner of Lot 5 of Coleman's Addition as representing this point. From this point I run the courses of Book 53, Page 80 to place the exteriors of Shaw's Addition and Tracts 'A' and 'B'. The plat of Coleman's Addition placed the right of ways within Shaw's Addition. I recover monuments from Coleman's Addition and finding them harmonious with said plat I hold them in place. The exception being the aforementioned NE corner of Lot 5 which I find likely to have been disturbed by fence construction. I hold the record position as per plat. The East line of Shaw's Addition, being the East line of Patten Street, runs along the Center of Section line. I find this line is relatively harmonious with monuments set along the West line of the platted Town of Summerville, set by Survey Number 003-1996. I offset the center of section line 93 feet to place the centerline of Patten Street. From the found pins of Coleman's Addition, I run the lines due East to intersect the Patten Street right of way to place the Church St., Highland St. and Donvegan Street rights of way. I find the distances to be harmonious with platted distances of Shaw's Addition. Survey Number 64-76 uses monuments set by ODOT strip map 58-35-11 to place the Summerville Road right of way. I search Summerville Road from the intersection of Behrens Rd to the South end of the town and could find no remaining evidence of these ODOT monuments except at the intersection of 4th Street. However, this monument is grossly disturbed and unreliable for position. I therefore place Summerville Road right of way by retracement of Survey 64-76. Doing so is harmonious with the centerline of the constructed road in this area. For reasons mentioned above, I place the NE line of Block 8 at a 30 foot offset from the centerline. It should be important to note that this alignment of Summerville Road in this area is strictly for the placement of the exteriors of Shaw's Addition and may or may not be colinear with the placement of the right of way within the platted Town of Summerville. Having placed the exteriors of the North, South and West lines, I find there to be great discrepancy between the nominal dimensions of Shaw's Addition along East side of the block, having an almost 20 foot excess. I consider placement of the lines along Summerville Road as per plat, also giving Tract 'A', full deed measure, however, I find that this would be greatly disturbing to lines of possession, as well as not being harmonious with the NE corner, as previously placed. Though a typical boundary retracement begins at the most senior lots (in this case the lots within Shaw's Addition) and then considers more junior deeds, because of the ambiguities mentioned above it is a requirement to work back from the most junior deed. The history of deeds within Block 8 indicate that the Tracts to the North were conveyed in 1888 (Book 'X', Page 136 and 137), prior to any conveyance of adjacent lots within Block 8 (Book 47, Page 64 in 1904 and Book 47, Page 63 in 1904). Though not typical to prorate distances of sequential conveyances, I find that due to the fact that Tracts A and B were conveyed prior to lots within Block 8, and very near in date to the survey of Shaw's Addition by CM Foster, that I include these distances in the proportion along Summerville Road. I find establishing the lots in the manner to be more harmonious with lines of possession. The alley presents another situation. The original plat does not seem to account for mathematical considerations when offsetting on an angular line. The portion of the alley heading North from Donvegan St. I place by average bearing of the East and West lines of the block and run the centerline the nominal 120 feet to establish the angle point in the centerline of the alley. Along the angular portion, it is not as simple. By placing the alley centerline parallel with either the East or West lines, or by using an average bearing, as might be typical, there is tremendous variation. I look to evidence on the ground to try to ascertain the location, however, the alley does not appear to have ever been constructed. I again look to the history of deeds to ascertain the intent of the original plat. The original legal description for Tract A indicates a parcel with the South line being 108 feet and the North line 97 feet. The deed for Tract B indicates a North line being 105 feet, an East line of 90 feet, and a South line of 120 feet. There were separate and discrete parcels, and there is no reference to a common line with each other. In the deed from Angus Shaw Jr. to Howard Wagner (Book 105, Page 146), the legal for Tract 'B' are revised to their current form, which appears to be done to account for the gap between the two tracts. It indicates a North line of 140 feet to a point that is coincident with an extension of the West line of Lot 6 (later revised to call to the extension of the East line of the alley). This is the first instance of a call to the alley in this particular legal description, there appears to be an assumption that there are no angle points in the North or South line, as the South line appears to add up to the nominal distance of 140 feet (120 foot lot length plus 20 foot alley) and the East line is assumed to be the same 90 ft. length as the East line in the previous deed. It is clear the intent of the legal description revision to be to alleviate the gap between Tracts 'A' and 'B', and that despite the deficiencies of the legal, that the intent is for the East line to be colinear with that of Tract 'B'. A point measured 97 feet from the point where the legal description for Book 53, Page 80 meets Summerville Road falls at a point 138.55 feet from the Northwest corner of Tract 'B'. I find this to be strong evidence that the intent of the West line of the original deed for Tract 'A' (Book X, Page 136) to be colinear with an extension of the East line of the alley. I hold a point 97 feet West of the NE corner and drive a line 10 from the previously established centerline angle point to establish the East right of way line of the alley.



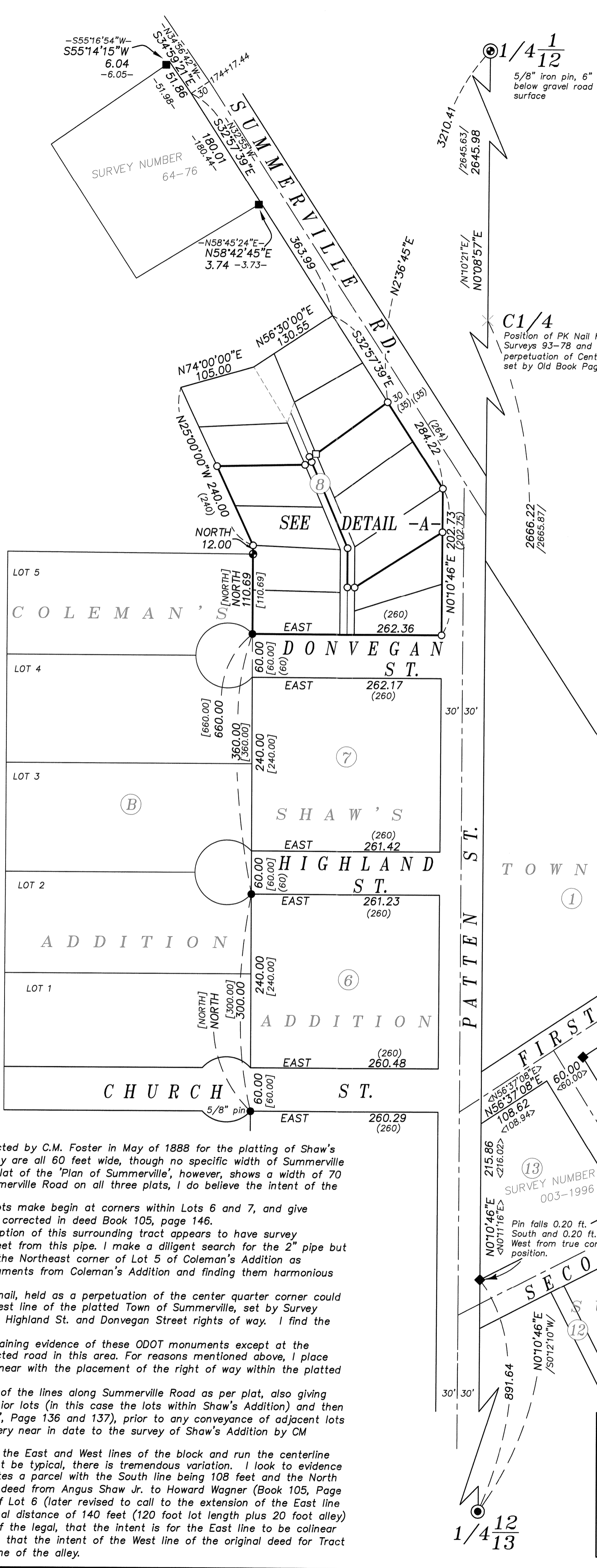
DETAIL -B- SCALE: 1"=10'

REFERENCE MATERIAL

- Union County Monumentation Records
 - Plat of Coleman's Addition
 - Plat of Shaw's Addition (18840002) Book G, Page 575
 - Plat of Shaw's Addition (18870003)
 - Plat of Summerville (18730001)
 - Plan of Summerville 1894 (Book 1, Page 57)
 - Survey Number 61-74
 - Survey Number 46-76
 - Survey Number 64-76
 - Survey Number 93-78
 - Survey Number 98-79
 - Survey Number 003-1996
 - Survey Number 030-1994
 - ODOT Strip Map 58-35-11

DEED REFERENCES

- Book C, Page 107
- Book F, Page 242
- Book L, Page 471
- Book L, Page 472
- Book L, Page 623
- Book W, Page 105
- Book X, Page 136
- Book X, Page 137
- Book X, Page 236
- Book Y, Page 59
- Book 33, Page 8
- Book 47, Page 63
- Book 47, Page 64
- Book 51, Page 569
- Book 53, Page 61
- Book 53, Page 80
- Book 104, Page 517
- Book 105, Page 146
- Book 117, Page 562
- Book 142, Page 338
- Microfilm Document Number 20120838
- Microfilm Document Number 20151128
- Microfilm Document Number 20162344
- Microfilm Document Number 20180245
- Road Petition Number 68
- Commissioner's Journal 'A', Page 710



UNION COUNTY SURVEYOR

Date Received 11/12/19

Date Filed 11/12/19

By [Signature]

File No. 038-2019

BASIS OF BEARING
Geodetic North at the South quarter corner of Section 12, Township 1 South, Range 39 East of the Willamette Meridian, as determined by GPS observation

SCALE: 1"=100'

LEGEND

- Found 2 1/2" aluminum pipe with 2 1/2" aluminum cap marked as per Union County Monumentation Records
- ⊙ Found 5/8" iron pin, held as quarter corner by Surveys 64-76 and 93-78
- × Position of PK nail, as per Survey 93-78, not found
- Found 5/8" iron pin, set by Survey Number 46-76
- Found 5/8" iron pin, set by Survey Number 64-76
- Found 1/2" iron pin, unless otherwise specified, set by Plat of Coleman's Addition
- ◆ Found 5/8" iron pin with plastic cap marked BGB SURVEY MARKER, set by Survey Number 003-1996
- Set 5/8"x30" iron pin with plastic cap marked BGB SURVEY MARKER
- Set lead plug with washer marked OPLS 83571
- Centerline
- - - Fenceline
- [] Record measurement as per Plat of Coleman's Addition
- () Record measurement as per Plan of Summerville (Book 1, Page 57, book of Plats)
- / - Record measurement as per Survey Number 64-76
- > / Record measurement as per Survey Number 93-78
- { } Record measurement as per Deed Book 'X', Page 136
-] [Record measurement as per Deed Book 'Y', Page 59
-) (Record measurement as per Deed Book 53, Page 80

NARRATIVE ctd.

I find that this would be harmonious with the 108 foot call along the South line of Tract 'A'. For the Northeast corner of Lot 7, I establish this at a point 90 feet from the angle point in the North line of the exterior where it intersects the West right of way of the alley. I find these distances to be relatively harmonious with the plat. Along the East right of way line, as per the reasons previously mentioned, I incorporate the 71 foot dimension of the West line of Tract 'A' into the proportion to determine the lot lines.

There is some ambiguity as to which plat to use record distances from, given that there are three different plats. Even the deed records seem to be in confusion as to whether the Block number is 'Number 8' (as shown on the Plan of Summerville), or as it is referenced in some "the block North of Block 7" (as would be the case in the original Plat of Shaw's Addition. As the Plan of Summerville is to most referenced in current deeds, I use the record dimensions of this map.

Given the history of the plats and conveyances, I find this to be the most harmonious determination of the lot lines within this block. Fencelines are off as shown. I find no other unusual conditions with this survey.

REGISTERED PROFESSIONAL LAND SURVEYOR

[Signature]

JEFFREY S. HSU

83571

Renewal Date: June 30, 2021

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

Block 8, Shaw's Addition to the Town of Summerville

UNION COUNTY, OREGON

SURVEYED FOR	Simon Kinney
SURVEYED BY	J. S. H.
Scale: 1" = 40'	Drawn by: J. S. H. Oct.-Nov 2019