

CURVE "B" ϕ
 Rad. 191.01
 Length 299.64
 Δ 89° 52' 49"
 Tan. 190.61
 Long Chord S 45° 18' 15" W 269.85

CURVE "A"
 Rad. 793.94
 Length 112.49
 Δ 08° 07' 05"
 Tan. 56.34
 Long Chord S 04° 23' 15" W 112.40

CURVE "B"
 Rad. 161.01
 Length 252.57
 Δ 89° 52' 49"
 Tan. 160.67
 Long Chord S 45° 18' 15" W 227.46

CURVE "C" ϕ
 Rad. 763.94
 Length 431.87
 Δ 36° 53' 30"
 Tan. 254.87
 Long Chord S 18° 46' 25" W 483.43

LEE McCAIN DLC 51

CHATMAN HAWLEY DLC 49

06124
See 6124-A

E. E. PARSONS
 ALPINE ORCHARD TRACTS
 E 1/2, SEC. 23, W 1/2, SEC. 24
 NW 1/4 SEC. 25, NE 1/4 SEC. 26
 T. 14 S., R. 6 W., W.M.
 BENTON COUNTY, OREGON
 Scale: 1" = 200' July 1976

Based On
CS 4173

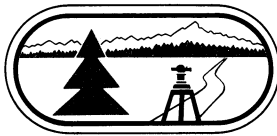
o Indicates 5/8" Rod Set

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR
Kenneth M. Wightman
 KENNETH M. WIGHTMAN II
 942

TIMBERLAND SERVICES, INC.
 1010 Airport Road, P. O. Box 668
 Albany, Oregon 97321
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 LAND SURVEYING - ENGINEERING
 LAND USE PLANNING - ROADS
 FORESTRY CONSULTING

Timberland

ENGINEERS · SURVEYORS



McCullough

FORESTERS · PLANNERS

1010 Airport Road, S.E. · P.O. Box 668 · Albany, OR 97321 · (503) 926-9404

January 6, 1982

Mr. James Blair
Benton County Public Works
360 SW Avery Avenue
Corvallis, OR 97330

RE: CS 6124 A/CS 6124

Dear Jim:

Mr. R. S. Castleberry, LS #684, recently sent me a copy of a survey he is performing for a Mr. Ron Thompson in the ALPINE ORCHARD TRACTS in which he differs with the techniques utilized to relocate the tract boundaries in CS 6124 A. By this letter I am clarifying the method and philosophy we utilized in our determination of the tract corners in that survey.

In November of 1910, ALPINE ORCHARD TRACTS was platted under the surveyor's seal of D. H. Sawyer and created 112 separate tracts. In 1911, W. C. Galloway in his capacity as Deputy County Surveyor, worked in this area and filed CS 200 (Galloway CS #103). At that time he noted discrepancies between the tract boundaries as platted. He did not mention finding any interior monumentation, but called for monumentation on the exterior of the plat.

Our position in retracing this subdivision plat was that the original plat dimensions should be held for proportionate measurement in relocating the tract corners since we could not find any original monumentation and that Galloway did not mention finding any in his survey.

There is no question that the usage based on the lot lines as described by Galloway would be upheld in a court of law as meeting all the criteria for adverse possession. Most probably there was evidence of useage at the time Mr. Galloway was there, but that doesn't constitute a changing of the original plat. The function of the surveyor is to, as correctly as possible, retrace the steps of the original surveyor through following a chain of evidence.

Benton Co. Surveyors Office

C. S. FILE NO. 6124 A

FILING DATE 1-12-82

FILE SIZE _____

P.M.

see also c.s. 7369

RECEIVED BY
JAN 13 1982
PUBLIC WORKS DEPT.

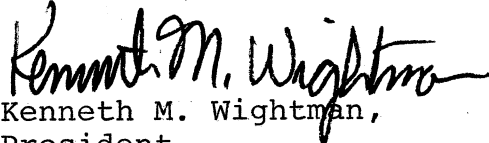
Mr. James Blair
January 6, 1982
Page 2

The fact that monuments were not called for in Galloways's survey would cause a break in that chain. The original property lines as re-established by proportionate measurement may not, in effect, be the true ownership lines, but they are the tract lines.

We have made a finding of fact as we interpreted them in the re-establishment of these tract corners and it is, in my opinion, the function of a court of law to make the judicial determination of ownership and not the surveyors.

Sincerely,

TIMBERLAND-McCULLOUGH, INC.


Kenneth M. Wightman,
President

KMW/lg

cc: Mr. Ted Langton
Mr. R. S. Castleberry

Henton Co. Surveyors Office	
C. S. FILE NO.	<u>6124 A</u>
FILE DATE	<u>1-12-82</u>
FILE SIZE	_____
	pm.

see also C.S. 7369



Associated Surveyors

Dec. 8, 1981

P. O. BOX 394

HARRISBURG, OREGON 97446

(503) 995-6002

Ken Wightman
Timberland Services, Inc.
1010 Airport Road
Albany, Oregon 97321
and

Ted Langton
Northstar Surveying, Inc.
402 N.W. 5th St.
Corvallis, Oregon 97330



Dear Sirs:

Enclosed is a print of a recent survey by me in Alpine Orchard Tracts.

During the process of evaluating the facts concerning the resurvey portion of this survey, the question that kept repeating in my mind was 'how to reset the original lines to a degree of accuracy which could be upheld by the courts if need be'.

Believe me, it is real consternation that I must differ with the methods of relocation as shown on your surveys. I will not file this survey for a while as one or both of you gentlemen may be in possession of some facts which may have been overlooked or otherwise unknown to me. It may be that, as our profession is based on the imprecise applications of law, we will just not have a meeting of the minds in this matter.

I just wonder why it is that the attorney for the losing side of a legal hassle just collects his money and goes to the bank, while such as we oft-times are castigated and otherwise open to recriminations for being on the losing side of a decision such as this.

I'd like to hear a jot or two, even if to let me know of your assurance of the contrary of my position.

Very truly yours,

Russ Castleberry
Russ Castleberry

Benton Co. Surveyors Office
C. S. FILE NO. <u>6124 A</u>
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FILE SIZE _____

PM

see also C.S. 7369