

PLAN HOLD CORPORATION • IRVINE, CALIFORNIA
REORDER BY NUMBER 075AR
POSITION EDGE OF PRINT ON THIS LINE

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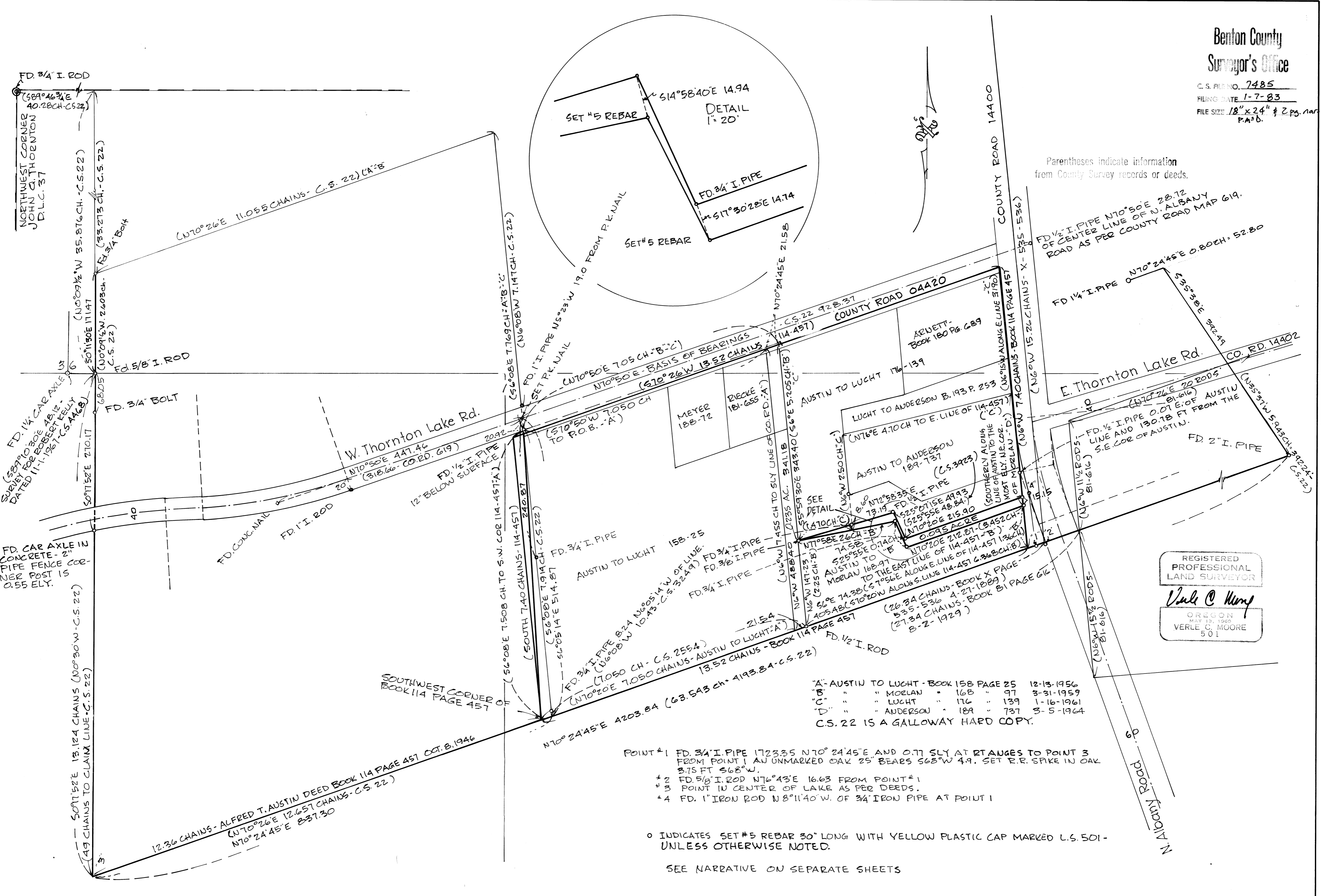
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Benton County
Surveyor's Office

C.S. FILE NO. **7485**
FILING DATE **1-7-83**
FILE SIZE **18" x 24" # 2 ps. max**
P.A.#.

Parentheses indicate information from County Survey records or deeds.



REGISTERED
PROFESSIONAL
LAND SURVEYOR
Valle @ Kemp
OREGON
MAY 13, 1980
VERLE C. MOORE
501

"A" - AUSTIN TO LUCHT - BOOK 158 PAGE 25 12-13-1956
"B" - " " MORLAN " 168 " 97 3-31-1959
"C" - " " LUCHT " 176 " 139 1-16-1961
"D" - " " ANDERSON " 189 " 737 3-5-1964
C.S. 22 IS A GALLOWAY HARD COPY.

- POINT #1 FD. 3/4" I. PIPE 1723.35 N70° 24' 45" E AND 0.77 SLY AT RT ANGLES TO POINT 3 FROM POINT 1 AN UNMARKED OAK 25' BEARS S68° W 4.9'. SET P.R. SPIKE IN OAK 3.75 FT S68° W.
#2 FD. 5/8" I. ROD N76° 43' E 16.63 FROM POINT #1
#3 POINT IN CENTER OF LAKE AS PER DEEDS.
#4 FD. 1" IRON ROD N8° 11' 40" W. OF 3/4" IRON PIPE AT POINT 1

o INDICATES SET #5 REBAR 30" LONG WITH YELLOW PLASTIC CAP MARKED L.S. 501 - UNLESS OTHERWISE NOTED.

SEE NARRATIVE ON SEPARATE SHEETS

Record of Survey for **JONETH LUCHT**
in the John Q. Thornton D.L.C. 37-North Half of Section 1, T.11S., R.4W., the Southeast Quarter of Section 36 T.10S., R.4W.
and the Southwest Quarter of Section 31, T.10S., R.3W. W.B.&M., Benton County, Oregon
Scale: 1" = 100'
December 8, 1982

Moore Surveying Services
424 East Second Avenue
Albany, Oregon 97321

Moore Surveying Services, 424 East Second Avenue, Albany, Oregon 97321

NARRATIVE for Joneth Lucht in the John Q. Thornton D.L.C. 37, in the north half of Section 1, T.11 S.,R.4 W., the S. E. Quarter of Section 36, T.10 S.,R.4 W., and the S. W. Quarter of Section 31, T.10 S.,R.3 W.,W.B.& M., Benton County, Oregon. The survey is dated December 8, 1982. See survey on separate sheet. The basis of bearings is the monumented center of West Thornton Lake Drive. C. S. 22.

The purpose of this survey was to establish the deed line between Leroy Carl Lucht and Duane V. Morlan. The original deed from which the various properties are out of was that of F. W. Volle to I. F. Conn and J. B. Cougill dated April 27, 1889 and recorded in Book X, Page 535-536. The southeast corner of that parcel was 26.34 chains easterly of a point hereafter referred to as point 3 which was "in the center of the lake" and 40.28 chains East and 49 chains south of the northwest corner of the John Q. Thornton D.L.C. 37. On February 28, 1891, J. B. Cougill and M. E. Cougill deeded a one-fourth interest to I. F. Conn by deed Book 32, Page 166. The southeast quarter, approximate, of this 26.34 x 15.26 chain parcel of the Conn's was conveyed to Augusta Krumrei on April 12, 1893 by deed recorded in Vol. 32, Page 285. This deed being the parent parcel for this survey. We note, however, that this deed did not reach the east line of the Conn deed. This deed began at a point 12.36 chains N. $70^{\circ} 26'$ E. from point 3 and then went 13.52 chains N. $70^{\circ} 26'$ E. totaling a distance of 25.88 chains from point "3" whereas the Conn deed carries 26.34 chains from point "3" leaving 0.46 chain or 30.36 feet between the southeast corner of the Krumrei parcel and the southeast corner of the Conn parcel. There were then deeds from Conn to Hughs and Russell conveying the approximate northeast quarter and west half of their property. These two deeds also incorporate the 12.36 chains and the 13.52 chains distances further substantuating the 0.46 chain gap between the entire east line of Conn and the east line of the parcels conveyed. This gap may have been partially or totally in roadway at the time and may account for the difference. i.e. Conn did not convey that portion which was in roadway. On August 2, 1929 a deed conveying half interest to Anna S. Olsen from George R. Olsen in Book 81, Page 616 begins at a point 27.34 chains N. $70^{\circ} 26'$ E. of point "3" thus creating a 1 chain gap between the east line of the Conn and Cougill parcel and the west line of the Olsen parcel. Presumably this one chain gap still belongs to F. W. Volle by deed Book R, Page 311, dated February 27, 1884, but the ownership has little or no bearing on this survey. Note, however, the 1 chain gap is adjacent to the 0.46 chain gap explained above thereby creating a 1.46 chain gap or 96.36 feet between the east line of Krumrei and the west line of Olsen. This being considerably wider than was ordinary for road purposes at that time.

We did not follow the chain of title but now pick up with the deed from Addie Thurp to Alfred T. Austin, etux, dated October 8, 1946 and recorded in Book 114, Page 457, which has the same description as the former Krumrei parcel. Austin then sold the approximate west half of the parcel to Leroy Carl Lucht on December 13, 1956 in Book 158, Page 25 by a description utilizing monuments set in County Survey No. 22, map no 26 of 10-4-36 thus not recognizing the point "3" referred to earlier. However, the southwest corner of this Lucht parcel calls for the southwest corner of the Austin parcel which is 12.36 chains from point "3". Thereby creating a discrepancy between the deeded line and the monumented line of the western boundary of the Lucht parcel. The next deed relative to the survey is a deed from Austin to Duane V. Morlan recorded March 31, 1959 and recorded in Book 168, Page 97, conveying a parcel in the southeast corner of Austin's property. This deed like the former Lucht deed also utilizes the C.S. 22 for its point of beginning. We find a 3/8" iron pipe within a few hundredths of this calculated position for the northwest corner of the Morlan parcel although we find no record as to when or by whom it was set. However, since it checks out for position we hold the monument to have zero error. The Morlan deed then proceeds N. $77^{\circ} 58'$ E. 2.6 chains, S. $25^{\circ} 55'$ E. 0.74 chains and "N. $70^{\circ} 20'$ E. 3.452 chains to the easterly line of a tract of land conveyed to Alfred Austin, etux, by deed recorded in Volume 114, Page 457..." We, therefore, hold the east line of the Morlan parcel to be coincident with the east line of the Austin parcel.

The next deed pertaining to the line in question comes from Austin to Leroy Carl Lucht recorded January 16, 1961 recorded in Book 176, Page 139. This deed conveys property in the northeast portion of the Austin parcel and begins at the same point by the same means as the Morlan parcel. The first course of this deed also proceeds N. $77^{\circ} 58'$ E. for 1.470 chains thence N. 6° W. ...

The final Austin deed to Jerry W. Anderson dated March 3, 1964 recorded in Book

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189, Page 737 begins at the southerly southeast corner of the Book 176, Page 139 and proceeds northerly and easterly "to the easterly line of a tract of land conveyed to Alfred T. Austins etux by deed recorded in Book 114, Page 457"... then proceeds "Southerly along the easterly line of said Austin's tract to the most easterly northeast corner..." of the Morlan tract. This deed then recites the first three courses of the Morlan tract in reverse order.

Since the third course of the Morlan deed was shortened by the Austin east line this Anderson deed would overlap the Morlan deed at the second and first Morlan courses. However, since the Morlan deed is senior we hold the Morlan deed as written.

The oldest surveys that I find in the area was the formerly mentioned C.S. 22 which shows the 40.28 chains E. and 49 chains S. from the northwest corner of the John Q. Thornton claim to point "3" and C.S. 22, No. 3 of 10-3-31 which additionally shows a 2" pipe at a position representing the southeast corner of the F. W. Volle parcel dated February 27, 1884. The south line of the Volle parcel being N. $70^{\circ} 26'$ E. 63.59 chains whereas the C.S. 22 No.3 shows 63.543. This being close enough to hold the pipe as a corner monument. We found the 2" pipe and monuments along the west line of the Volle parcel and from the former mentioned C.S. 22 calculated the southwest corner of 49 chains, which is in the center of the lake, and thereby computed the south line of the Volle parcel as the controlling south line. However, we note on the C.S. 22 #26 that monuments were placed 12.657 chains from point #3 instead of 12.36 chains as called for in the aforementioned Krumrei and Austin deeds as well as a deed to Benjamin F. Russell in Book 45, Page 93 and several other deeds which refer to the southwest corner of said Austin parcel. From point "3" to the monumented line we calculate 837.30 feet against the deed distance of 12.36 chains - 815.76 feet and the monumented record of 12.657 chains - 835.36 feet. This constitutes an obvious discrepancy between the monumented and deeded line.

From the northwest corner of the Morlan parcel we note three surveys, C.S. 3465, 3573 and 3923 all by B. Osburn Shaw, the first and third ones show Fd Rod and the second one just showing a circle. Other monuments were set at a point N. $72^{\circ} 58'$ E. 97 feet and $97 + 74.60 = 171.60$ feet and then S. $25^{\circ} 55'$ E. 48.84 feet; thence N. $70^{\circ} 20'$ E. 224 feet which are the calls of the North line of the Morlan parcel except the Morlan parcel reads N. $77^{\circ} 58'$ E. not $72^{\circ} 58'$ E. This same bearing of N. $77^{\circ} 58'$ E. is repeated in three separate deeds. The original Morlan parcel was recorded March 31, 1959, the Lucht parcel was recorded January 16, 1961 and the Anderson parcel was recorded March 3, 1964. The three surveys were dated March 1961, February 1962 and April 1964. It appears to me that since the bearing of N. $77^{\circ} 58'$ E. appears in three separate deeds, two of which pre-date the earliest survey that this bearing should hold for the north line of the Morlan parcel rather than the N. $72^{\circ} 58'$ E. bearing, therefore, we have set monuments accordingly.

