

C.S. 10057
RECORD OF SURVEY

FOR
DIANA AMOS
LOCATED IN THE

JOHN Q. THORNTON D.L.C. 37
NORTHEAST 1/4 OF SECTION 1
TOWNSHIP 11 SOUTH, RANGE 4 WEST
WILLAMETTE MERIDIAN
CITY OF ALBANY
BENTON COUNTY, OREGON
AUGUST 2005

NARRATIVE:

PURPOSE:

THE PURPOSE OF THIS SURVEY IS TO SURVEY THAT PROPERTY DESCRIBED IN DOC. 2003-344632.

BASIS OF BEARING:

THE BASIS OF BEARING USED FOR THIS SURVEY WAS N 06°00'00" W BETWEEN MONUMENTS "A" AND "B". AS SHOWN ON COUNTY SURVEY 3923.

BOUNDARY RESOLUTION:

PARCEL II - DOC. 2003-344632

THE NORTHERLY BOUNDARY OF THIS PARCEL WAS ESTABLISHED BY HOLDING MONUMENTS "C" AND "D" AND PROJECTING WESTERLY TO CALCULATED POINT "E". CALCULATED POINT "E" REPRESENTS THE CORNER CALLED TO IN THE DEED AS BEING IN THE CENTER OF THORNTON LAKE. THE NORTHERLY LINE WAS THEN PROJECTED EASTERLY TO THE CALCULATED RIGHT OF WAY OF NORTH ALBANY ROAD.

THE EAST BOUNDARY (NORTH ALBANY ROAD) WAS ESTABLISHED BY HOLDING MONUMENTS "F" AND "G" FOR THE BACK TANGENT AND RECORD DELTA ANGLE FROM CS 7508 WAS HELD FROM MONUMENT "F" WHICH IS SHOWN AS THE WESTERLY PI ON CS 7485. THE WESTERLY RIGHT OF WAY TANGENTS WERE THEN OFFSET RECORD RIGHT OF WAY DISTANCE OF 30' TO ESTABLISH THE CENTERLINE. IT SHOULD BE NOTED THAT CS 7508 REFLECTS A CENTERLINE CURVE AT THE ANGLE POINT CREATED AT MONUMENT "F". NO INFORMATION COULD BE FOUND EXCEPT THAT SHOWN ON CS 7508 REFLECTING A CURVE IN THIS LOCATION, AND THIS CURVE HAS NOT BEEN CALCULATED AS PART OF THIS SURVEY.

THE SOUTHERLY BOUNDARY OF THIS PARCEL HAS NOT BEEN CALCULATED OR SHOWN AS THE DEED CALLS FOR THE SOUTHERLY BOUNDARY TO BE THE CENTER OF THORNTON LAKE, RUNNING FROM CALCULATED POINT "E" EASTERLY ALONG THE CENTER OF THE LAKE TO THE CENTERLINE OF A COUNTY ROAD (NORTH ALBANY ROAD). THE ACREAGE FOR THIS PARCEL IS CALCULATED BASED UPON THE PORTION OF THE PARCEL NOT SUBMERGED WITHIN THE LAKE, BASED ON A FIELD SURVEY OF THE EDGE OF WATER ON 2/19/2005. IT SHOULD BE NOTED THAT THE DEED REFLECTS AN ACREAGE OF MORE OR LESS 4 ACRES, MEANING APPROXIMATELY 2.3 ACRES OF THIS PARCEL IS SUBMERGED IN THORNTON LAKE.

PARCEL I - DOC. 2003-344632

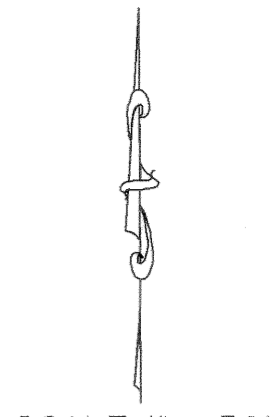
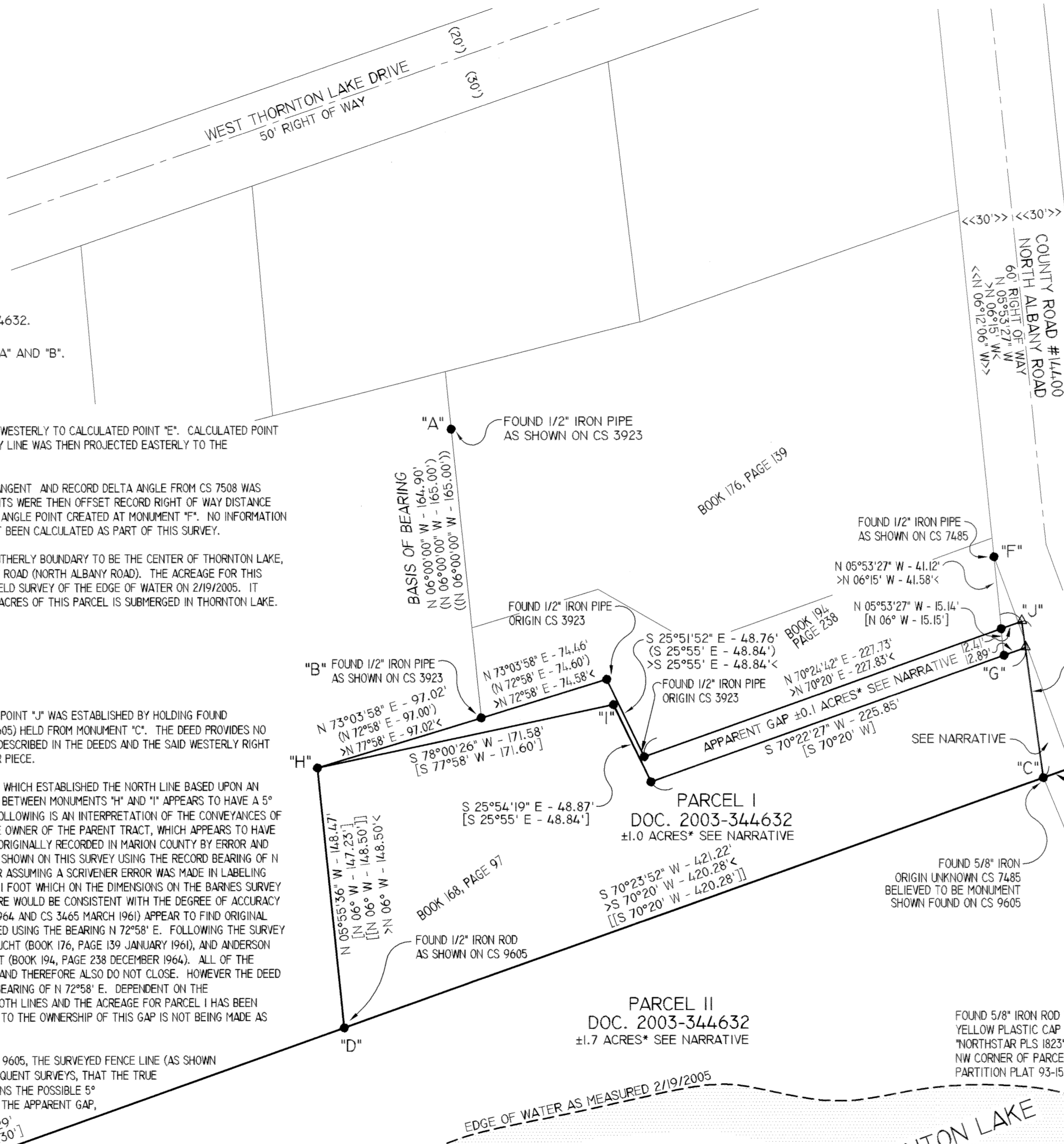
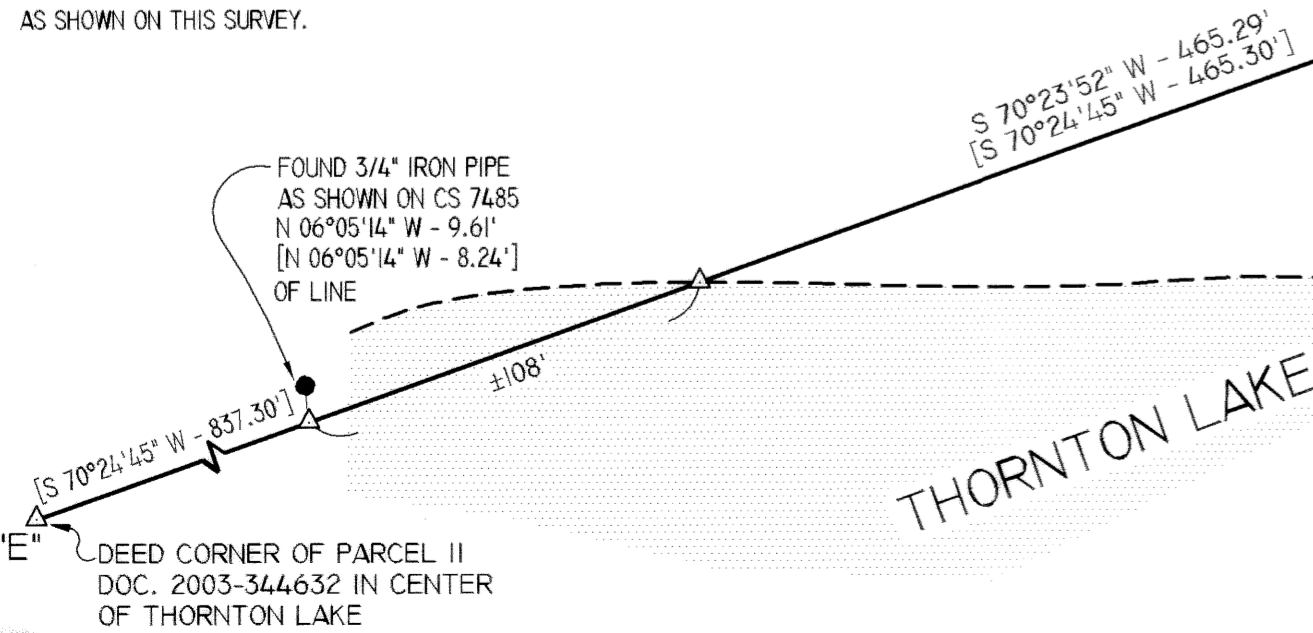
THE SOUTHERLY BOUNDARY OF THIS PARCEL WAS ESTABLISHED BY HOLDING MONUMENTS "C" AND "D".

THE WESTERLY BOUNDARY OF THIS PARCEL WAS ESTABLISHED BY HOLDING MONUMENTS "H" AND "D".

THE EASTERLY BOUNDARY OF THIS PARCEL WAS ESTABLISHED BY HOLDING MONUMENT "C" AND CALCULATED POINT "J". POINT "J" WAS ESTABLISHED BY HOLDING FOUND MONUMENTS AS SHOWN ON CS 7485 AND PROJECTING THE LINE TO THE INTERSECTION WITH A RECORD BEARING (CS 9605) HELD FROM MONUMENT "C". THE DEED PROVIDES NO CALLS TO THE RIGHT OF WAY OF NORTH ALBANY ROAD, THIS CREATES A TRIANGULAR PIECE BETWEEN THE PROPERTY DESCRIBED IN THE DEEDS AND THE SAID WESTERLY RIGHT OF WAY. NO ATTEMPT HAS BEEN MADE AS PART OF THIS SURVEY TO DETERMINE THE OWNERSHIP OF THIS TRIANGULAR PIECE.

THE NORTH BOUNDARY OF THIS PARCEL WAS ESTABLISHED BY HOLDING FOUND MONUMENTS SET IN CS 7485 AS SHOWN, WHICH ESTABLISHED THE NORTH LINE BASED UPON AN INTERPRETATION OF THE ORIGINAL DEED CALLS. HOWEVER IT SHOULD BE NOTED THE RECORD BEARING OF N 77°58' E, BETWEEN MONUMENTS "H" AND "I" APPEARS TO HAVE A 5° SCRIVENER ERROR BASED ON RECORD INFORMATION IN THE DEED AND SURVEY PRECEDING THE DEED (CS 9605). THE FOLLOWING IS AN INTERPRETATION OF THE CONVEYANCES OF THE PROPERTIES ADJACENT TO THIS LINE. IN FEBRUARY OF 1957 A SURVEY WAS PERFORMED FOR ALFRED AUSTIN, THE OWNER OF THE PARENT TRACT, WHICH APPEARS TO HAVE BEEN PERFORMED TO MARK OUT PARCELS INTENDED FOR SALE. THIS SURVEY, PERFORMED BY RALPH G. BARNES, WAS ORIGINALLY RECORDED IN MARION COUNTY BY ERROR AND THEN RECORDED AS CS 9605 IN BENTON COUNTY AT A LATER DATE. BY PERFORMING CLOSURES ON ALL THE PARCELS SHOWN ON THIS SURVEY USING THE RECORD BEARING OF N 77°58' E, AS SHOWN ON THE MAP, NONE OF THE LOTS CLOSE, ALL MIS-CLOSING BY APPROXIMATELY 14 FEET. HOWEVER ASSUMING A SCRIVENER ERROR WAS MADE IN LABELING THIS LINE AND THE BEARING OF N 72°58' E IS USED, ALL LOTS SHOWN ON THE SURVEY CLOSE WITHIN APPROXIMATELY 1 FOOT WHICH ON THE DIMENSIONS ON THE BARNES SURVEY WERE TO THE NEAREST HUNDREDTH OF A CHAIN ON MOST LINES, THEREFORE ONE COULD CONCLUDE THAT THIS CLOSURE WOULD BE CONSISTENT WITH THE DEGREE OF ACCURACY OF THE BARNES SURVEY. ADDITIONALLY, THE SUBSEQUENT SURVEYS OF THIS LINE BY OSBORN SHAW (CS 3923 APRIL 1964 AND CS 3465 MARCH 1961) APPEAR TO FIND ORIGINAL MONUMENTATION SET IN CS 9605, WHICH ARE CONSISTENT WITH A FENCE SHOWN ON CS 3923 ALONG THE LINE CREATED USING THE BEARING N 72°58' E. FOLLOWING THE SURVEY (CS 9605) AUSTIN THEN SELLS THE PARCELS MARKED BY THE SURVEY TO MORLAN (BOOK 168, PAGE 97 MARCH 1959), LUCHT (BOOK 176, PAGE 139 JANUARY 1961), AND ANDERSON (BOOK 189, PAGE 737 MARCH 1964), ANDERSON THEN SOLD A PORTION OF THE LOT PURCHASED FROM AUSTIN, TO LUCHT (BOOK 194, PAGE 238 DECEMBER 1964). ALL OF THE DEEDS ABOVE, SAVE THE LAST CONVEYANCE FROM ANDERSON TO LUCHT USE THE SAME CALLS AS SHOWN ON CS 9605 AND THEREFORE ALSO DO NOT CLOSE. HOWEVER THE DEED FROM ANDERSON TO LUCHT USES CALLS FROM THE SURVEY COMPLETED BY SHAW IN 1964 (CS 3923) AND REFLECTS A BEARING OF N 72°58' E. DEPENDENT ON THE INTERPRETATION OF THE RECORD INFORMATION A GAP MAY EXIST ALONG THIS NORTH LINE. THIS SURVEY REFLECTS BOTH LINES AND THE ACREAGE FOR PARCEL I HAS BEEN CALCULATED USING RECORD DEED CALLS AND THE BEARING N 77°58' E AS SHOWN ON CS 7485. A DETERMINATION AS TO THE OWNERSHIP OF THIS GAP IS NOT BEING MADE AS PART OF THIS SURVEY.

BASED ON THE INTERPRETATION ABOVE IT COULD BE CONCLUDED BASED ON THE POSSIBLE 5° SCRIVENER ERROR ON CS 9605, THE SURVEYED FENCE LINE (AS SHOWN ON CS 3923) AND ORIGINAL MONUMENTATION SET BY THE BARNES SURVEY (CS 9605) WHICH WAS RECOVERED BY SUBSEQUENT SURVEYS, THAT THE TRUE INTENT OF THE DEEDS WAS TO CONVEY THE PROPERTY MARKED ON THE 1957 BARNES SURVEY (CS 9605) WHICH CONTAINS THE POSSIBLE 5° SCRIVENER ERROR. THIS INTERPRETATION WOULD SUGGEST THAT PARCEL I WOULD OWN TO THE NORTHERLY LINE OF THE APPARENT GAP, AS SHOWN ON THIS SURVEY.



Benton County
Surveyor's Office
C.S. FILE NO. 10057
FILING DATE 10-31-05
FILE SIZE 18 x 24

FOUND 1/2" IRON PIPE AS SHOWN ON CS 3923
FOUND 1/2" IRON PIPE AS SHOWN ON CS 7485
FOUND 1/2" IRON PIPE ORIGIN CS 3923
FOUND 1/2" IRON PIPE ORIGIN CS 3923
FOUND 1/2" IRON PIPE ORIGIN CS 3923
FOUND 1/2" IRON ROD AS SHOWN ON CS 9605
FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "NORTHSTAR PLS 1823" AT THE NW CORNER OF PARCEL 2 OF PARTITION PLAT 93-15.

BOOK 176, PAGE 139
BOOK 194, PAGE 238
BOOK 168, PAGE 97

PARCEL I
DOC. 2003-344632
±1.0 ACRES* SEE NARRATIVE

PARCEL II
DOC. 2003-344632
±1.7 ACRES* SEE NARRATIVE

APPARENT GAP ±0.1 ACRES* SEE NARRATIVE

SEE NARRATIVE

EDGE OF WATER AS MEASURED 2/19/2005

THORNTON LAKE

LEGEND:

- FOUND 5/8" IRON ROD WITH YELLOW PLASTIC CAP MARKED "LS 501" AS SHOWN ON CS 7485 UNLESS OTHERWISE NOTED.
- △ CALCULATED POINT
- () RECORD DATA PER COUNTY SURVEY 3923
- (()) RECORD DATA PER BOOK 189, PAGE 737
- < > RECORD DATA PER COUNTY SURVEY 3465
- [] RECORD DATA PER COUNTY SURVEY 7485
- [[]] RECORD DATA PER DOC. 2003-394632
- > < RECORD DATA PER COUNTY SURVEY 9605
- <<>> RECORD DATA PER COUNTY SURVEY 7508
- CS COUNTY SURVEY
- "A" MONUMENT LETTER

<p>REGISTERED PROFESSIONAL LAND SURVEYOR</p> <p><i>Leonard L. Smith</i></p> <p>OREGON SEPTEMBER 23, 1977</p> <p>LEONARD L. SMITH 1329</p> <p>RENEWAL 6/30/2006</p>	<p>PacWest</p> <p>ENGINEERING</p> <p>1530 NINTH AVE. SE TEL 1-888-926-7634 ALBANY, OR. 97321 FAX 541-926-7539</p>		<p>PROJECT: 03-055</p>
	<p>CLIENT: DIANA AMOS 14 EL MOLINO DRIVE CLAYTON, CALIFORNIA 94517</p>		<p>DRAWING No.: 03-055.DWG</p>
<p>DRAWN: J. MONTOYA</p>	<p>FIELD: R. WRIGHT</p>	<p>FIELD DATE: 2/19/05</p>	
<p>CALC'D: L. ALLEN</p>	<p>CHECKED: L. SMITH</p>	<p>SCALE: 1"=50'</p>	
		<p>PAGE OF 1 1</p>	