RECORD OF SURVEY

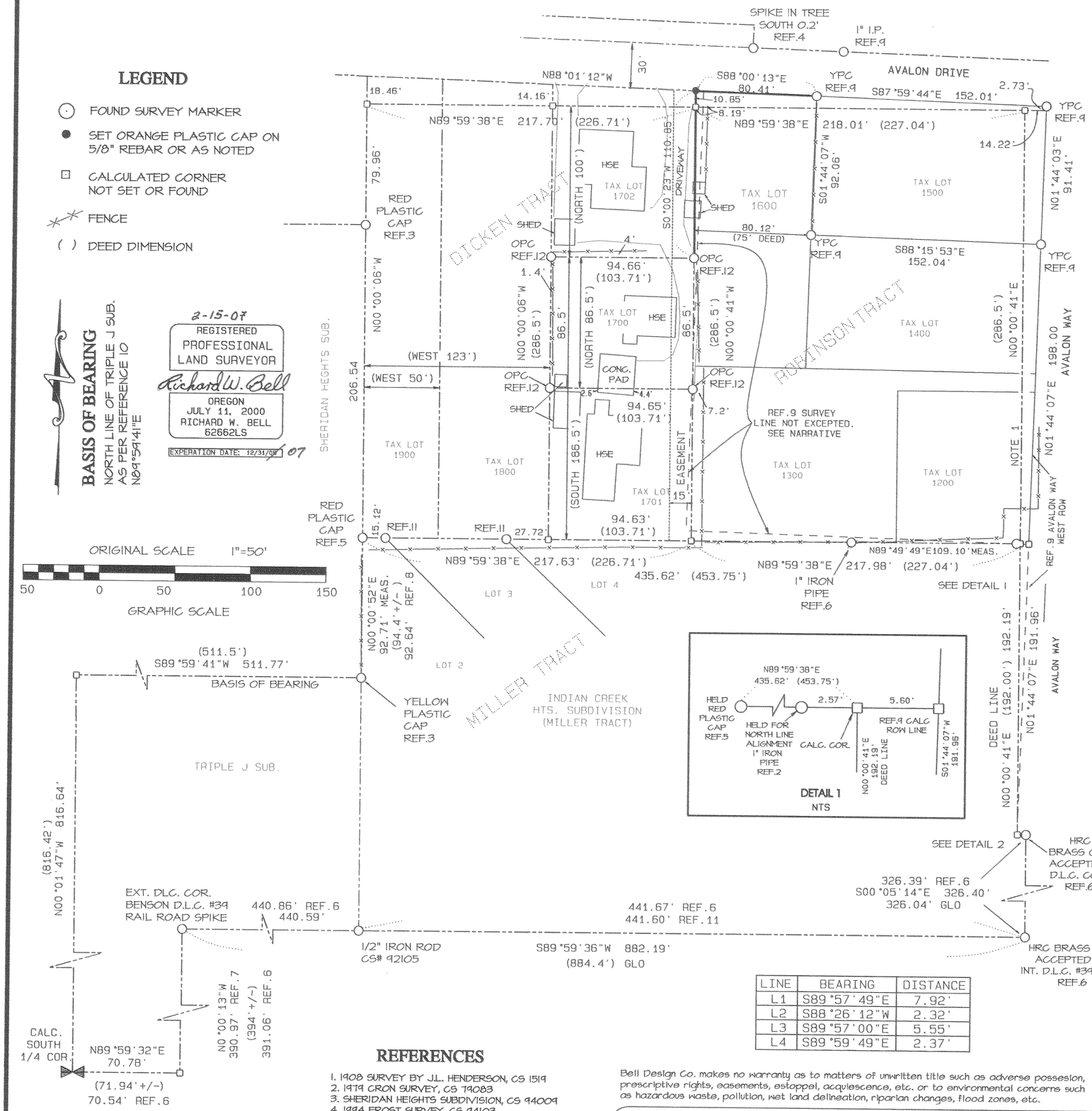
FOR TAX LOT 1600
IN A PORTION OF GOV. LOT 4
SEC. 35, T.3N., R.10E., W.M.
HOOD RIVER COUNTY, OREGON

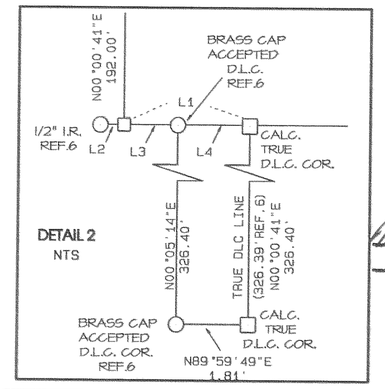
LEGEND

- FOUND SURVEY MARKER
- SET ORANGE PLASTIC CAP ON 5/8" REBAR OR AS NOTED
- CALCULATED CORNER NOT SET OR FOUND
- FENCE
- ( ) DEED DIMENSION

BASIS OF BEARING
NORTH LINE OF TRIPLE J SUB. AS PER REFERENCE 10
N89°59'41"E

2-15-07
REGISTERED
PROFESSIONAL
LAND SURVEYOR
Richard W. Bell
OREGON
JULY 11, 2000
RICHARD W. BELL
62662LS
EXPIRATION DATE: 12/31/08 07





LINE	BEARING	DISTANCE
L1	S89°57'49"E	7.92'
L2	S88°26'12"W	2.32'
L3	S89°57'00"E	5.55'
L4	S89°59'49"E	2.37'

LEGAL DESCRIPTION

3N 10E 35DC
TAX LOT 1600 (DESCRIBED IN WARRANTY DEED 691274)

SURVEY NARRATIVE

The purpose of this survey is to locate tax parcel 1600, 3N 10 35DC. Previous survey control from Ref. 11 as well as a field traverse tying found shown monuments was used for control. The immediate neighborhood of TL 1600 is well established with homes, fences and drives. Until July of 2005 (Ref.9) no surveys had been recorded east of the Sheridan Heights Subdivision, north of Indian Creek Heights Subdivision, west of Avalon Way and South of Avalon Drive. This property was owned by George Smith in 1904. The said George Smith property, as well as the subsequent deeds call out 453.75' between the east line of the Sheridan Heights property and West line of Avalon Way, however, this survey found only 435.62' to exist on the ground. A survey in 1908 (Ref.1) shows an overlap of deeds in this area. In 1904 George Smith sold two deeds which divided his property into two parcels. The two deeds were recorded on April 12th, 1904 at 2:00 PM. Incidentally, the two deeds were also notarized by C.W. Wolford on April 7th, 1904. The deeds were to D.E. Robinson (Book 37 and Page 426 of Wasco County records) and Alice J. Dicken (Book 37 and Page 427 of Wasco County Records). The Robinson Deed calls for 227.04' and the Dicken deed calls for 226.71, this adds up to 453.75', which agrees with said Smith deed. It is my conclusion that in a situation where no ambiguity exists within the deeds themselves and no apparent notice was given to the owners as to senior rights that these deeds were simultaneously conveyed and thus are subject to apportionment of the east-west distances. This conclusion is supported in "Evidence and Procedures for Boundary Locations" by Brown, 3rd Add., section 6-16 number 5 of Simultaneous Conveyances by Metes and Bounds. When the proportioned distances are compared with existing north-south lines of occupation, the case for apportionment becomes even stronger. The south line of the Dicken and Robins deeds call out 192' North from the D.L.C. line to the North line of the Miller tract. Ref.8 survey recreated this line as being parallel to the D.L.C. line as per the Miller legal description, this survey accepted the Ref. 8 monumentation as the North line of said Miller tract. Tax lots 1600 has senior rights (75') for east-west tract width over tax lots 1400 and 1500. This survey found the West line of Tax Lot 1600 to be 80.12 feet West of the Southwest corner of Tax Lot 1500 as established in Ref. 9 survey.

Note 1: The East line of the Robinson Trust as described in said Book 37, Page 426 of deeds is held to be parallel to the North-South oriented D.L.C. line depicted in detail 2 herein.

FILED
MAR 6 2007
COUNTY SURVEYOR
DEPUTY

REFERENCES

1. 1908 SURVEY BY J.L. HENDERSON, CS 1519
2. 1979 CRON SURVEY, CS 79083
3. SHERIDAN HEIGHTS SUBDIVISION, CS 94009
4. 1994 FROST SURVEY, CS 94103
5. AVALON TERRACE SUBDIVISION, CS 95074
6. 2003 WYEAST SURVEY, CS 2003006
7. 2003 KLEIN SURVEY, CS 2003040
8. 2004 TERRA SURVEY, CS 2004045
9. 2005 TENNESON SURVEY, CS 2005047
10. TRIPLE J SUBDIVISION, CS 2005037
11. INDIAN CREEK HEIGHTS SUBDIVISION, CS 2005074
12. BDC SURVEY, 12. BDC Survey, CS 2006005

Bell Design Co. makes no warranty as to matters of unwritten title such as adverse possesion, prescriptive rights, easements, estoppel, acquiescence, etc. or to environmental concerns such as hazardous waste, pollution, wet land delineation, riparian changes, flood zones, etc.

BELL DESIGN COMPANY
P.O.B. 308, DINGEN, MA. 48605
CIVIL ENGINEERING LAND SURVEYING

DATE	DESCRIPTION	BY
11/05	DRAFT	ARB
11/05	CHECK	RWB

RECORD OF SURVEY
FOR FRANK WILLIAMS
HOOD RIVER COUNTY , OREGON

SHEET: 1 OF 1
PROJECT: 06B228
DATE: Feb 2007

3N 10E 35DC TAX LOT 1600

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2-16-07 1600 #9

CS 2007 022