SURVEY of Arbitration Award, Case No. 060133CC, Section 22, T1N, R10E, WM Hood River County, Oregon

DETAIL 1

NTS

FOUND REF. I

5/8 REBAR

THE RED PLASTIC CAP WAS SET 2' EASTERLY OF THE FOUND (REF.) 5/8

REBAR, THE ARBITRATORS DECISION

STATES "A DISTANCE OF 2' TO AN

OF 2.0' IN ORDER TO AVOID ANY

RED PLASTIC CAPS SET ON 5/8" REBAR

BARBED WIRE CEDAR FENCE POSTS WITH

WERE SET AT THE BASE OF TWO OF THE OLD

ENDS STILL IN THE GROUND, THERE WERE NO FENCE POSTS SOUTH OF THIS LOCATION

CORNER FENCE POST

UNKNOWN ORIGIN

FOR THE NORTH END

FURTHER CONFLICT WITH THE

OWNER OF TAX LOT 2900.

EXISTING FENCE LINE". THE EXISTING

FENCE LINE IS ACTUALLY 2.45' FEET

EAST AS STATED ON BOTH THE REF. 3 AND 4

SURVEYS. THE OWNER OF TAX LOT 2800

DECIDED TO HOLD THE DISTANCE CALL

OLD BARBED

LARGE FIR WITH

S00 °05 '44"E

OLD BARBED

4.70

EASTSIDE

WIRE FENCE IN

WIRE FENCE

HOOD RIVER COUNTY SURVEYOR'S OFFICE Survey No 2009 039 Filed Date: 8.27.09

REFERENCES

- 1) 1983 Cron Survey, CS 83033
- 2) 1999 Wyeast Survey, C5 99042
- 3) 2003 Tenneson Survey, CS 2003-076
- 4) 2007 Wyeast Survey, Not Recorded
- 5) Arbitration Award, Case No. 060133CC,

LEGAL DESCRIPTION

Beginning at a point on the south line of said southwest quarter that bears North 86°44'15' West, a distance of 333.00 feet from a brass disc found at the South quarter corner of said Section 22; said point being the Southeast corner of that tract of land conveyed to James F. Lee, et al by deed recorded January 20, 1964 in Book 75 at Page 99, Hood River County deed Records: thence North 00°32'22" West, a distance of 455.35 Kaufman-Johnson tract south 86°42'37' East a distance of 2.00 feet to an existing fence line; thence southerly, along said fence line and its Southerly

Circuit Court of State of Oregon, for the County of Hood River

SET RED PLASTIC CAP (RPC) ON 5/8" REBAR LS #77685 DATE OF SET CORNERS - 6/8/2009

SURVEY NARRATIVE

O FOUND AND HELD

YPC ON 5/8" REBAR

The purpose of this survey is to monument the decision handed down by the Arbitration Award, Case No. 060133CC, Janis Mae Kaufman-Johnson, Ralph G. Brooks and Gregory D. Kaufman, Plaintiffs vs. Kenneth Ray Lee and Tacy R. Lee, Defendants, in the Circuit Court of the State of Oregon for the County of Hood River The arbitrator, Thomas C. Peachey prepared a legal description that was agreed to by both the plaintiff and defendant. Two surveys were prepared for the case, one by Tenneson Engineering Ref. 3 and Wyeast Surveys Ref.4. The Tenneson Survey was recorded in the county surveyors office, but no record could be found for the Myeast survey. Bell Design Company was provided a copy by the Lees. The legal description prepared by Peachey appeared to utilize the Wyeast survey for bearings and distances. In a letter from Thomas Peachey to the participants, dated December 4, 2007, he states that he utilized a legal description from Kevin Dowd (Myeast) and made changes to reflect what he viewed as the original barbed wire and wooden post fence line. This survey held said legal description with the following interpretation.

On the North end of the fence the legal calls out 2.00 feet easterly to the existing fence. The existing fence is 2.45 feet as shown on both Ref.3 and 4 surveys. The Lees decided to hold the distance of 2.00 feet instead of the actual fence in order not to create any further boundary disputes with the Plaintiffs. The description then states to go southerly along said fence line. I placed three monuments along the fence line as shown on this survey. The description then states to go along said fence line to the southerly extension of the South line of said Southwest quarter, thence along said South line 9.00 feet to the point of beginning. This survey held the 9.00' position even though there was no evidence of the location of the existing old fence in this area

> ORIGINAL SCALE 1"=40" 120 GRAPHIC SCALE

TAX LOT 2800 AND 2900. MAP 1N-10-22C



Survey for Kenneth and Tacy Lee

Hood River County, Oregon

PROJECT: __JOB #09B104 DATE: __Jul 2009

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

SOUTH LINE OF THE

SOUTH EAST QUARTER

-(S86 °44' 15"E 333.00' REF.5)

ARB

HOK

2.00

SEE DETAIL I

S86 °42 '51 "E

4.70 N00 °05 '44" W

AUSTIN R. BELL

EXPIRES: 12-31-09

SEE DETAIL 2

S0"51"18"E

S86 *44 ' 15 " E

20.05

166.55' (166.50' REF.1)....

S86 °42 '51 "E 164.55 '

FOUND AND HELD

OF FIR TREE

REF.I

2

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32

455. N00

5/8" REBAR AT BASE

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SET RED PLASTIC CAP AT OF LEE FENCE MID POINT BETWEEN FENCES AS EXTENSION OF OLD FENCE LINE DRNER FENCE POST FOR THE SOUTH END OF LEE FENCE W RR TIE FENCE POST <u>~</u> FOR THE SOUTH END OF THE 1972 FENCE Ü ARBITRATION LINE IS LINE IS I' WEST OF LEE FENCE AND FOUND YPC 1.8 FEET WEST OF RR TIE REF,2 N86 °44 ' 15 " W > S00 *51 ' 18 "E 20.04 8.89 M. EZ, 0E, 00N 20.05 FOUND PK NAIL

> N86 *44 ' 15 " W 9.00' AS PER ARBITRATION AWARD

STILL IN THE GROUND

DETAIL 2

ON 01972 FENCE POST

FOUND AND HELD PK NAIL (NOTED IN REF. 3) -9.00' (REF.5) AND POINT OF BEGINNING

FOUND AND HELD

YPC ON 5/8" REBAR

EDGE OF PAVEMENT

M., EZ, 0E, 00N

MILLER ROAD

20.04

REF.2

SOUTH QUARTER

CORNER SECTION 22