

BIRCH CREEK ROAD  
LEGALIZATION  
COUNTY ROAD #550

ROAD OFFICIAL'S REPORT

---

UMATILLA COUNTY  
DEPARTMENT OF PUBLIC  
WORKS

AUGUST 20, 2003

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# **BIRCH CREEK ROAD LEGALIZATION REPORT**

## HISTORY

Birch Creek Road was originally established as County Road No. 63 in 1878. One portion of it began ¼ mile west of the Southwest Corner of Section 22 (now the Birch Creek Road/Powerline Road intersection) and ran easterly to what is now Hood Road. The second portion of it began slightly south of where the first section ended in the center of Hood Road and ran to Government Mountain (now County Road No. 573, also Birch Creek Road). The first portion is the one being legalized.

## GENERAL

Maintenance and minor re-alignments over the years has altered the road slightly. The location of the road per the original survey is shown as a dark pink shaded area on the attached survey for this legalization. The “legalized” location is shown as the area between the darker red dashed lines. The location of the right-of-way needs to be established so that easements and/or additional right-of-way can be obtained for a planned bridge replacement on Birch Creek.

## IMPACTS TO UTILITIES AND PROPERTY OWNERS

The City of Milton-Freewater has power poles along the south side of the road. Underground telephone facilities exist on the north side of the road. All power poles and all but one telephone pedestal would fall within the legalized right-of-way. No major encroachments from structures exist.

## STATUTES

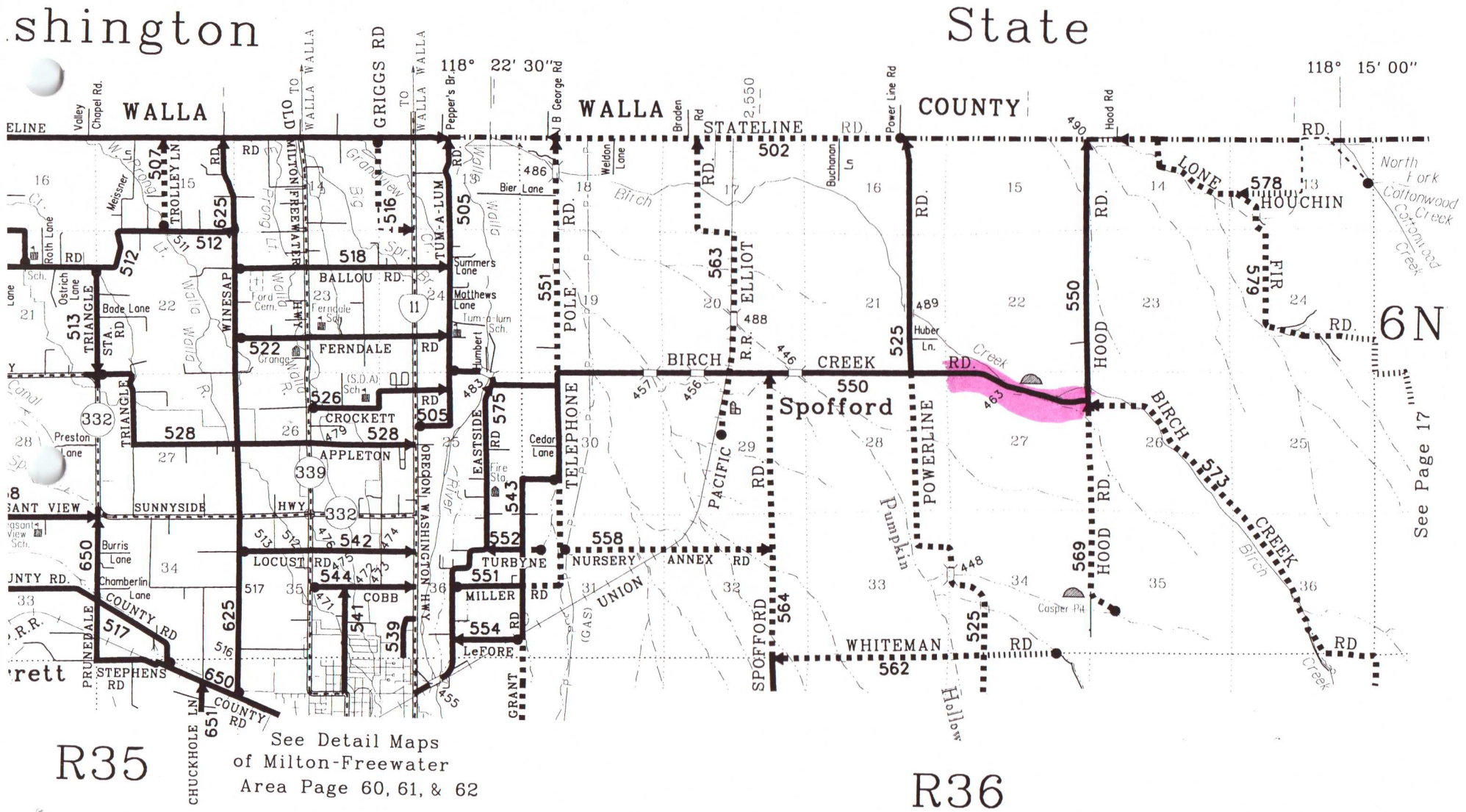
ORS 368.201(3) provides a basis for the county governing body to initiate legalization proceedings if a road as traveled and used for 10 years or more does not conform to the location of a road described in county records.

## RECOMMENDATION

The Public Works Department recommends that the portion of County Road No. 550, Birch Creek Road, lying between the Southwest Corner of Section 22, Township 6 North, Range 36 E.W.M. and Hood Road be legalized as shown on the attached survey map and as described in the final order.

Stateline Rd 500, 502  
 Stephens Rd 650  
 Sunquist Rd 512  
 Telephone Pole Rd 551  
 Tucholke Rd 536  
 Triangle Rd 528  
 Triangle Sta Rd 513

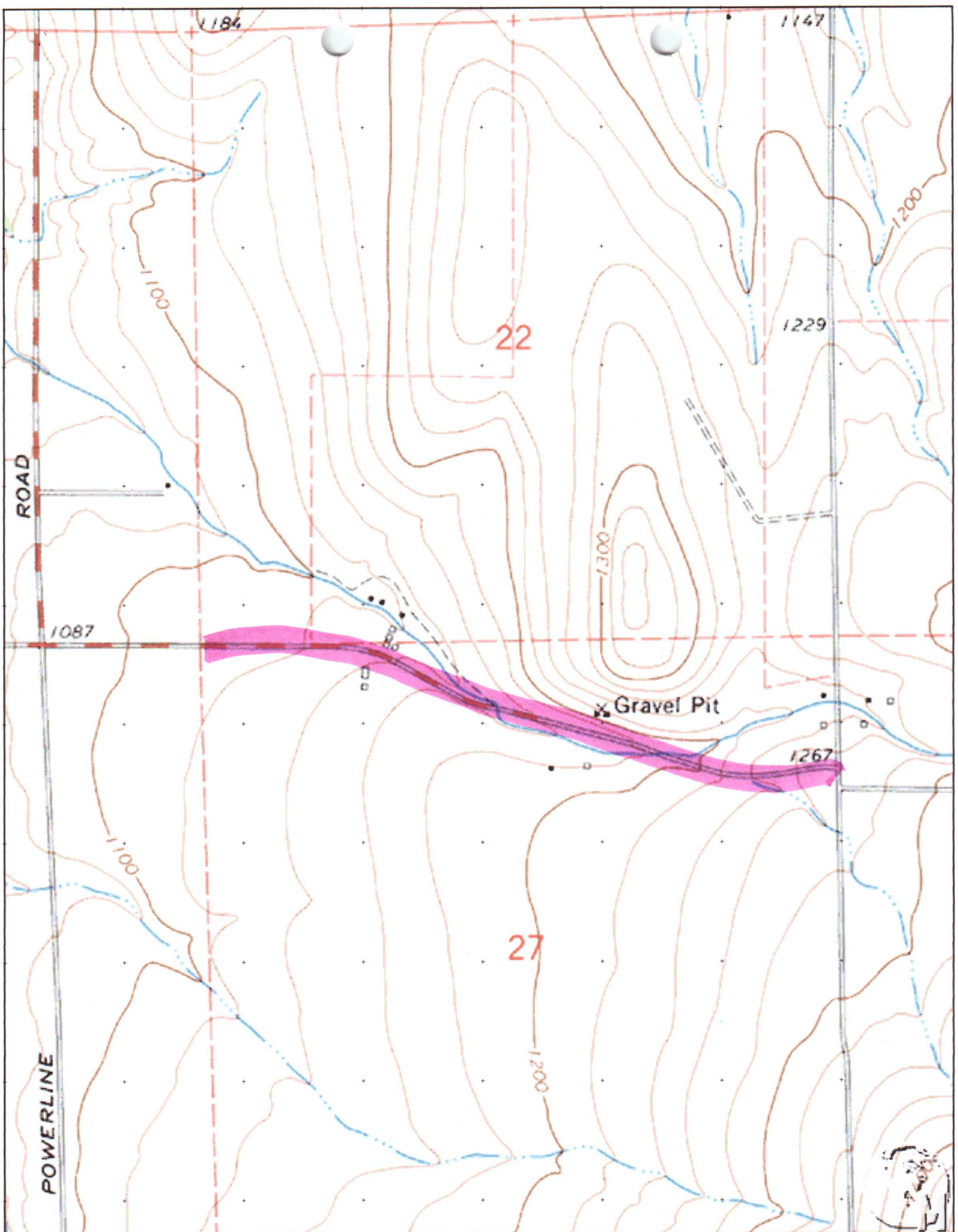
Trolley Ln 507  
 Tum-A-Lum Rd 505  
 Turbyne Rd 552  
 Umapine Rd 700  
 Weber Ln 516  
 Whiteman Rd 562  
 Winesap Rd 625



See Page 17

See Detail Maps  
 of Milton-Freewater  
 Area Page 60, 61, & 62

See Page 19



2143

Report, Survey and Plan of Road from Swifts  
to  
White Lane

To the Honorable County Court of Waukena Co. Oregon  
In the matter of the location of a County Road commencing at the N.W. cor. of Swifts farm and terminating at a point in the White Lane we your viewers beg leave to report as follows we have examined the route thoroughly and recommend that you establish the same as a public highway as we consider the road of public utility for further particulars we refer you to surveyors report. This 20<sup>th</sup> day of July - 1876. Marion Stubblefield  
Smith Jones  
J. L. Moorhouse

- Field notes of County Road commencing at S. W. corner of 6 1/2 of S. E. 1/4 of Sec. 21, T. 6 N. R. 30 E. drove a stake for initial point then
- 40.00 East point of angle thence
- 14.50 S 61° E point of angle thence
- 25.50 S 75° E 1 mile post set a stake 4 feet long 4 in in mound of earth with trench and pits as per instructions
- 2.00 S 35° E point across Birch brook thence
- 8.00 S 45° E point of angle thence
- 14.50 East terminus set a post 4 feet long 4 in in mound of earth with trench and pits as per instructions

Survey completed July 20. 1876  
J. L. Moorhouse  
Co. Surveyor

(See it on page 107)

Plats of Trails, Somers & White

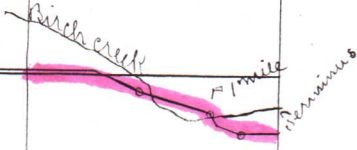
To

Government Mountain

Road from Swifts, To

White Lane

1	17	6	15
11	20	21	22
20	29	25	27
21	22	23	24
6	1	4	3
7		9	10



Plat of Road commencing at the S.W. corner  
of the S. 1/4 of the E. 1/4 of Sec. 21 Town 6 N R  
36 E and running to White Lane

J C Morrow

Co Sur

Sept. 1891

# Birch Creek Road Legalization Survey

## Survey Narrative

This survey was performed at the request of the Umatilla County Board of Commissioners. The purpose was to monument a portion of County Road No. 550, Birch Creek Road, for a road legalization and to provide a basis for right-of-way acquisition for a bridge replacement project after it was determined its location doesn't match the location shown in road records.

In performing the survey, I set two section corners. The Southeast Corner of Section 22 was established by holding the center of Hood Road (originally Road No. 107) for easting and the record G.L.O. distance of 80 chains south of the monument found at the Northeast Corner of Section 22 for northing. By doing so, the proportionate distance of 2640 feet from the corner to east 1/4 corner of the section (not set at this time) fits a plow line to the east very well for northing, though its east-west position falls on the east side of the pavement. The 1881 survey of Road No. 107 (Book "A", Pages 255-258, County Roads and Field Notes), call for beginning on the line between Sections 26 and 27, 17 chains south of the Northeast Corner of Section 27, and running north to the state line. Unfortunately, no calls to the section or 1/4 corners were made. There is also no call to the distance to the Birch Creek crossing (name in the G.L.O. notes either) and no mention as to whether the road began at the end of the existing road (Road No. 63). The plat of Road No. 107 shows the road on the section lines.

The Southeast Corner of Section 21 was established by holding the center of the paved portion of Birch Creek Road for northing and single-proportioning between the monument found at the Southeast Corner of Section 20 and the monument set at the Southeast Corner of Section 22 for easting using original G.L.O. distances. John Kimbrell (Book 1, Pages 401 & 402, Record of Private Surveys) refers to this corner as a stone in the road, though he doesn't say whether found or set. The notes of the 1878 survey for Road No. 63 (Book "A", Pages 106 & 107, County Roads and Field Notes) do not call for the corner, but the plat shows the road along the section line. The single-proportion position for the North 1/4 Corner of Section 27 (not set at this time) using this monument and the one set at the Northeast Corner of Section 27 fits the remains of an old north-south fence and plow line well.

The procedure used in this survey was to set intervisible iron pins for traverse points (labeled BC-1 through BC-7), GPS traverse through Tomkins Point 14, Tomkins Point 16, BC-1, BC-3, BC-6, and BC-7, constraining to values recorded squares adjustment program, and then using point-to-point traversing with a total station to obtain the values for BC-2, BC-4, and BC-5. Equipment used was a Sokkia Radion GPS system operated in both static and RTK modes and a Topcon GTS-813A robotic total station operated in both robotic and manual modes. Bearings shown are NAD'83(91) grid bearings scale and elevation factor of 0.99993891.



Found 2" Brass Disk marked as shown set in concrete 1/2" +/- below pavement surface. Its location matches the location of the true Southeast Corner of Section 20 as shown on Surveys K-79-B by Staebler, 01-18-B by Tomkins, and 03-23-C by Tomkins. No restoration form was found.



N89°37'31"W 5307.96'  
(N89°49'W 80.00 Chains, R-1)

Set railroad spike stamped "LS2627" with punch mark at the Southeast Corner of Section 21. East-west location was based on single proportion between the monument found at the Southeast Corner of Section 20 and the monument set at the southeast corner of Section 22. North-south location was determined by holding the center of the pavement of Birch Creek Road. See corner restoration form filed separately.

### Oregon State Plane Coordinates - North Zone 3601

#### NAD '83('91) - International Feet

Point	Northing	Easting
S.W. Corner Section 21	849,592.53 (849,592.51)	8,753,743.31 (8,753,743.27, R-8)
S.E. Corner Section 21	849,701.89	8,759,049.82
BC-1	849,734.85	8,759,583.95
BC-2	849,735.37	8,760,465.64
207+05.61 P.C. CL	849,721.03	8,759,755.13
209+05.62 P.T. CL	849,727.44	8,759,955.02
212+41.05 P.C. CL	849,739.82	8,760,290.21
214+72.74 P.T. CL	849,691.07	8,760,514.21

### Curve Table

Curve No.	Delta	Radius	Arc Length	Chord Bearing	Chord Distance
C1	00°32'09"	21,355.31'	199.72'	N89°43'12"E	199.72'
C2	00°32'09"	21,325.31'	200.01'	N89°43'12"E	200.01'
C3	00°32'09"	21,295.31'	200.30'	N89°43'12"E	200.30'
C4	28°47'24"	491.09'	246.78'	S76°09'56"E	244.18'
C5	28°47'24"	461.09'	231.69'	S76°09'56"E	229.26'
C6	28°47'24"	431.09'	216.63'	S76°09'56"E	214.34'

### Traverse Line Data

From Point	To Point	Bearing	Distance
S.W. Corner Section 22	BC-1	N88°01'27"E	535.18'
BC-1	BC-2	S88°28'41"E	881.75'
BC-2	BC-3	S59°27'01"E	1008.37'

### Survey Records

- Odell and Lewis, G. L. O. Contract No. 110, Dated February 7, 1865
- Plats and Field Notes of Road from Swifts to White Lane and Road from line between Summers and White to Government Mountain, both Road No. 63, Surveys Completed February, 1878, by J. L. Moorehouse, County Surveyor. Book "A", Pages 104-108, County Roads and Field Notes.
- Plat and Field Notes of Road C-4 by John C. Arnold. Originally Surveyed in May, 1878; Plat re-drawn in December, 1892. Book "A", Pages 112-114, County Roads and Field Notes.
- Plat and Field Notes of Road No. 76. Book "A", Page 183, County Roads and Field Notes. Plat re-drawn in December, 1892. August 25, 1880.
- Plat and Field Notes of Road No. 107, Book "A", Pages 255-258, County Roads and Field Notes. Viewer's Report dated August 19, 1881
- Survey for Fred Stine by John Kimbrell, County Surveyor. Book 1, Pages 401-402, Record of Private Surveys. Dated April 9, 1899.
- Survey for Hammons, Tinker, and Flynn by Bartleson, Survey No. 99-282-B.
- GPS/Remonumentation Survey by Tomkins for the Umatilla County Surveyor, Survey No. 03-23-C.

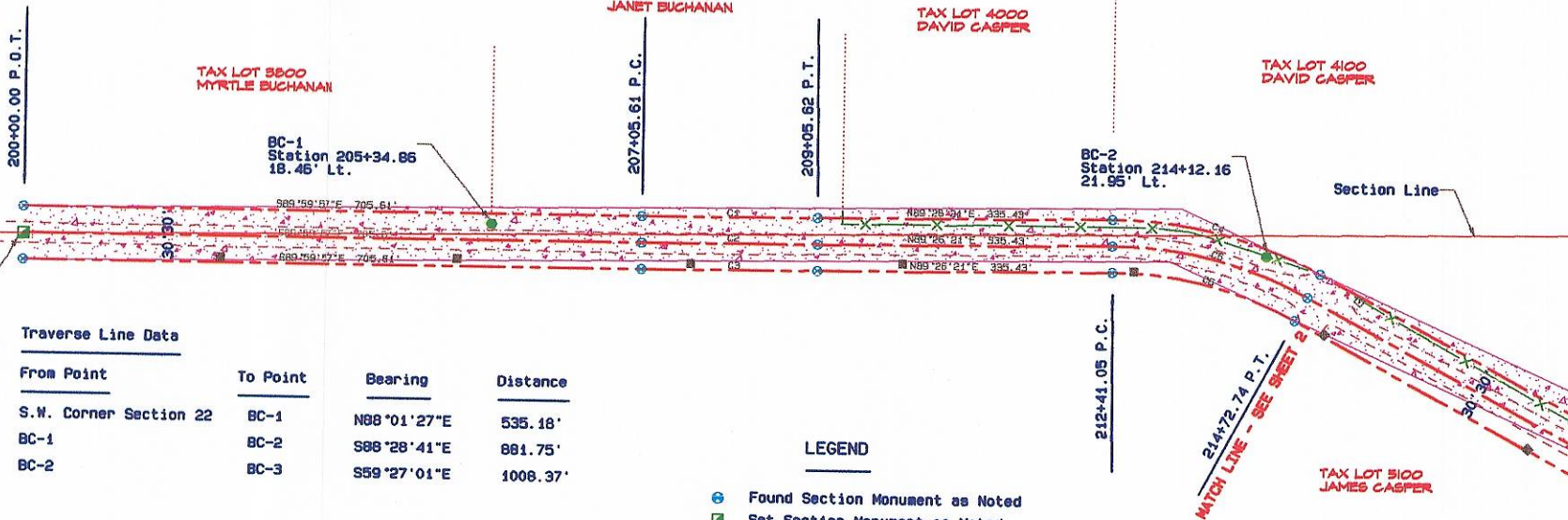
TAX LOT 3900  
JANET BUCHANAN

TAX LOT 4000  
DAVID CASPER

TAX LOT 3800  
MYRTLE BUCHANAN

TAX LOT 4100  
DAVID CASPER

TAX LOT 5100  
JAMES CASPER



### LEGEND

- Found Section Monument as Noted
- Set Section Monument as Noted
- Set 5/8" X 30" Iron Rebar with Yellow Plastic Cap Marked "UCPMD...LS2627"
- Set Railroad Spike with Punch Mark Stamped "LS2627"
- Calculated Point Only - Nothing Found or Set
- Power Pole
- Telephone Pedestal
- Guy Wire and Anchor
- R/W Centerline
- R/W Line
- Edge of Traveled Road
- Culvert
- Fence

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JULY 20, 1892  
GARY R. ROBERTS  
2627  
RENEWS 12/31/2004

SCALE 1"=100'



Umatilla County Road Department  
3920 Westgate  
Pendleton, Oregon 97801  
Phone 541/278-5424

Birch Creek Road Legalization Survey  
County Road No. 550

Located in Sections 22 and 27  
Township 6 North, Range 36 E.W.M.

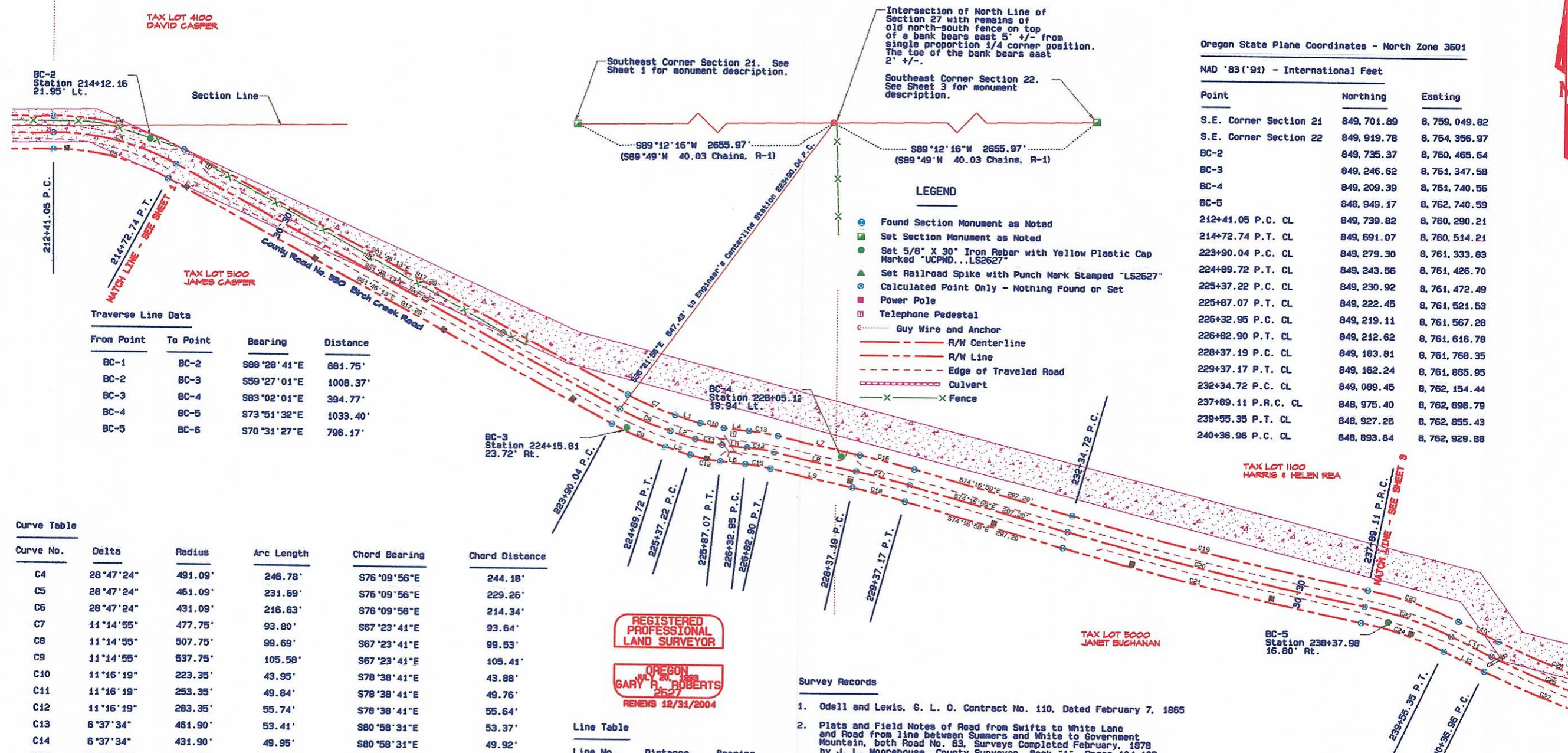


# Birch Creek Road Legalization Survey

Oregon State Plane Coordinates - North Zone 3601

NAD '83('91) - International Feet

Point	Northing	Easting
S.E. Corner Section 21	849,701.89	8,759,049.82
S.E. Corner Section 22	849,919.78	8,764,356.97
BC-2	849,735.37	8,760,465.64
BC-3	849,246.62	8,761,347.58
BC-4	849,209.39	8,761,740.56
BC-5	848,949.17	8,762,740.59
212+41.05 P.C. CL	849,739.82	8,760,290.21
214+72.74 P.T. CL	849,691.07	8,760,514.21
223+90.04 P.C. CL	849,279.30	8,761,333.83
224+89.72 P.T. CL	849,243.55	8,761,426.70
225+37.22 P.C. CL	849,230.92	8,761,472.49
225+87.07 P.T. CL	849,222.45	8,761,521.53
226+32.95 P.C. CL	849,219.11	8,761,567.28
226+82.90 P.T. CL	849,212.62	8,761,616.78
228+37.19 P.C. CL	849,183.81	8,761,768.35
229+37.17 P.T. CL	849,162.24	8,761,865.95
232+34.72 P.C. CL	849,089.45	8,762,154.44
237+89.11 P.R.C. CL	848,975.40	8,762,696.79
239+55.35 P.T. CL	848,927.26	8,762,855.43
240+36.96 P.C. CL	848,893.84	8,762,929.88



Traverse Line Data

From Point	To Point	Bearing	Distance
BC-1	BC-2	S88°28'41"E	881.75'
BC-2	BC-3	S59°27'01"E	1008.37'
BC-3	BC-4	S83°02'01"E	394.77'
BC-4	BC-5	S73°51'32"E	1033.40'
BC-5	BC-6	S70°31'27"E	796.17'

Curve Table

Curve No.	Delta	Radius	Arc Length	Chord Bearing	Chord Distance
C4	28°47'24"	491.09'	246.78'	S76°09'56"E	244.18'
C5	28°47'24"	461.09'	231.69'	S76°09'56"E	229.26'
C6	28°47'24"	431.09'	216.63'	S76°09'56"E	214.34'
C7	11°14'55"	477.75'	93.80'	S67°23'41"E	93.64'
C8	11°14'55"	507.75'	99.69'	S67°23'41"E	99.53'
C9	11°14'55"	537.75'	105.58'	S67°23'41"E	105.41'
C10	11°16'19"	223.35'	43.95'	S78°38'41"E	43.88'
C11	11°16'19"	253.35'	49.84'	S78°38'41"E	49.76'
C12	11°16'19"	283.35'	55.74'	S78°38'41"E	55.64'
C13	6°37'34"	461.90'	53.41'	S80°58'31"E	53.37'
C14	6°37'34"	431.90'	49.95'	S80°58'31"E	49.92'
C15	6°37'34"	401.90'	46.49'	S80°58'31"E	46.47'
C16	3°23'39"	1717.70'	101.76'	S75°58'55"E	101.74'
C17	3°23'39"	1687.70'	99.98'	S75°58'55"E	99.96'
C18	3°23'39"	1657.70'	98.20'	S75°58'55"E	98.18'
C19	4°34'29"	6913.40'	551.99'	S76°34'11"E	551.85'
C20	4°34'29"	6943.40'	554.39'	S76°34'11"E	554.24'
C21	4°34'29"	6973.40'	556.78'	S76°34'11"E	556.64'
C22	14°35'25"	682.85'	173.89'	S71°33'44"E	173.42'
C23	14°35'25"	652.85'	166.25'	S71°33'44"E	165.80'
C24	14°35'25"	622.85'	158.61'	S71°33'44"E	158.18'
C25	8°32'23"	1644.33'	245.08'	S68°32'25"E	244.85'
C26	8°32'23"	1674.33'	249.55'	S68°32'25"E	249.32'
C27	8°32'23"	1704.33'	254.02'	S68°32'25"E	253.79'

Line Table

Line No.	Distance	Bearing
L1	47.51'	S73°01'11"E
L2	47.51'	S73°01'11"E
L3	47.51'	S73°01'11"E
L4	45.88'	S84°16'11"E
L5	45.88'	S84°16'11"E
L6	45.88'	S84°16'11"E
L7	154.29'	S77°40'53"E
L8	154.29'	S77°40'53"E
L9	154.29'	S77°40'53"E
L10	81.61'	S64°16'14"E
L11	81.61'	S64°16'14"E
L12	81.61'	S64°16'14"E

REGISTERED PROFESSIONAL LAND SURVEYOR

GARY R. ROBERTS  
RENEWS 12/31/2004

Survey Records

- Odell and Lewis, G. L. O. Contract No. 110, Dated February 7, 1865
- Plats and Field Notes of Road from Swifts to White Lane and Road from line between Summers and White to Government Mountain, both Road No. 63, Surveys Completed February, 1878 by J. L. Moarehouse, County Surveyor, Book "A", Pages 104-108, County Roads and Field Notes.
- Plat and Field Notes of Road C-4 by John C. Arnold, Originally Surveyed in May, 1878; Plat re-drawn in December, 1892. Book "A", Pages 112-114, County Roads and Field Notes.
- Plat and Field Notes of Road No. 76. Book "A", Page 183, County Roads and Field Notes. Plat and Field Notes Recorded August 25, 1880.
- Plat and Field Notes of Road No. 107, Book "A", Pages 255-258, County Roads and Field Notes. Viewer's Report dated August 19, 1881
- Survey for Fred Stine by John Kimbrell, County Surveyor, Book 1, Pages 401-402, Record of Private Surveys. Dated April 9, 1899.
- Survey for Hammons, Tinker, and Flynn by Bartleson, Survey No. 99-282-B.
- GPS/Re monumentation Survey by Tomkins for the Umatilla County Surveyor, Survey No. 03-23-C.



Umatilla County Road Department  
3920 Westgate  
Pendleton, Oregon 97801  
Phone 541/278-5424

Birch Creek Road Legalization Survey  
County Road No. 550

Located in Sections 22 and 27  
Township 6 North, Range 36 E.W.M.

Sheet 2 of 3 Date of Survey: June, 2003

# Birch Creek Road Legalization Survey

## Survey Records

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Southeast Corner Section 20. See Sheet 1 for monument description.

Southeast Corner Section 21. See Sheet 1 for monument description.

Southeast Corner Section 22. Set railroad spike stamped "LS2627" with punch mark flush with road surface at record G.L.O. distance south of the monument at the northeast corner of the section and in the center of the paved surface of Hood Road. See restoration form filed separately.

Found 2" Brass Disk marked as shown set in concrete 1/2" +/- below pavement surface. Its location matches the location of the northeast corner of Section 22 as shown on Survey 03-23-C by Tomkins. I believe it to be a perpetuation of the 5/8" rebar set by Bartleson, Survey No. 99-282-B. No restoration form was found.



## Oregon State Plane Coordinates - North Zone 3601

### NAD '83 ('91) - International Feet

Point	Northing	Easting
N. E. Corner Section 22	855,197.70 (855,197.64)	8,764,220.99 (8,764,220.98)
S. E. Corner Section 22	849,919.78	8,764,356.97
S. W. Corner Section 22	849,701.89	8,759,049.82
S. W. Corner Section 21	849,592.53	8,753,743.31
BC-5	848,949.17	8,762,740.59
BC-6	848,704.20	8,763,498.09
BC-7	848,723.15	8,763,932.64
237+89.11 P.R.C. CL	848,975.40	8,762,696.79
239+55.35 P.T. CL	848,927.26	8,762,855.43
240+36.96 P.C. CL	848,893.84	8,762,929.88
242+86.51 P.T. CL	848,808.96	8,763,164.29
245+35.13 P.C. CL	848,741.97	8,763,403.69
248+40.85 P.T. CL	848,721.01	8,763,706.55
EQ 255+57.10 P.I. CL	848,817.20	8,764,416.28

## Traverse Line Data

From Point	To Point	Bearing	Distance
BC-4	BC-5	S73°51'32"E	1033.40'
BC-5	BC-6	S70°31'27"E	796.17'
BC-6	BC-7	N69°03'29"E	435.00'
BC-7	EQ. 255+57.10	N80°33'03"E	492.72'

## Line Table

Line No.	Distance	Bearing
L10	81.61'	S64°16'14"E
L11	81.61'	S64°16'14"E
L12	81.61'	S64°16'14"E
L13	248.62'	S72°48'37"E
L14	17.76'	N01°31'26"W

## LEGEND

- Found Section Monument as Noted
- Set Section Monument as Noted
- Set 5/8" X 30" Iron Rebar with Yellow Plastic Cap Marked "UCPMD...LS2627"
- Set Railroad Spike with Punch Mark Stamped "LS2627"
- Calculated Point Only - Nothing Found or Set
- Power Pole
- Telephone Pedestal
- Guy Wire and Anchor
- R/W Centerline
- R/W Line
- Edge of Traveled Road
- Culvert
- Fence

REGISTERED PROFESSIONAL LAND SURVEYOR

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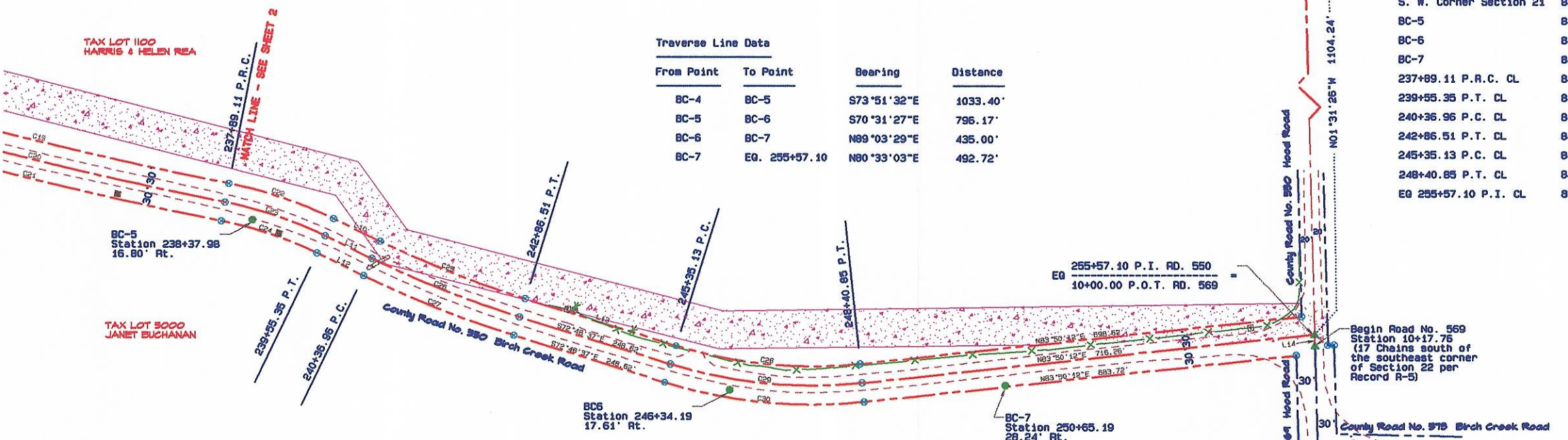
SCALE 1"=100'  
0 100 200

Umatilla County Road Department  
3920 Westgate  
Pendleton, Oregon 97801  
Phone 541/278-3424

Birch Creek Road Legalization Survey  
County Road No. 550

Located in Sections 22 and 27  
Township 6 North, Range 36 E.W.M.

Sheet 3 of 3 Date of Survey: June, 2003



## Curve Table

Curve No.	Delta	Radius	Arc Length	Chord Bearing	Chord Distance
C19	4°34'29"	6913.40'	551.99'	S76°34'11"E	551.85'
C20	4°34'29"	6943.40'	554.39'	S76°34'11"E	554.24'
C21	4°34'29"	6973.40'	556.78'	S76°34'11"E	556.64'
C22	14°35'25"	682.85'	173.89'	S71°33'44"E	173.42'
C23	14°35'25"	652.85'	166.25'	S71°33'44"E	165.80'
C24	14°35'25"	622.85'	158.61'	S71°33'44"E	158.18'
C25	8°32'23"	1644.33'	245.08'	S68°32'25"E	244.85'
C26	8°32'23"	1674.33'	249.55'	S68°32'25"E	249.32'
C27	8°32'23"	1704.33'	254.02'	S68°32'25"E	253.79'
C29	23°21'11"	720.06'	293.49'	S84°29'12"	291.46'
C29	23°21'11"	750.06'	305.72'	S84°29'12"E	303.60'
C30	23°21'11"	780.06'	317.94'	S84°29'12"E	315.75'

