

LEGALIZATION REPORT

County Road No. 1061

SHAW ROAD

**Located in Sections 1 & 2, Township 1
South, Range 32 E.W.M. and Section 35,
Township 1 North, Range 32 E.W.M.**

November , 1996

Umatilla Co. Dept. of Public Works

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LEGALIZATION REPORT

Summary

A survey order dated April , 1996 was issued by the Board of Commissioners to survey and monument a portion of County Road # 1061 (Shaw Road) . The survey was completed by the Public Works Department and a copy of the plat is attached. A public hearing was scheduled for November 6 . On October 7 , notice of the public hearing was posted in 3 public places , all persons owning land abutting the proposed legalization were notified , as was the C.T.U.I.R. Notice of the public hearing was published twice in the East Oregonian.

Facts and Findings

The survey of the right-of-way showed the location of the traveled road to be very near its intended location . The exceptions were at the curves. The original dedicated road (highlighted in yellow on the attached plat and field notes) is described through a series of angle points. Maintenance of the road over many years has changed the angle points into curves.

Federal funding has been approved to replace the bridge shown on the attached maps (highlighted in yellow). Because additional right-of-way will be needed (shown on map , Attachment “ E ”), a good legal description of the existing road is needed in order to accurately describe the land to be acquired. Legalization as shown on the survey map , Attachment “ D ” , would provide this.

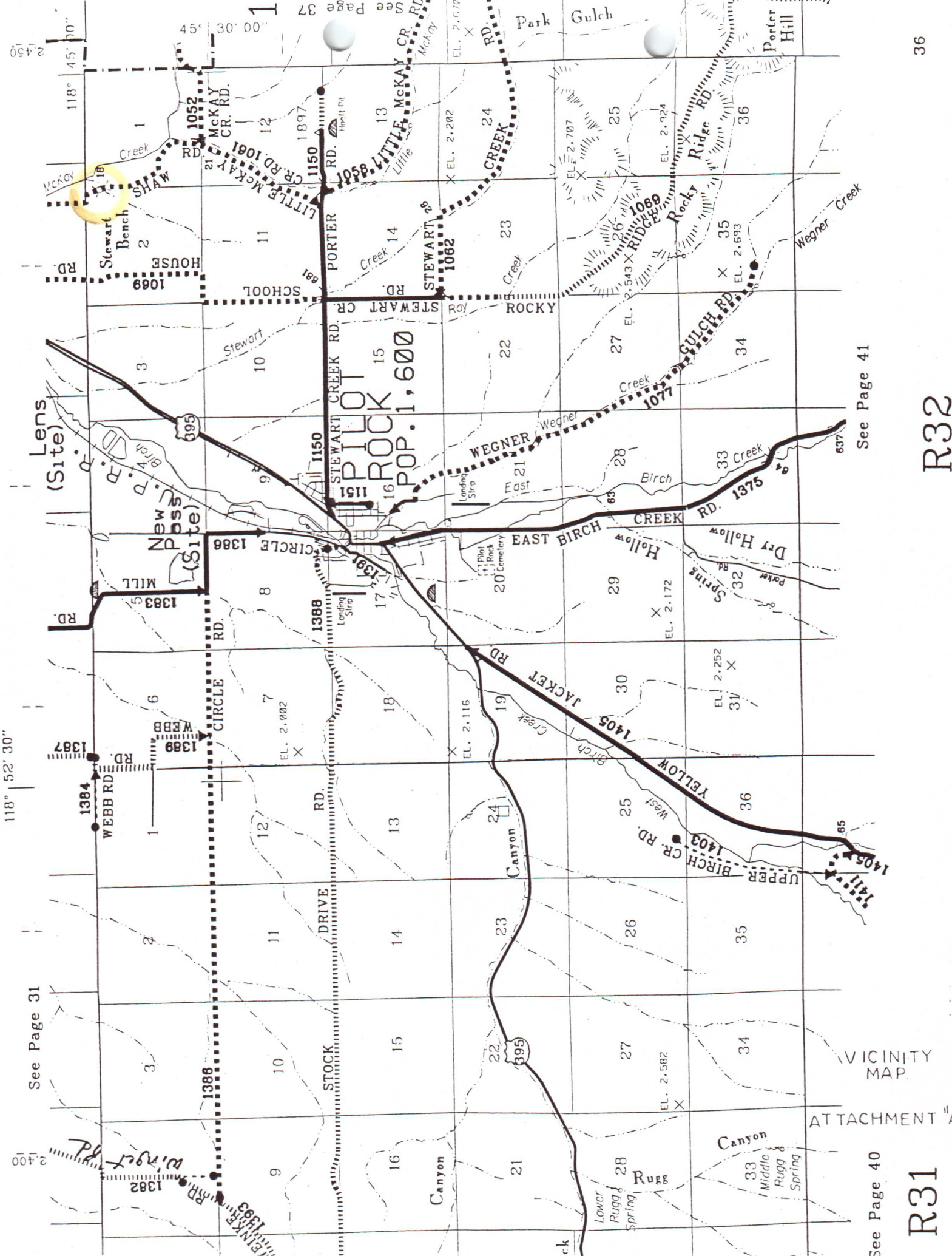
Impacts to Utilities and Property Owners

All utilities in the area were located and kept within the surveyed right-of-way . A new fiber optic cable was installed after the survey , but field checks show it to be within the surveyed right-of-way also.

Because the location of the traveled road is very close to the location intended originally , as mentioned earlier , there is very little or no impact to abutting property owners. As of 11/4/96 , no objections to the legalization have been received from any party. The property owner near the bridge has already agreed to donate the land for the bridge reconstruction.

Recommendation

The Department of Public Works recommends that the portion of County Road # 1061 (Shaw Road) shown on the attached survey (Attachment “ D ”) be legalized as traveled and used for 10 years or more.



See Page 31

See Page 41

See Page 40

VICINITY MAP

ATTACHMENT "A"

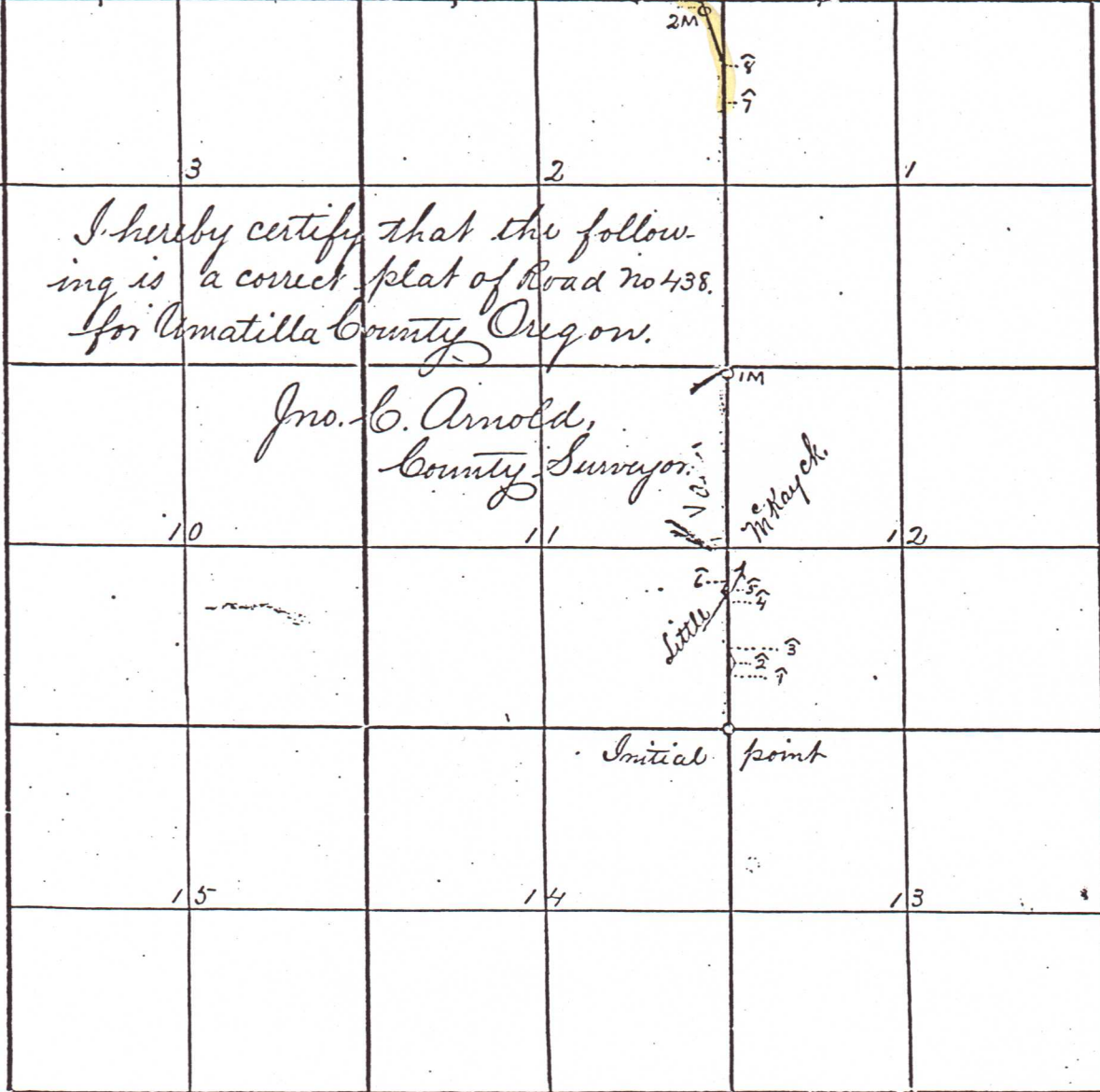
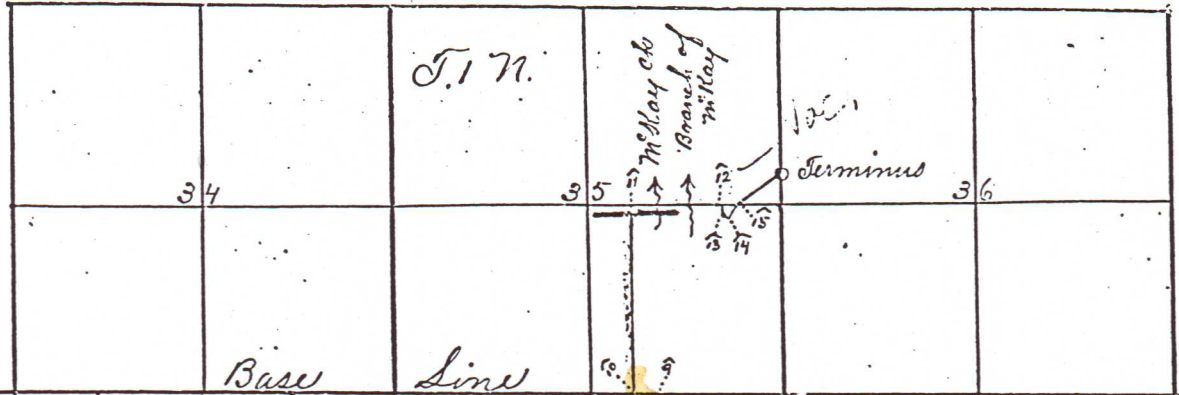
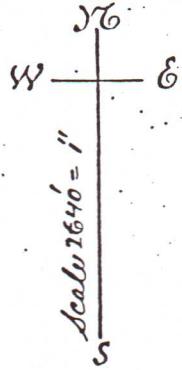
R31

R32

36

Plat of County Road No 438

R 328



5768
641

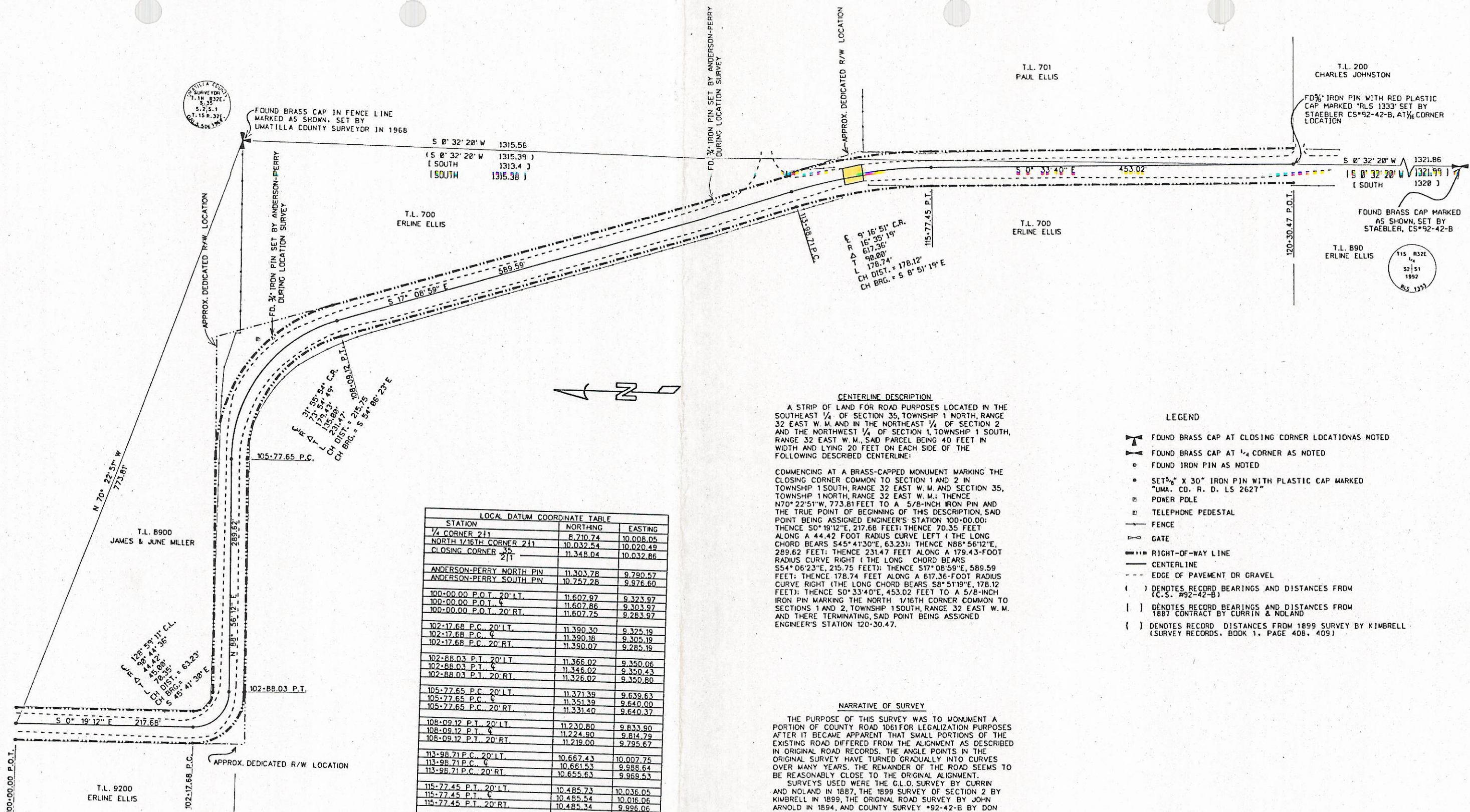
Field Notes of Road Survey No. 438, for Umatilla County, Oregon.

Met Fred Geinger, James Hawke and Geo Oleson, viewers on Road Survey No. 438, at Res. of Ed. Horton, June 26th 1894, and administered to each the regulation oath, after which C. A. Cameron and Roy Ritter were sworn as chainmen, and under direction of said viewers, I set initial post for R 438, 42 1/2 ft. S.E. from cor. to sec. 11. 12. 13 & 14 T1N. R. 32E. and from this sec cor. I run on line bet. sec. 11 & 12.

North.	700 ft.	Set stake mkd 1.	thence
N. 17° 00' E	825 "	" " " 2.	"
N. 17° 00' W.	950 "	" " " 3.	"
North.	1860 "	" " " 4.	"
N. 10° 00' W.	1900.	Bank of Little M'Kay creek, 30 ft. wide runs N. 20° E.	"
	2014.	Set stake mkd. 5.	"
N. 12° 30' E	2294.	" " " 6.	"
North.	2650.	The 1/4 sec. cor. bet. sec. 11 & 12.	"
	5280.	Set 1 mile post 30 ft. E. of line; Regulation mound & marks.	"
	20.	Cor. to sec. 1. 2. 11 & 12.	"
	2662.	The 1/4 sec. cor. bet. sec. 1 & 2.	"
	3965.	Set stake mkd 7.	"
N. 1° 00' W.	4552.	" " " 8.	"
N. 17° 35' W.	5280.	cut 11M on stone 18x12x12 ins. 30 ft. E. of line.	"
	53.	Set stake mkd 9, at intersection of Base line.	"
West.	516.	" " " 10. " " Res. boundary.	"
North.	3183.	" " " 11. " " E. W. line through sec. 35.	"
East.	3550.	W. bank of M'Kay creek 10 ft. wide, course N.	"
	3800.	" " " " branch 40 ft. on line course N.	"
	4480.	Set stake mkd. 12.	"
S. 9° 20' E.	4613.	" " " 13.	"
S. 84° 40' E.	4637.	" " " 14.	"
N. 37° 40' E.	4820.	" " " 15.	"
N. 49° 55' E.	5368.	Intersect line bet. sec. 35 & 36, T1N. R. 32E. 359 ft. N. of the 1/4 sec. cor. - Set post 4 ins. sq. 4 ft. long, 18 ins in ground, 30 ft. East of line, for terminus of Road 438, mkd. 11M on west face, and R 438 on South face, and raised a mound of earth 4 ft. base and 2 ft. high around it.	"

I hereby certify that the foregoing are the correct field notes of Road Survey No. 438 for Umatilla Co. Oregon.

Jno. C. Arnold, County Surveyor
per H. M. Ritter S. P. T.



UMATILLA COUNTY SURVEYOR
T. L. 832E
S. 3
S. 2 S. 1
T. 1 S. R. 32E
C.S. 506138E

FOUND BRASS CAP IN FENCE LINE MARKED AS SHOWN, SET BY UMATILLA COUNTY SURVEYOR IN 1968

S 0° 32' 28" W 1315.56
(S 0° 32' 28" W 1315.39)
(SOUTH 1313.4)
(SOUTH 1315.38)

T.L. 200
CHARLES JOHNSTON

FOUND IRON PIN WITH RED PLASTIC CAP MARKED "RLS 1333" SET BY STAEBLER CS*92-42-B, AT 1/4 CORNER LOCATION

S 0° 32' 20" W 1321.86
(S 0° 32' 20" W 1321.99)
(SOUTH 1320)

FOUND BRASS CAP MARKED AS SHOWN, SET BY STAEBLER, CS*92-42-B

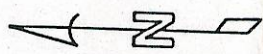
T.L. 890
ERLINE ELLIS

T. 15 R. 32E
1/4
S. 2 | S. 1
1992
RLS 1333

T.L. 700
ERLINE ELLIS

T.L. 700
ERLINE ELLIS

C. R. 9° 15' 51" C.R.
R. 16° 35' 19"
A. 617.36'
T. 98.00'
L. 178.74'
CH. DIST. = 178.12'
CH. BRG. = S 5° 51' 19" E



LOCAL DATUM COORDINATE TABLE		
STATION	NORTHING	EASTING
1/4 CORNER 211	8,710.74	10,008.05
NORTH 1/16TH CORNER 211	10,032.54	10,020.49
CLOSING CORNER 211	11,348.04	10,032.86
ANDERSON-PERRY NORTH PIN	11,303.78	9,790.57
ANDERSON-PERRY SOUTH PIN	10,757.28	9,976.60
100-00.00 P.O.T. 20' L.T.	11,607.97	9,323.97
100-00.00 P.O.T. 20' C.	11,607.86	9,303.97
100-00.00 P.O.T. 20' RT.	11,607.75	9,283.97
102-17.68 P.C. 20' L.T.	11,390.30	9,325.19
102-17.68 P.C. 20' C.	11,390.18	9,305.19
102-17.68 P.C. 20' RT.	11,390.07	9,285.19
102-88.03 P.T. 20' L.T.	11,366.02	9,350.06
102-88.03 P.T. 20' C.	11,346.02	9,350.43
102-88.03 P.T. 20' RT.	11,326.02	9,350.80
105-77.65 P.C. 20' L.T.	11,371.39	9,639.63
105-77.65 P.C. 20' C.	11,351.39	9,640.00
105-77.65 P.C. 20' RT.	11,331.40	9,640.37
108-09.12 P.T. 20' L.T.	11,230.80	9,833.90
108-09.12 P.T. 20' C.	11,224.90	9,814.79
108-09.12 P.T. 20' RT.	11,219.00	9,795.67
113-98.71 P.C. 20' L.T.	10,667.43	10,007.75
113-98.71 P.C. 20' C.	10,661.53	9,988.64
113-98.71 P.C. 20' RT.	10,655.63	9,969.53
115-77.45 P.T. 20' L.T.	10,485.73	10,036.05
115-77.45 P.T. 20' C.	10,485.54	10,016.06
115-77.45 P.T. 20' RT.	10,485.34	9,996.06
120-30.47 P.O.T. 20' L.T.	10,032.55	10,040.49
120-30.47 P.O.T. 20' C.	10,032.54	10,020.49
120-30.47 P.O.T. 20' RT.	10,032.54	10,000.49

CENTERLINE DESCRIPTION

A STRIP OF LAND FOR ROAD PURPOSES LOCATED IN THE SOUTHEAST 1/4 OF SECTION 35, TOWNSHIP 1 NORTH, RANGE 32 EAST W. M. AND IN THE NORTHEAST 1/4 OF SECTION 2, AND THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 32 EAST W. M., SAID PARCEL BEING 40 FEET IN WIDTH AND LYING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A BRASS-CAPPED MONUMENT MARKING THE CLOSING CORNER COMMON TO SECTION 1 AND 2 IN TOWNSHIP 1 SOUTH, RANGE 32 EAST W. M. AND SECTION 35, TOWNSHIP 1 NORTH, RANGE 32 EAST W. M.; THENCE N70° 22' 51" W, 773.81 FEET TO A 5/8-INCH IRON PIN AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION, SAID POINT BEING ASSIGNED ENGINEER'S STATION 100-00.00; THENCE S0° 19' 12" E, 217.68 FEET; THENCE 70.35 FEET ALONG A 44.42 FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS S45° 41' 30" E, 63.23); THENCE N88° 56' 12" E, 289.62 FEET; THENCE 231.47 FEET ALONG A 179.43-FOOT RADIUS CURVE RIGHT (THE LONG CHORD BEARS S54° 06' 23" E, 215.75 FEET); THENCE S17° 08' 59" E, 589.59 FEET; THENCE 178.74 FEET ALONG A 617.36-FOOT RADIUS CURVE RIGHT (THE LONG CHORD BEARS S8° 51' 19" E, 178.12 FEET); THENCE S0° 33' 40" E, 453.02 FEET TO A 5/8-INCH IRON PIN MARKING THE NORTH 1/16TH CORNER COMMON TO SECTIONS 1 AND 2, TOWNSHIP 1 SOUTH, RANGE 32 EAST W. M. AND THERE TERMINATING, SAID POINT BEING ASSIGNED ENGINEER'S STATION 120-30.47.

NARRATIVE OF SURVEY

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT A PORTION OF COUNTY ROAD 1061 FOR LEGALIZATION PURPOSES AFTER IT BECAME APPARENT THAT SMALL PORTIONS OF THE EXISTING ROAD DIFFERED FROM THE ALIGNMENT AS DESCRIBED IN ORIGINAL ROAD RECORDS. THE ANGLE POINTS IN THE ORIGINAL SURVEY HAVE TURNED GRADUALLY INTO CURVES OVER MANY YEARS. THE REMAINDER OF THE ROAD SEEMS TO BE REASONABLY CLOSE TO THE ORIGINAL ALIGNMENT. SURVEYS USED WERE THE G.L.O. SURVEY BY CURRIN AND NOLAND IN 1887, THE 1899 SURVEY OF SECTION 2 BY KIMBRELL IN 1899, THE ORIGINAL ROAD SURVEY BY JOHN ARNOLD IN 1894, AND COUNTY SURVEY *92-42-B BY DON STAEBLER. BEARING BASE USED IN THIS SURVEY IS N0° 32' 20" E FROM THE 1/4 CORNER COMMON TO SECTIONS 1 AND 2, TOWNSHIP 1 SOUTH, RANGE 32 EAST W. M. TO THE NORTH 1/16TH CORNER COMMON TO THE SAME SECTIONS, TOWNSHIP, AND RANGE, FROM C.S. *92-42-B. INSTRUMENTS USED IN THIS SURVEY WERE A T-16 ONE-MINUTE THEODOLITE AND A DI-5 E.D.M. MONUMENTS FOUND AND SET ARE AS SHOWN.

LEGEND

- FOUND BRASS CAP AT CLOSING CORNER LOCATIONS NOTED
- FOUND BRASS CAP AT 1/4 CORNER AS NOTED
- FOUND IRON PIN AS NOTED
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP MARKED "UMA. CO. R. D. LS 2627"
- POWER POLE
- TELEPHONE PEDESTAL
- FENCE
- GATE
- RIGHT-OF-WAY LINE
- CENTERLINE
- EDGE OF PAVEMENT OR GRAVEL
- () DENOTES RECORD BEARINGS AND DISTANCES FROM (C.S. #92-42-B)
- [] DENOTES RECORD BEARINGS AND DISTANCES FROM 1887 CONTRACT BY CURRIN & NOLAND
- { } DENOTES RECORD DISTANCES FROM 1899 SURVEY BY KIMBRELL (SURVEY RECORDS, BOOK 1, PAGE 408, 409)

UMATILLA COUNTY ROAD DEPT
3928 Westgate
Pendleton, Oregon 97801

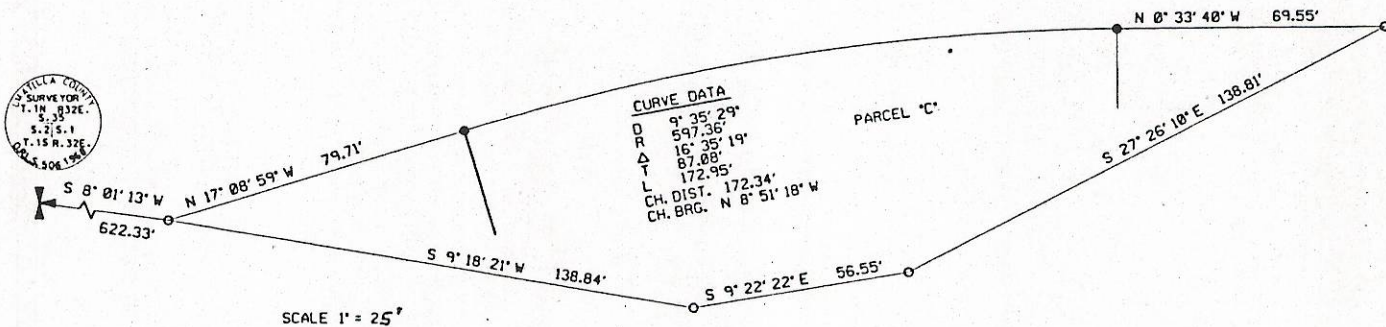
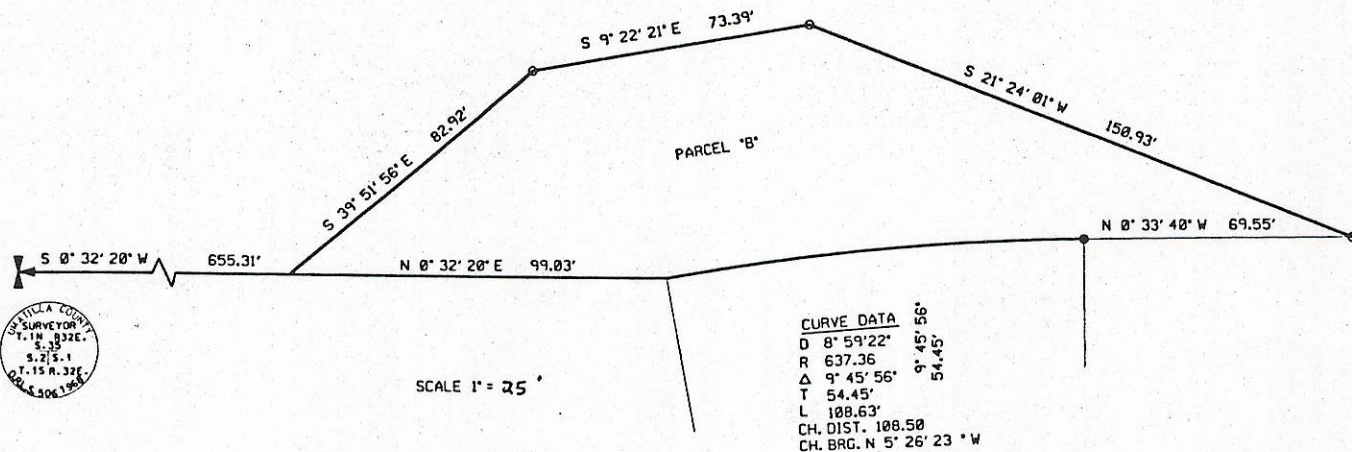
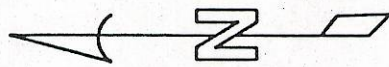
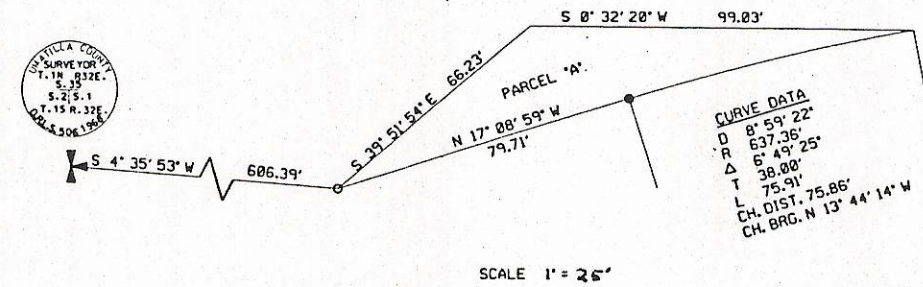
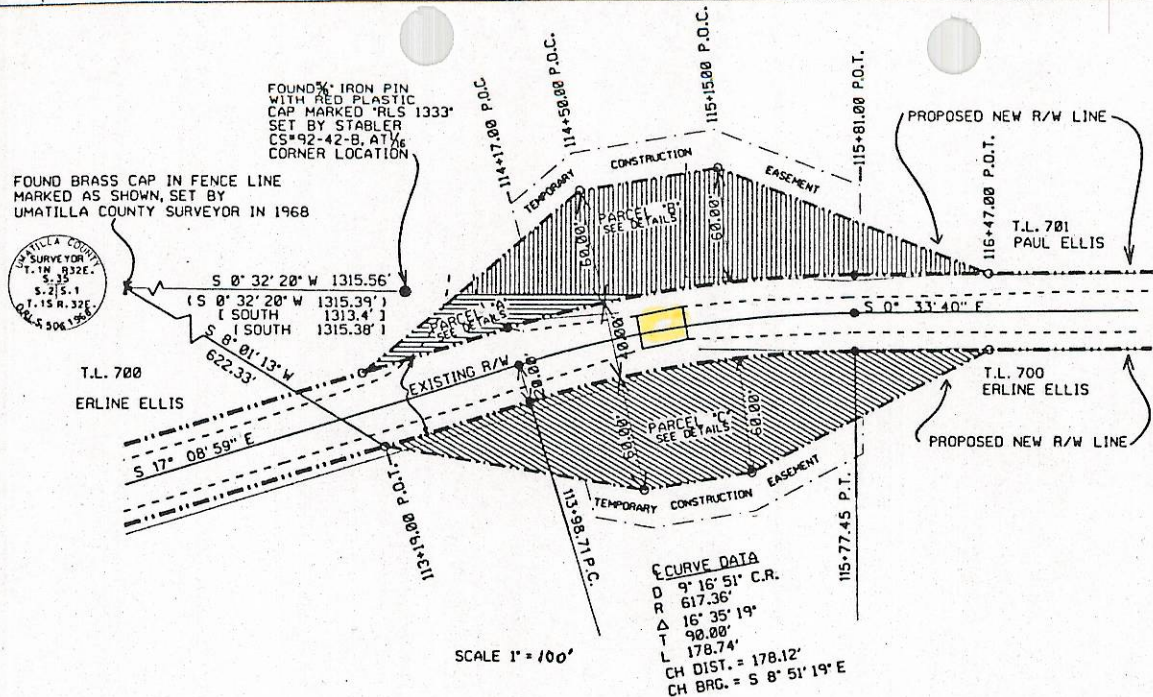
Survey for:
Legalization of County Road #1061

Located:
Sec. 35, Township 1 North, Range 32 E.W.M.
Sec. 1, end 2, Township 1 South, Range 32 E.W.M.

Survey By: Gory Roberts Drawn By: Jeanne Corham Checked By: Gory Roberts

Scale: 1" = 60' Date: April 1996 Sheet: 1 of 1

REGISTERED PROFESSIONAL LAND SURVEYOR
GORY R. ROBERTS
RENEW 9-2-01



NARRATIVE

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT 2 PARCELS OF LAND THAT ARE TO BE DONATED TO UMATILLA COUNTY FOR ROAD RIGHT-OF-WAY FOR A BRIDGE REPLACEMENT PROJECT. THREE PARCELS ARE SHOWN BECAUSE THE SECTION LINE SEPARATES TWO DIFFERENT TAX LOTS AND PARCELS 'A' AND 'B' ON THE EASTSIDE WERE CALCULATED AND DESCRIBED SEPARATELY FOR DEED PURPOSES.

THE WESTERLY BORDERS OF PARCELS 'A' AND 'B' AND THE EASTERLY BORDER OF PARCEL 'C' FOLLOW THE RIGHT-OF-WAY LINES OF COUNTY ROAD #1061 AS IT IS ANTICIPATED IT WILL BE LEGALIZED 11/6/96 AND IS SHOWN ON C.S. #96-71-C.

BEARING BASE USED ON THIS SURVEY WAS THE LINE BETWEEN SECTION 1 AND 2, T.1 SOUTH, R. 32 E.W.M. AS S 0° 32' 20" W FROM C.S. #92-42-B BY STABLER AND #96-71-C BY THE UMATILLA COUNTY PUBLIC WORKS DEPARTMENT. INSTRUMENTS USED WERE A WILD T-16 ONE MINUTE THEODOLITE AND A WILD DI-5 EDM. MONUMENTS WERE SET RADIALLY FROM THE ORIGINAL LEGALIZATION TRAVERSE POINTS.

LEGEND

- ▲ FOUND BRASS CAP AT CLOSING CORNER LOCATIONS AS NOTED
- FOUND 5/8" IRON PIN WITH PLASTIC CAP SET IN SURVEY #96-71-C UNLESS OTHERWISE NOTED
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP MARKED "UMA. CO. R. D. LS 2627"
- TELEPHONE PEDESTAL
- FENCE
- GATE
- RIGHT-OF-WAY LINE
- CENTERLINE
- EDGE OF PAVEMENT OR GRAVEL
- () DENOTES RECORD BEARINGS AND DISTANCES FROM C.S. #92-42-B BY STABLER
- [] DENOTES RECORD BEARINGS AND DISTANCES FROM 1887 CONTRACT BY CURRIN & NOLAND
- { } DENOTES RECORD DISTANCES FROM 1899 SURVEY BY KIMBRELL (SURVEY RECORDS, BOOK 1, PAGE 408, 409)

LEGAL DESCRIPTION - PARCEL 'A' - ERLINE ELLIS

A PARCEL OF LAND FOR ROAD PURPOSES LOCATED IN THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 32 EAST W.M. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS-CAPPED MONUMENT MARKING THE CLOSING CORNER COMMON TO SECTIONS 1 AND 2, T.1 S., R. 32 E.W.M. AND SECTION 35, T.1 N., R. 32 E.W.M.; THENCE S 4° 35' 53" W, 606.39 FEET TO A 5/8-INCH IRON PIN AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S 39° 51' 56" E, 82.92 FEET; THENCE S 9° 22' 21" E, 73.39 FEET; THENCE S 21° 24' 01" W, 150.93 FEET; THENCE N 0° 33' 40" W, 69.55 FEET; THENCE 108.63 FEET ALONG A 637.36-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS N 13° 44' 14" W, 75.86 FEET); THENCE N 17° 08' 59" W, 79.71 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS LOCATED IN UMATILLA COUNTY AND CONTAINS 0.04 ACRE, MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'B' - PAUL ELLIS

A PARCEL OF LAND FOR ROAD PURPOSES LOCATED IN THE NORTHWEST 1/4 OF SECTION 1, TOWNSHIP 1 SOUTH, RANGE 32 EAST W.M. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS-CAPPED MONUMENT MARKING THE CLOSING CORNER COMMON TO SECTIONS 1 AND 2, T.1 S., R. 32 E.W.M. AND SECTION 35, T.1 N., R. 32 E.W.M.; THENCE S 0° 32' 20" W, 655.31 FEET TO A 5/8-INCH IRON PIN AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S 39° 51' 56" E, 82.92 FEET; THENCE S 9° 22' 21" E, 73.39 FEET; THENCE S 21° 24' 01" W, 150.93 FEET; THENCE N 0° 33' 40" W, 69.55 FEET; THENCE 108.63 FEET ALONG A 637.36-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS N 5° 26' 23" W, 108.50 FEET); THENCE N 0° 32' 20" E, 99.03 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS LOCATED IN UMATILLA COUNTY AND CONTAINS 0.23 ACRE, MORE OR LESS.

LEGAL DESCRIPTION - PARCEL 'C' - ERLINE ELLIS

A PARCEL OF LAND FOR ROAD PURPOSES LOCATED IN THE NORTHEAST 1/4 OF SECTION 2, TOWNSHIP 1 SOUTH, RANGE 32 EAST W.M. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS-CAPPED MONUMENT MARKING THE CLOSING CORNER COMMON TO SECTION 1 AND 2, T.1 S., R. 32 E.W.M. AND SECTION 35, T.1 N., R. 32 E.W.M.; THENCE S 8° 01' 13" W, 622.33 FEET TO A 5/8-INCH IRON PIN AND THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE S 17° 08' 59" W, 79.71 FEET; THENCE 172.95 FEET ALONG A 597.36-FOOT RADIUS CURVE RIGHT (THE LONG CHORD BEARS S 8° 51' 18" E, 172.34 FEET); THENCE S 0° 33' 40" E, 69.55 FEET; THENCE N 27° 26' 10" W, 138.81 FEET; THENCE N 9° 22' 22" W, 56.55 FEET; THENCE N 9° 18' 21" E, 138.84 FEET TO THE POINT OF BEGINNING. SAID PARCEL IS LOCATED IN UMATILLA COUNTY AND CONTAINS 0.27 ACRE, MORE OR LESS.

UMATILLA COUNTY ROAD DEPT		
3920 Westgate Pendleton, Oregon 97801		
Survey for:		
R/W Acquisition for County Road #1061		
Located:		
Sec. 1, and 2, Township 1 South, Range 32 E.W.M.		
Survey By:	Drawn By:	Checked By:
Gary Roberts	Jeanne Gorham	Gary Roberts
Scale:	Date:	Sheet:
See Details	Nov, 1996	1 of 1

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON
 JULY 20, 1988
 GARY R. ROBERTS
 2827
 LICENSE 12-01-02