

BASIS OF BEARING

Forward bearing as published by the U.S.C. and G.S. from Δ COLLEGE to Δ VALLEY Dated 1946.

SCALE: 1" = 40'

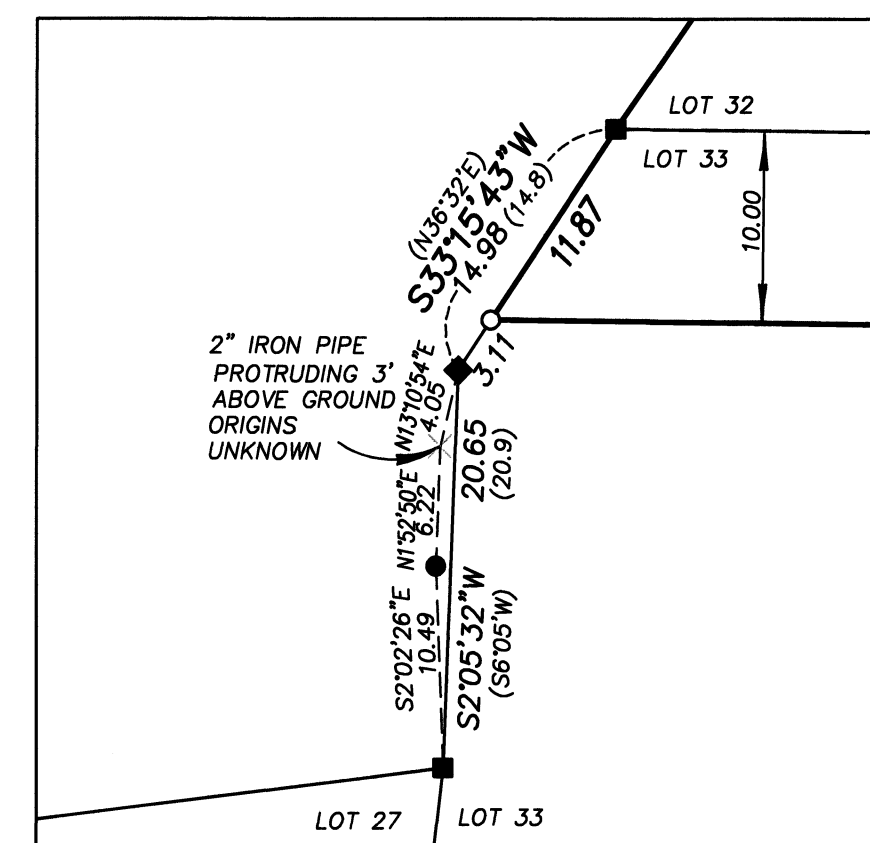
LEGEND

- ◆ Found monument as noted, set by Survey Number 81 or 121
- Found 1" iron pipe, set by Survey Number 028-1991 (1960 Slight survey)
- Found 5/8" iron pin, set by Survey Number 103-74
- ▲ Found 5/8" iron pin set by plat of Bruecher's Subdivision
- ⊙ Found 2" iron pipe, set by plat of Bruecher's subdivision
- Set 5/8" iron pin (unless otherwise noted) with yellow plastic cap marked BGB SURVEY MARKER
- x- Fenceline
- [] Record measurement as per Plat of Modelaire Heights
- { } Record measurement as per Plat of Bruecher's Subdivision
- ~ ~ Record measurement as per Survey Number 121
- () Record measurement as per Survey Number 028-1991 (1960 Slight Survey)

REFERENCE MATERIAL

Plat of Bruecher's Subdivision
Plat of Modelaire Heights
Survey Number 81
Survey Number 121
Survey Number 43-65
Survey Number 103-74
Survey Number 41-75
Survey Number 50-80
Survey Number 028-1991
Survey Number 028-2021

DEED REFERENCES
Book 135, Page 502
Book 138, Page 119
Book 139, Page 474
Book 141, Page 578
Book 142, Page 135
Book 146, Page 197
Book 159, Page 44
Microfilm Document No. 20003937
Microfilm Document No. 20054088
Microfilm Document No. 20201561
Microfilm Document No. 20221129



DETAIL SCALE: 1" = 10'

NARRATIVE

This survey was done at the request of Tom Guthrie, owner of the land within. Mr. Guthrie wanted to monument the exteriors of his property.

HISTORY OF DEEDS AND SURVEYS

Prior to the platting of Modelaire Heights in 1962, lands in this area were described entirely by metes and bounds, commencing at either the Northwest corner of Block 10 of Arnold's Addition, or the Southeast corner of Block 9 of Arnold's Addition. The most senior tract in this area, and the one called out to in all subsequent deeds, is the tract conveyed to Stitzel by Book 135, Page 502. The North line of this Stitzel tract is colinear with the North line of what was eventually platted as Bruecher's Addition.

Deed book 138, page 119 (filed October 1956) conveyed a portion of what was eventually platted as Lot 33 of Modelaire Heights from Earl Miller to Florence Lloyd, though the exteriors along the North, East and West sides do not conform to any parcels as they exist today. The South line calls to the Stitzel tract. Earl Miller conveys another tract to Florence Lloyd, recorded in Book 139, Page 474 in September of 1957 which conveys what would ultimately be shown as Lots 31, 32, and 33 of Modelaire Heights. A survey, done in August of that same year was done by David Slight, and recorded as Survey 81 (also as Survey 121). Bearings and distances from the legal description of the deed and the survey match.

In Deed Book 141, Page 578, recorded January of 1959, Florence Lloyd conveys the North portion of this property to Leslie and Edna Keffer. In this legal description, the point of beginning falls at a point 10.3 feet North of the NE corner of Book 138, Page 119. The distance, as per legal description, would put this 137.3 feet North of the angle point in the East line of Lot 33 labeled hereon as POINT -C-. This is a curious call, as mathematically, this point of beginning would actually fall approximately 3.4 feet South of the NE corner of Book 138, Page 119. This causes some amount of patent ambiguity, as even though the deed is rather specific in calling to a position 10.3 feet North of said point, by using the measurements, the position falls South of said point.

Another thing to note is that this deed, as it falls along the West line, does not make a distance call along the Southerly course along the West line (the line from POINT -B- to POINT -D-), but rather calls to "a point West of the point of beginning". It does not make a distance call back to the point of beginning either (the line shown hereon as the South line of Lot 32).

In Deed Book 142, Page 135, Florence Lloyd (now Florence Lloyd Clarke) conveys the tract immediately North of the Stitzel tract and South of the Keffer tract to Charles and Henry Buesing. It also calls to the South line of the Keffer tract, and too does not call a distance along the line between POINT -B- and POINT -D-. This deed was filed April 1959.

In a survey done in October of 1960 (filed as Survey 028-1991), a survey monumented the line between the Buesing and Keffer ownerships. Though this survey bears no stamp, it bears all the hallmarks of a David Slight survey, and is thus referred to on this map as the 1960 Slight survey. Along the line between POINT -B- and POINT -D-, it indicates that Buesing owned to a point 14.80 feet North of the South end of this line, and Keffer owned to a point 78.70 feet from the North end of this line (POINT -C-). The dividing line between the tract had a course of N89°25'W with a distance of 215.80 feet. And along Sunset Drive, the NE corner of Buesing fell at a point 150.50 feet North of POINT -H-. This is 13.2 feet longer than the call in the Buesing deed.

Modelaire Heights was platted by Jim Voelz, with plat dated July 1961, filed in April of 1962. The courses along the West line of Lots 31, 32 and 33 match the 1960 Slight survey with three exceptions. 1) The West line of Lot 31 (POINT -A- to POINT -B-) is 1 foot shorter. 2) More notably, it omits the 14.8 foot course (POINT -C- to POINT -D-) in the line between POINT -B- and -D-. And 3) the courses along Sunset, as it borders Lot 33, deviates significantly from both the Slight survey and the deed calls.

In Deed Book 146, Page 197, dated July 1962, Buesing conveys the North 10 feet of Lot 33 of Modelaire Heights to Keffer.

METHOD

I recover the monuments as shown. Due to the history of surveys, and the numerous discrepancies between them, as well as the relative inconsistency of the types of monuments found, it is extremely difficult to determine the origins of each type of monument. Furthermore, the monuments that appear to monument Lot 32, and the monuments found along the West and South line of Lot 33 appear to follow the 1960 Slight survey more closely than the plat of Modelaire Heights. Thus, based on the record dimensions of Modelaire Heights, there would be about a 15 foot gap between them. As mentioned in Surveys 41-75 and 50-80, it is extremely unclear whether the plat of Modelaire Heights actually set pins, or the extent of any fieldwork done, for that matter, or whether it was just a paper plat.

Survey 103-74, done by James Voelz, accepts the 2" iron pipe at POINT -D- as the Southwest corner of Lot 32. Though this pipe is harmonious in distance with the monument at Northeast corner of Lot 27, this does appear to neglect the fact that the pin that falls 15 feet to the Northeast is more harmonious with the other monuments comprising lot 32. It appears as though Voelz did not even acknowledge this discrepancy between the original deeds, the Slight survey and the plat of Modelaire Heights. Ultimately, I am of the belief that he did not survey Lots 31 and 32, missed the 14.8 foot course, and the bearings and distances along the East line of Lot 32 were his mathematical attempt at resolving the misclosure.

The reason for all this history is to try to determine the true monuments to hold as being the South line of Lot 32. In the fact that so many of the courses of Lots 31 and 32 match that of the 1960 Slight survey, I believe the intent of the plat of Modelaire Heights was to utilize the monumentation set by this survey. I therefore accept the 1" and 1 1/4" pipes for the South line of Lot 32 and reject the 2 1/2" pipe, as I believe this to not be the intended SW corner of Lot 32, but rather be the angle point at the South end of the B-D line.

Ultimately, the questions that need to be answered is 1) where was the line intended to be in the deeds from Lloyd to Keffer and the deed from Lloyd to Buesing, and 2) how does this relate to the lines platted by Modelaire Heights? Assuming that the Northeast corner of Bruecher's Addition and the NE corner of the Stitzel property are one in the same, the North line of the original Book 138, Page 119, that was the original deed to Lloyd and forms the basis of many of the legal descriptions here, would fall very harmoniously with a line 10 feet South of the monumented line of Lot 32.

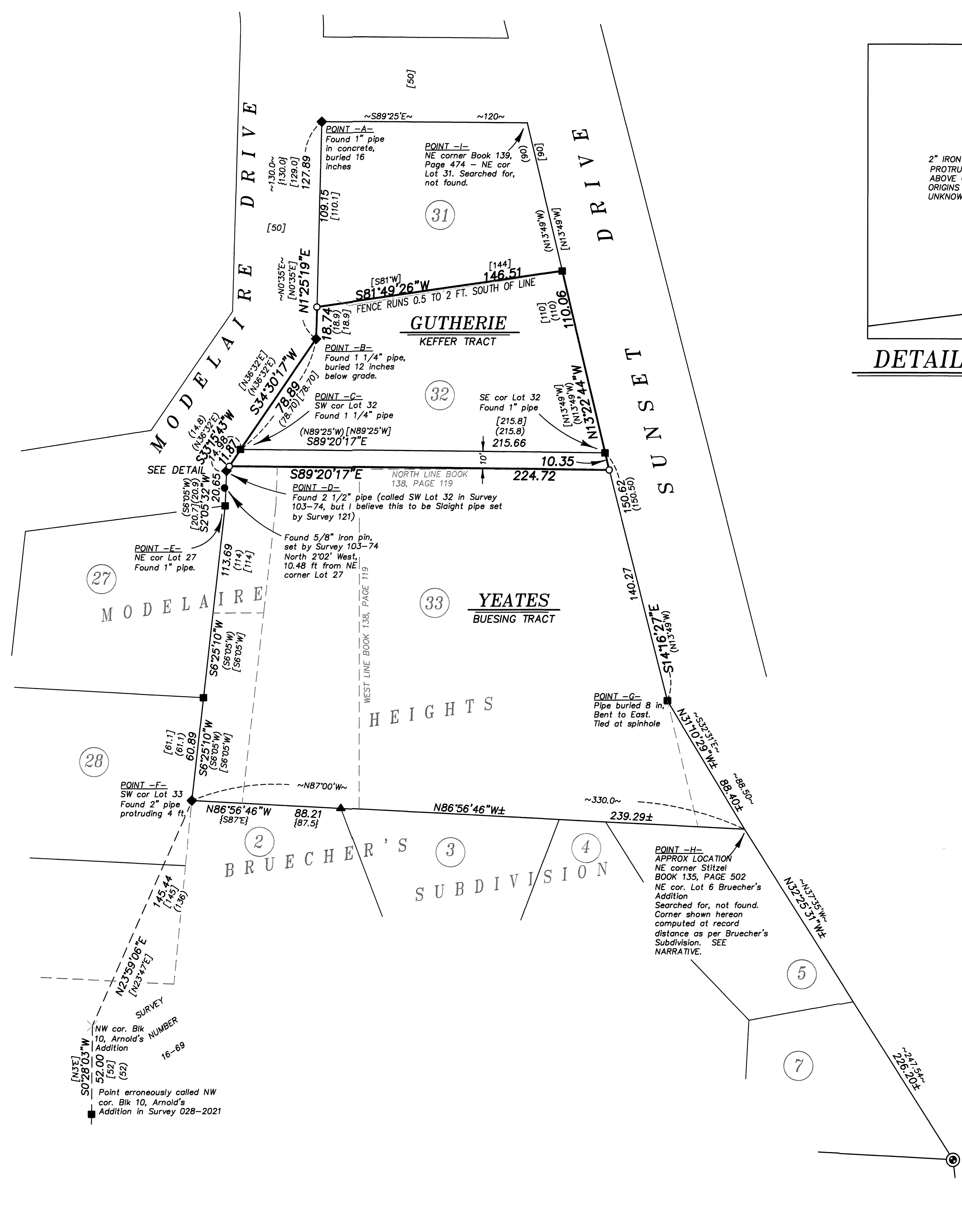
Along the 350.5 foot course on Sunset Drive (POINT -I- to POINT -G-), Buesing owned 137.3 feet by deed and Keffer owned 213.2 feet. In the Survey, Buesing is shown as owning 150.50 feet and Keffer owning 200 feet. The 200 foot ownership is mirrored in the plat of Modelaire Heights, however, since the angle point in the East line of Lot 33 is so different between the plat of Modelaire Heights and the 1960 Slight survey, it is difficult to assess the intent by measuring distances from the South.

As the 1960 Slight survey differ from the Buesing and Keffer deeds (showing approximately 13 additional feet to Buesing than he had title to), and the Modelaire Heights plat appears to follow the Slight Survey, at least in the areas of Lots 31 and 32, I believe the deeding of the 10 feet from Buesing to Keffer of the North 10 feet of Lot 33 (Book 146, Page 197) was as attempt to reconcile the discrepancy between the title lines and the plat.

I therefore hold POINT -C- as the true intended SW corner of Lot 32 and offset this line to place the South line of the Guthrie tract. I find no monument at the Northwest corner of Guthrie's. I use a proportion, based on the Modelaire Heights Plat, to reset this corner.

A complete analysis of Bruecher's Subdivision was not completed by this survey, and the point shown hereon as POINT -H- was computed for purposes of visually depicting the parcel and to add clarity to the narrative. It was placed by extension of the West portion of the North line of Bruecher's the record distance Easterly. It is shown hereon to show relatively to surrounding monuments and does not purport to be a true corner position. A full analysis of Bruecher's Addition would be required to replace this point, and is beyond the scope of this survey.

I find no other unusual conditions with this survey.



REGISTERED PROFESSIONAL LAND SURVEYOR
JEFFREY S. HSU
83571
Renewal Date: June 30, 2025

UNION COUNTY SURVEYOR
Date Received 8/17/23
Date Filed 8/17/23
By [Signature]
File No. 020-2023

BAGETT, GRIFFITH & BLACKMAN
2006 Adams Avenue, LaGrande, Oregon
Map of Survey
Sited in Lots 32 and 33, Modelaire Heights, City of La Grande
UNION COUNTY, OREGON
SURVEYED FOR Tom Guthrie
SURVEYED BY J. S. H.
Scale: 1" = 40' Drawn by: J. S. H. Jul-Aug 2023

SURVEY NUMBER 020-2023