

LEGALIZATION REPORT

County Road No. 1184

BARTLEY ROAD

Lying between the S.E. 1/16th Corner of
Section 33 and the South 1/16th Corner
common to Sections 33 & 34, Township 4
North, Range 29 E.W.M.

January 23, 1997

Umatilla Co. Dept. of Public Works

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Bartley Road Legalization Report

Summary

A survey order dated December 22, 1995 was issued by the Board of Commissioners to survey and monument a portion of County Road #1184 (Bartley Road). The survey was completed by the Public Works Department and a copy of the plat is attached (Attachment "D"). A public hearing was scheduled for January 23, 1997. On December 23, 1996, notice of the public hearing was posted in 3 public places. Also on December 23, 1996, notice of the public hearing was served by certified mail to all abutting property owners. Notice of the hearing was also provided to affected utility owners and the Hermiston Irrigation District and was published in the East Oregonian on January 2, 1997, and January 16, 1997.

Facts and Findings

The Survey of the existing traveled road found it to be outside of the old dedicated right-of-way in three places, which are highlighted by red slashes on the copy of the survey map, Attachment "D". On the survey map, the portion highlighted in yellow is the traveled road, the portion outlined in pink is the old dedicated right-of-way, and the portion outlined in purple would be the right-of-way should the road be legalized.

Road records show the bridge over Feed Canal as being constructed in 1926. Property owners in the area have stated that a portion of the canal bank and nearby road in the vicinity of the bridge was washed out in 1965 and was rebuilt at that time, which could explain why the road is outside of the old right-of-way near the bridge. There are no records on file of any road reconstruction by the County at that time.

Federal funding has been approved to replace the bridge and straighten the road over Feed Canal. The canal right-of-way was also monumented in this survey in order to ensure new bridge and roadway construction is on either County right-of-way or canal right-of-way. A small parcel of land may also have to be acquired from Mills Mint Farm and having good legal descriptions of both the canal and county road will aid in its acquisition.

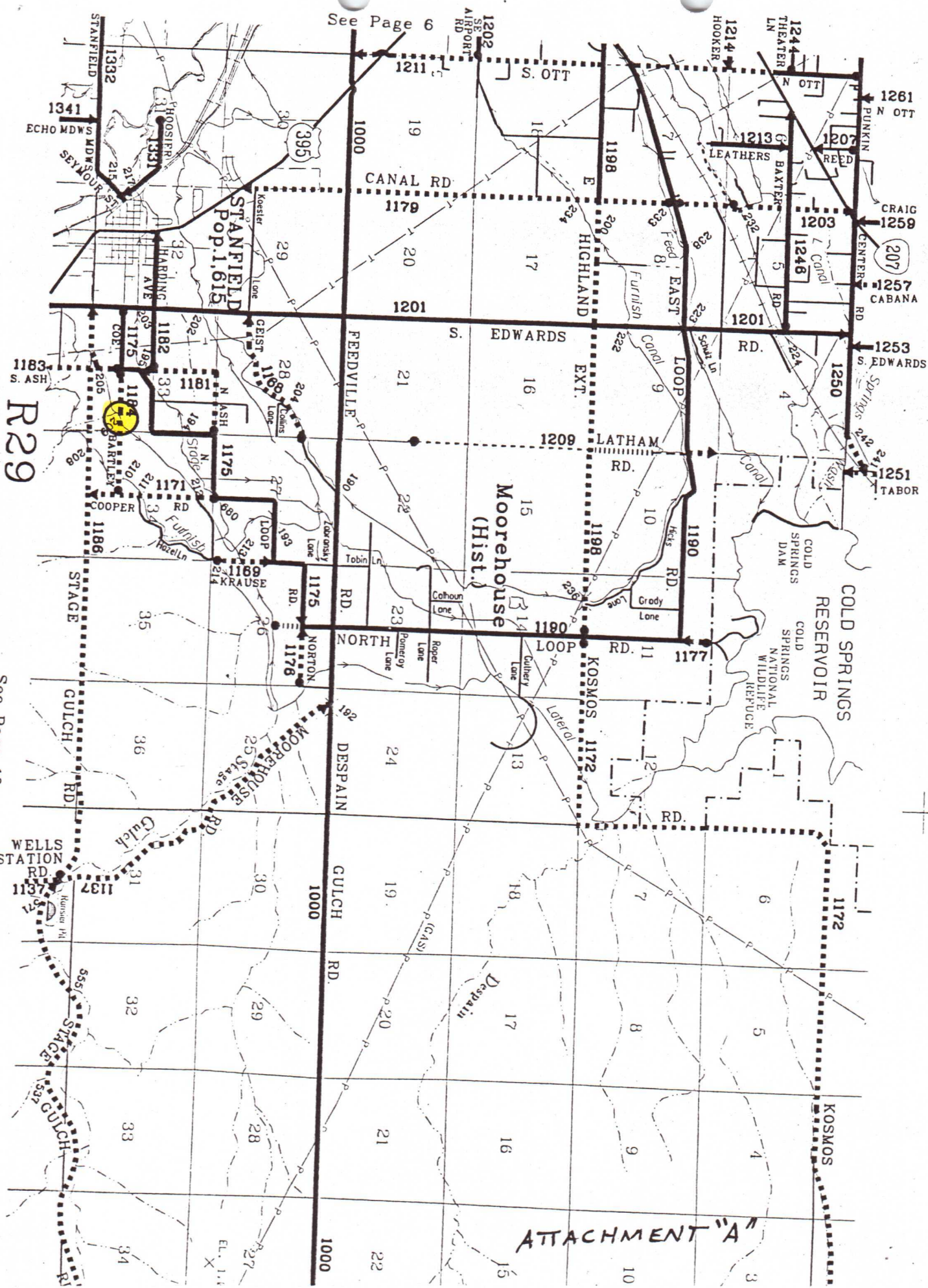
Statutory Summary

ORS 368.201(3) provides for the county governing body initiating legalization proceedings if the road as traveled and used for 10 years or more does not conform to the location of a road described in the county records. The original plat and field notes establishing the road in 1913 are attached.

Recommendation

The Department of Public Works recommends that the portion of County Road #1184 (formerly #759) shown on the attached survey be legalized as traveled and used for 10 years or more.

ATTACHMENT "A"



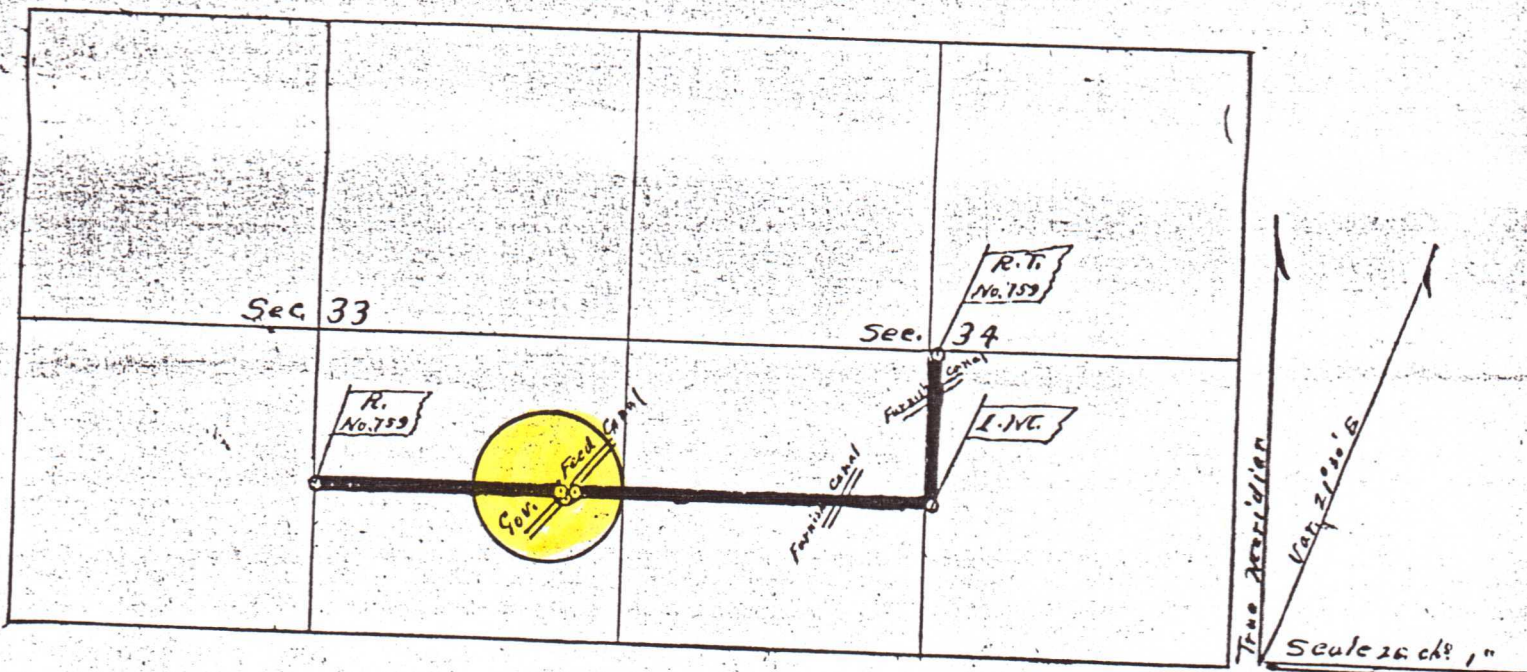
See Page 6

See Page 10

R29

R30

PLAT of ROAD No. 759
T. 4. N. R. 29. E. W. M.



ATTACHMENT "B"

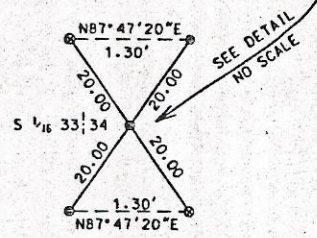
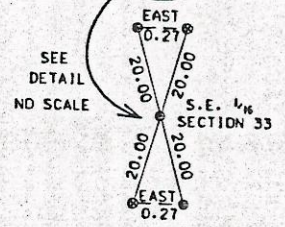
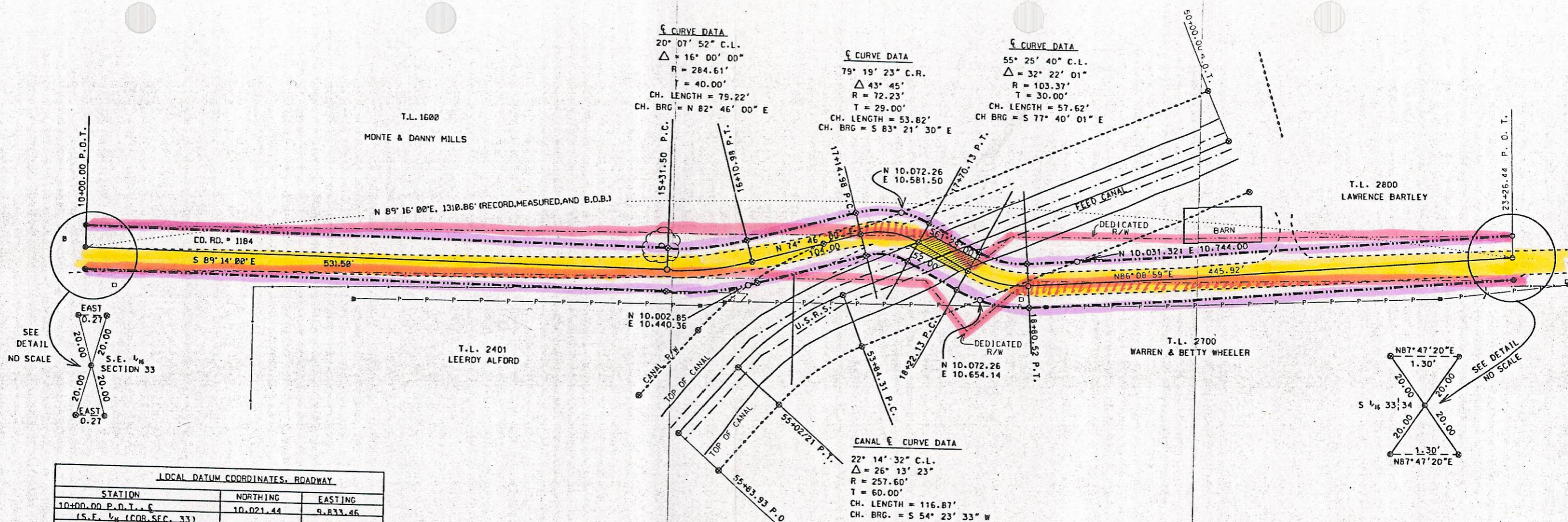
Field Notes of Road No,759

Commencing at the N.,E.,Corner of the S.,E.,1/4 of the S.,W.,1/4 of Section 33.T.4.N.R.29.E.W.M. Set post 4x4 ins, square 3 1/2 feet long 18 ins, in the ground 35 feet S.,E.,of initial point, Marked R, No, 759 dug pits S & E of post 5 feet distant, and raised mound of earth 4 feet Base 18 ins high around post, Thence East 31,81 chains, Government feed A, 1 Canal 50 feet wide course N.,E., S, 40° E, ^{Dist} 75 32,56 A, 2
 thence N., 50° E, 85 33,41 A, 3
 ,, East 34,38 67,79 Furnish Canal 16 ft, wide Course N.,E., ,, ,, 15,51 80,00 1,M, Set post 4x4 ins, square 3 1/2 feet long 20 feet to the right 18 ins in the ground Marked 1,M,, 2A, 4 at a point 20 feet East of the Center of the S., 1/2 of Section 34 T, 4, N, R, 29. E. W. M. thence North 15,00 Furnish Canal 20 feet wide Course N.,E., ,, ,, 5,00 20,00 R, T, at a point 20 feet East of the center of Section 34.T.4.N.R.29.E.W.M, Set post 4x4 ins, square 3, 1/2 feet long 30 feet North of the terminus Marke R, T No, 759 dug pits E, & N, 5 fet, distant, and raised mound of earth 4 ft, Base 18 ins high around post,

I hereby certify that the foregoing Field Notes of Road No, 759 as Surveyed by me on the 14th, day of Oct, 1913 are correct,

John W. Kimbrell Deputy County Surveyor.

ATTACHMENT "C"



LOCAL DATUM COORDINATES, ROADWAY

STATION	NORTHING	EASTING
10+00.00 P.O.T., C	10.021.44	9.833.46
(S.E. 1/4 COR. SEC. 33)		
10+00.00 P.O.T., 20' LT	10.041.44	9.833.47
10+00.00 P.O.T., 20' RT	10.001.44	9.833.45
15+31.50 P.C., C	10.014.33	10.364.91
15+31.50 P.C., 20' LT	10.034.33	10.365.18
15+31.50 P.C., 20' RT	9.994.33	10.364.64
16+10.98 P.T., C	10.024.30	10.443.50
16+10.98 P.T., 20' LT	10.043.60	10.438.24
16+10.98 P.T., 20' RT	10.005.00	10.448.76
17+14.98 P.C., C	10.051.63	10.543.85
17+14.98 P.C., 20' LT	10.070.93	10.538.59
17+14.98 P.C., 20' RT	10.032.33	10.549.11
17+70.13 P.T., C	10.045.41	10.597.31
17+70.13 P.T., 20' LT	10.062.98	10.606.86
17+70.13 P.T., 20' RT	10.027.84	10.587.76
18+22.13 P.C., C	10.020.58	10.643.00
18+22.13 P.C., 20' LT	10.038.15	10.652.55
18+22.13 P.C., 20' RT	10.003.01	10.633.45
18+80.52 P.T., C	10.008.27	10.699.29
18+80.52 P.T., 20' LT	10.028.22	10.697.95
18+80.52 P.T., 20' RT	9.988.32	10.700.63
23+26.44 P.O.T., C	10.038.22	11.144.21
(S 1/16TH CORNER 33/34)		
23+26.44 P.O.T., 20' LT	10.058.17	11.142.87
23+26.44 P.O.T., 20' RT	10.018.27	11.145.55
S.E. 1/16TH CORNER, SEC. 33, NORTH REFERENCE PIN	10.041.44	9.833.20
S.E. 1/16TH CORNER, SEC. 33, SOUTH REFERENCE PIN	10.001.44	9.833.71
S 1/16TH CORNER 33/34, NORTH REFERENCE PIN	10.058.22	11.144.16
S 1/16TH CORNER 33/34, SOUTH REFERENCE PIN	10.018.22	11.144.25
APA TRV # 1	10.035.52	10.359.87
APA TRV # 2	10.081.89	10.641.32

CENTERLINE DIScription

A STRIP OF LAND FOR ROAD PURPOSES LOCATED IN THE SOUTHEAST 1/4 OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 29 EAST OF THE WILLAMETTE MERIDIAN, BEING 40 FEET IN WIDTH AND LYING 20 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE: BEGINNING AT A 5/8-INCH PIN MARKING THE SOUTHEAST 1/16TH CORNER OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 29 EAST W. M.: THENCE S 89° 14' 00" E, 531.50 FEET; THENCE 79.48 FEET ALONG A 284.61-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS N 82° 46' 00" E, 79.22 FEET); THENCE N 74° 46' 00" E, 104.00 FEET; THENCE 55.15 FEET ALONG A 72.23-FOOT CURVE RIGHT (THE LONG CHORD BEARS S 83° 21' 30" E, 53.82 FEET); THENCE S 61° 29' 00" E, 52.00 FEET; THENCE 58.39 FEET ALONG A 103.37-FOOT RADIUS CURVE LEFT (THE LONG CHORD BEARS S 77° 40' 01" E, 57.62 FEET); THENCE N 86° 08' 59" E, 445.92 FEET TO A 5/8" IRON PIN MARKING THE SOUTH 1/16TH CORNER COMMON TO SECTIONS 33 AND 34, T. 4 N., R. 29 E.W.M. AND THERE TERMINATING.

LOCAL DATUM COORDINATES, FEED CANAL

STATION	NORTHING	EASTING
50+00.00 P.O.T., C	10.143.00	10.883.00
50+00.00 P.O.T., 50' LT	10.096.80	10.902.13
50+00.00 P.O.T., 50' RT	10.189.20	10.863.87
53+84.31 P.C., C	9995.96	10.527.93
53+84.31 P.C., 50' LT	9949.76	10.547.07
53+84.31 P.C., 50' RT	10.042.15	10.508.80
55+02.21 P.T., C	9927.91	10.432.91
55+02.21 P.T., 50' LT	9894.92	10.470.49
55+02.21 P.T., 50' RT	9960.90	10.395.34
55+83.93 P.O.T., C	9866.50	10.379.00
55+83.93 P.O.T., 50' LT	9833.51	10.416.57
55+83.93 P.O.T., 50' RT	9899.49	10.341.43

NARRATIVE OF SURVEY

THE PURPOSE OF THIS SURVEY WAS TO MONUMENT THE CENTERLINE OF THAT PORTION OF COUNTY ROAD # 1184 (BARTLEY ROAD) LYING FROM THE CENTER OF THE SOUTHEAST 1/4 TO THE NORTHEAST CORNER OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 33 FOR LEGALIZATION PURPOSES AFTER IT WAS DETERMINED THAT THE EXISTING ALIGNMENT DIFFERS SLIGHTLY FROM THE DEDICATED ALIGNMENT. MONUMENTS WERE NOT SET ON THE RIGHT OF WAY LINES AS THEIR POSITIONS EITHER FELL IN CULTIVATED LAND OR IN AREAS THAT WILL BE DISTURBED BY NEW BRIDGE CONSTRUCTION, WHICH IS PLANNED FOR THE NEAR FUTURE. BEARING BASE WAS N 89° 16' 00" E FROM THE SE 1/16TH CORNER OF SECTION 33 TO THE SOUTH 1/16TH CORNER COMMON TO SECTIONS 33 AND 34, TOWNSHIP 4 NORTH, RANGE 29 E.W.M. FROM MY SURVEY OF THE SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 33, CS # 96-070-C. THE ALIGNMENT OF FEED CANAL WAS OBTAINED BY MEANDERING THE CHANNEL. MONUMENTS WERE SET AT THE INTERSECTIONS OF THE ROAD RIGHT-OF-WAY WITH THE CANAL RIGHT-OF-WAY. POINTS SHOWN AS CALCULATED WERE NOT SET BECAUSE OF THEIR ANTICIPATED DESTRUCTION DURING CONSTRUCTION OF A NEW BRIDGE. ALL WERE ASSIGNED LOCAL DATUM COORDINATES. INSTRUMENTS USED WERE A WILD T-16 ONE-MINUTE THEODOLITE AND A WILD D1-5 EDM.

LEGEND

- CALCULATED POINT (NOT SET)
- FOUND 5/8" IRON PIN WITH PLASTIC CAP MARKED "UMA, CD. RD. DEPT. ... LS 2627", SET IN COUNTY SURVEY # 96-070-C
- SET 5/8" X 30" IRON PIN WITH PLASTIC CAP MARKED "UMA, CD. RD. DEPT. ... LS 2627"
- POWER POLE
- TELEPHONE PEDESTAL
- FENCE
- LEGALIZED RIGHT-OF-WAY LINE
- - - CANAL RIGHT-OF-WAY LINE
- DEDICATED RIGHT-OF-WAY LINE
- CENTERLINE
- EDGE OF PAVEMENT OR GRAVEL
- ⊙ TREE
- MAIL BOX

REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON JULY 28, 1990 GARY R. ROBERTS 2627 RENEWS 12-31-96

UMATILLA COUNTY ROAD DEPT
3920 Westgate
Pendleton, Oregon 97801

Survey for:
Legalization of Bartley Road # 1184

Located:
SE 1/4 of Section 33, Township 4 North, Range 29 East of the Willamette Meridian

Survey By: Gary Roberts	Drawn By: Jeanne Gorham	Checked By: Gary Roberts
Scale: 1" = 50'	Date: NOVEMBER 1996	Sheet: 1 of 1

ATTACHMENT "D"