

Umatilla County Road Department

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Commissioners

Bill Hansell
Glen Youngman
Emile Holeman

Roadmaster

Hal Phillips

Assistant Roadmaster

Tom Fellows

Klaus Road Legalization Report

A portion of Klaus Road (County Road No. 1264) has been surveyed and monumented in anticipation of legalization (see attached survey map) after a discrepancy in the deed from Charles Kik to Umatilla County establishing the road was found during a private survey for Mike Arterburn.

The original road was established in 1910 at a width of 40 feet. In 1975 a petition was received from property owners in the area to vacate a portion of then County Road #686 from the Charles Tracts Subdivision to a point approximately 375 feet west of Sagebrush Road along with the portion of Kik Street lying east of Highway 395 and relocate the road in the area represented by the deed. The petition was for a 60-foot road, but the final order established it as an 80-foot road.

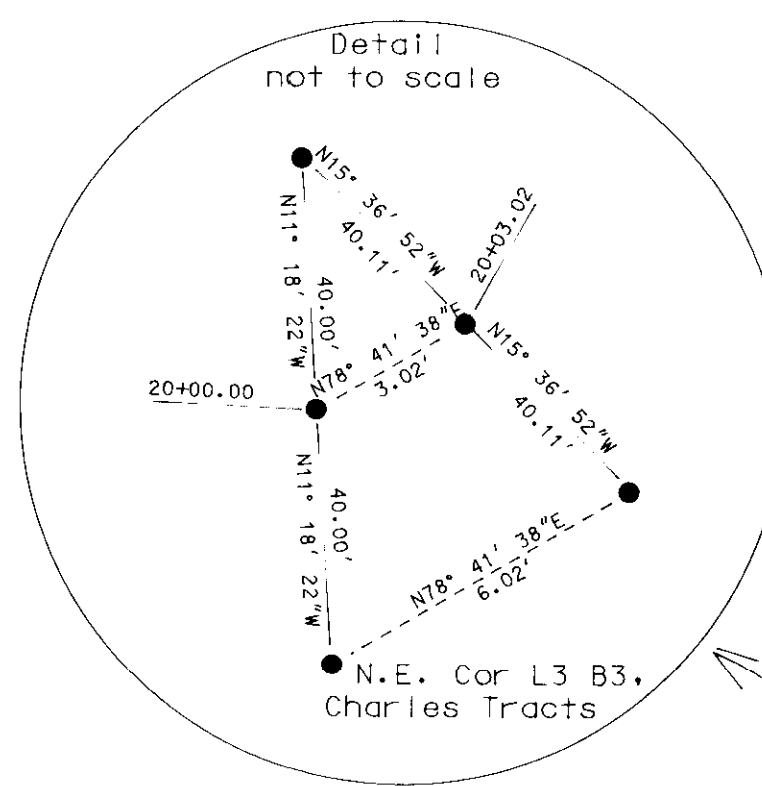
An existing fence on the north was used extensively to position the northerly right of way line of the road. The fence appears to have been built about the time the deed was written and is very solidly constructed, having square concrete pillars as corner posts at the angle points. The travelled road meanders back and forth across the monumented right of way (see map) but is inside of the right of way in all places. Because that part of the road west of the part shown on the map to Highway 395 is in a platted subdivision (Charles Tracts), the beginning point of the legalization was held the same as that on the deed in order to keep the subdivision plat intact. The existing road at the beginning point is very close to the right of way line on the north. Because it is also close to the fence, any future maintenance should tend to move it back towards centerline.

The location of the fence suggests that it was believed to be the right of way line as described in the deed. The purpose of this legalization would be to correct the description of the road to clarify the records for future land transactions and surveys. It would have no effect on any existing improvements or utilities.

Legalization is recommended by the Public Works Department.

Gary Roberts
Engineering Supervisor

60



See Detail

SN 28E 27DB
T.L. 700
Charles Kik

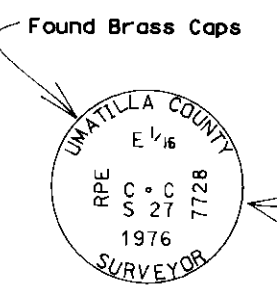
N78° 41' 38\"/>

SN 28E 27DB
T.L. 800
Robert & Eva Walden
Lot 3, Block 3
Charles Tracts

Klaus Road Centerline Description

A strip of land for road purposes located in the Southeast 1/4 of Section 27, Township 5 North, Range 28 East of the Willamette Meridian lying 40.00 feet on each side of the following described centerline:

Commencing at the 1/4 corner common to Sections 26 and 27, Township 5 North, Range 28 E.W.M. which is a brass-capped iron pipe buried 6\"/>



SN 28E 27A
T.L. 500
Carol & Heien Northrop

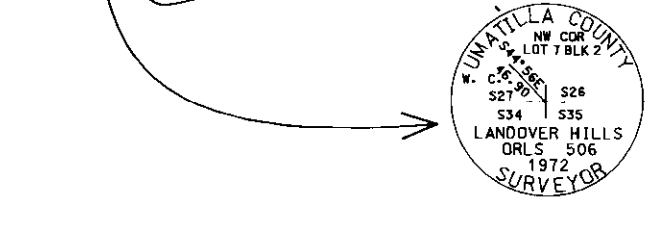
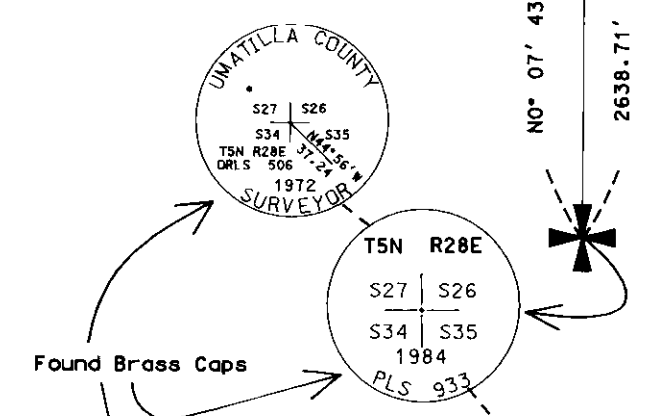
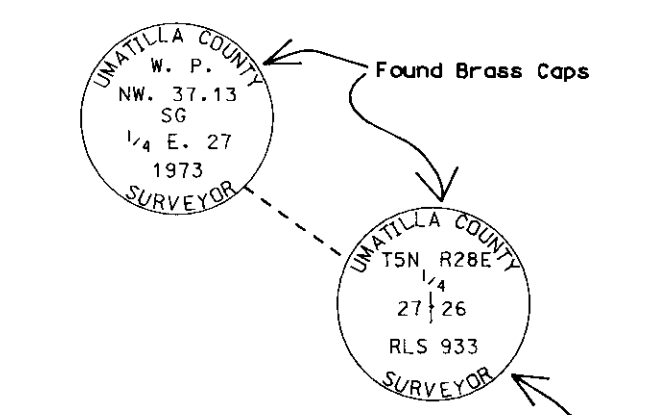
SN 28E 27D
T.L. 100
Mike Arterburn

Narrative of Survey

The Purpose of this survey was to monument a portion of County Road #1264 (Klaus Road) for legalization purposes after a private survey for Mike Arterburn exposed discrepancies in the deed from Charles Kik to Umatilla County (Book 350, Page 86) which established this portion of the road. The deed gives a distance and bearing from the northeast corner of Lot 3 Block 3 as shown on the First Amended and Supplemental Plat of Charles Tracts to the point of Beginning and also gives northings and eastings from the East 1/4 corner of Section 27, T. 5 N., R. 28 E.W.M. to the same point. The Description then proceeds to the terminus point by a metes and bounds description, where it again calls for northings and eastings from the East 1/4 corner of Section 27. The location of the northeast corner of Lot 3 Block 3 was calculated by using plot distances and by traversing through monuments found at the Southeast corner of Lot 1 Block 1 and the Northeast corner of Lot 5 Block 1 of the Charles Tracts for bearing. The East 1/4 corner of Section 27 was also traversed through. Both it and the calculated location of the Northeast corner of Lot 3 Block 3 were assigned coordinates. The calculated distance and bearing between the two differs substantially from the distance and bearing between the two using the deed description. The physical location of the road and a solidly-built fence on the north also differs from the location described in the deed, especially in the north-south direction.

Both the location of the existing road and the fence on the north were used to determine where the road was monumented. The fence appears to have been built around the time the deed was written (1975). It is very solidly built with square concrete corner posts at the angle points. Because there are the same number of corner posts as there are angle points in the deed and they are in the vicinity of where the angle points are called for in the deed in the east-west direction, I believe the fence to be in the location intended for the northerly right of way line. The road itself shows no evidence of ever being anywhere except where it is now travelled.

Bearings shown on Block 3 of the Charles Tracts were obtained by rotation to the bearing base I used for this survey, which was the Southeast corner of Section 27 to the East 1/4 corner of Section 27 being N0° 07' 43\"/>



- LEGEND**
- ⊕ FOUND SECTION CORNER AS NOTED
 - ⊕ FOUND 1/4 OR 1/16TH CORNER AS NOTED
 - FOUND 3/4\"/>

UMATILLA COUNTY ROAD DEPT
3920 Westgate
Pendleton, Oregon 97801

Survey for:
Legalization of County Road # 1264

Located:
SW 1/4, of Section 27, Township 5 North,
Range 28 East of the Willamette Meridian

Survey By: Gary Roberts	Drawn By: Jeanne Gorham	Checked By: Gary Roberts
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Scale: 1\"/>

REGISTERED
PROFESSIONAL
LAND SURVEYOR
GARY R. ROBERTS
2027
RENEWS 10-01-00

RECEIVED BY
Umatilla County Surveyor
Date: 11-95
Rec'd by: GR
No. 95-190-C